

	<b>Solihull MBC Local Plan</b> Publication Stage Representation Form	<b>Ref:</b>  <b>(For official use only)</b>
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<b>Name of the Local Plan to which this representation relates:</b>	Solihull Local Plan – Draft Submission Plan October 2020
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**Please return to [psp@solihull.gov.uk](mailto:psp@solihull.gov.uk) or Policy and Engagement, Solihull MBC, Solihull, B91 3QB BY Monday 14<sup>th</sup> December 23:59**  
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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*		2. Agent's Details (if applicable)
<i>*If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.</i>		
Title	Dr	Mrs
First Name	Naz	Katherine
Last Name	Nathani	Else
Job Title (where relevant)	Director	Managing Director
Organisation (where relevant)	MACC Group	Claremont Planning
Address Line 1	c/o Agent	Second Floor
Line 2		Two Snow Hill
Line 3		Snowhill Queensway
Line 4		Birmingham
Post Code		B4 6GA
Telephone Number		[REDACTED]
E-mail Address (where relevant)	c/o Agent	[REDACTED]

## Part B – Please use a separate sheet for each representation

Name or Organisation: Claremont Planning obo MACC Group

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

Paragraph		Policy	P2	Policies Map	
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4. Do you consider the Local Plan is :

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

4 (3) Complies with the Duty to co-operate

**Yes** X

~~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.

The policy as drafted in the emerging Local Plan is not considered to be sound, as it is not consistent with the provisions of national policy. The policy as currently drafted fails to sufficiently recognise the potential opportunity for new residential development in ensuring the vitality of Shirley Town Centre. The NPPF at Paragraph 85 (f) emphasises the important role that residential development can play in ensuring the vitality of town centres. The policy should explicitly state that the development of residential uses in Shirley Town Centre will be supported.

(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.

Addition to point 8 of the Policy to state:

*“Development of residential uses will be supported within the town 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)?

**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:

To allow the opportunity to emphasise the importance of supporting residential development in urban settings such as Shirley Town Centre to the Inspector and ensure that this is recognised in the adopted version of the emerging Local Plan Review.

**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.

9. Signature:

K Else

Date:

Dec  
2020

## Part B – Please use a separate sheet for each representation

Name or Organisation: Claremont Planning obo MACC Group

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

Paragraph		Policy	P4A	Policies Map	
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4. Do you consider the Local Plan is :

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

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.

The policy is considered to be unsound, as it is not justified, based on proportionate evidence or consistent with national policy. As currently drafted, it fails to differentiate between different types of housing, specifically between C2 and C3 developments, as well as establishing a difference between self-contained housing units and institutional facilities such as care homes. The Council recognise the need to differentiate different types of development in the supporting text to this policy, but this is not referenced in the policy itself. This is despite the Planning Practice Guidance specifically emphasising the potential for different affordable housing rates to be set for different types of development. Furthermore, the Council suggests in the supporting text that C2 developments providing self-contained units will be expected to deliver affordable housing, which is not considered appropriate and it is not considered that the Council has justified such a requirement. These differing types of accommodation must be developed across the Borough in order to cater for a variety of housing needs, therefore the Council's policy requirements should recognise the implications for different business models associated with specialist developments. It is also considered that the Council's requirements in terms of tenure mix are unlikely to be suitable or appropriate for different types of accommodation, which has not been taken into account in the policy as drafted.

Paragraph 64 of the Framework specifically states that developments should make at least 10% of dwellings available for affordable home ownership, however, cites a number of exemptions to this including proposals for specialist accommodation. The Council should acknowledge this in its expectations for tenure split, in that if pursuing requests for affordable housing as part of C2 developments, there should not be a

requirement for affordable home ownership tenures within that requirement.

In order to secure the delivery of specialist accommodation for older people, including sheltered and assisted living accommodation as well as traditional residential and nursing care home facilities, it is considered that the policy should be amended to specifically refer to self-contained Use Class C3 developments. C2 developments should not be expected to contribute towards affordable housing unless the Council can specifically justify this, and in that case there should be no requirement for affordable home ownership tenures within that provision. Referring to Use Class and self-contained accommodation in the supporting text is not sufficient, and the Council should specifically include the references within the policy.

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 Council will require developers of allocated and windfall sites to make a contribution to affordable housing on residential sites of major development **delivering self-contained (Use Class C3) dwellings**, where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more to meet the housing needs of the Borough.

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)?

**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:

To participate in discussions relating to this issue and demonstrate the necessity of differentiating between types of accommodation within this policy.

**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.

9. Signature:

K Else

Date:

Dec  
2020

## Part B – Please use a separate sheet for each representation

Name or Organisation: Claremont Planning obo MACC Group

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

Paragraph		Policy	P4C	Policies Map	
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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.

The Council's proposed housing mix, as set out in Policy P4C, is not considered to be positively prepared or justified, and is therefore considered not to be sound. Clause 3 of this policy provides requirements for housing mix, seeking 30% of dwellings to be 1 or 2 bedrooms, 50% to be 3 bedrooms, and 20% to be 4 or more bedrooms. Whilst overall, across the Borough, this may represent an appropriate housing mix, it is considered unlikely that this will be appropriate in all locations and for all types of development.

This is recognised to some extent in the supporting text in relation to town centre sites, but it is considered that the Council has given sufficient consideration to existing imbalances in the housing market as identified in the Meeting Housing Needs SPD. That SPD specifically references the shortage of smaller 1-2 bedroom properties in the Mature Suburbs areas of the district, including Shirley. The 2020 HEDNA has not specifically identified the Mature Suburbs or Shirley in the analysis, however Table 66 identifies a large disparity in urban areas between large and small properties, with over 80% of owner occupied properties 3 or 4 bedrooms, compared to just 2% as 1 bedroom, and 14% as 2 bedrooms. This demonstrates a substantial shortfall in urban areas of smaller properties, which correlates with the imbalances identified in the Meeting Housing Needs SPD. The Borough of Solihull is a diverse area, where different types of development and housing mix are likely to be appropriate in different areas and a one size fits all approach is unlikely to deliver what is required.

Furthermore, the Council's evidence base including the HEDNA 2020 at paragraph 47

and the Housing Topic Paper at paragraph 117, establish that the Council should have a 'flexible approach' when applying housing mix. This should have regard to factors such as the nature of the site, the character of the area, up to date evidence on housing need, and the existing mix and turnover of properties at the local level. By setting a policy requirement for certain percentages to be provided on all sites across the Borough regardless of the size of the site or the local context, the Council is failing to facilitate the required flexibility.

It is suggested that the Council should delete Clause 3 of Policy P4C and instead seek to negotiate housing mix on a site by site basis.

(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.

Delete Clause 3 of Policy P4C and instead seek to negotiate housing mix on a site by site basis.

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)?

**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:

To ensure that appropriate consideration is given to the implications of a prescribed housing mix on areas such as Shirley.

**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.

9. Signature:

K Else

Date:

Dec  
2020



## Part B – Please use a separate sheet for each representation

Name or Organisation: Claremont Planning obo MACC Group

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

Paragraph		Policy	P4D	Policies Map	
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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.

The policy as currently drafted suggests that all developments over 100 residential units will be expected to contribute 5% of open market dwellings in the form of self and custom build plots. No differentiation is made for flatted schemes, where this is unlikely to be feasible. The policy should recognise the challenge of delivering self-build in such circumstances. An additional clause should be added to part (1) of the policy, referring to the type of development.

The NPPF states at Paragraph 61, that authorities should assess the size, type and tenure of housing needed for different groups, which includes those wishing to commission or build their own home, with the needs for different types of sites, types and tenures to be reflected in planning policies. Furthermore, the Planning Practice Guidance states that there are several ways to support self-build and custom building alongside developing policy to support this, including using their own land or engaging with landowners of suitable sites, whilst it does not specifically support a requirement for a certain percentage to be required on all sites.

(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.

Addition of clause (vii): The type of development proposed, for example whether flatted development or traditional housing, or specialist housing proposals.

(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)?

**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:

To participate in discussions relating to self-build and custom housing.

**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.

9. Signature:

K Else

Date:

Dec  
2020

## Part B – Please use a separate sheet for each representation

Name or Organisation: Claremont Planning obo MACC Group

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

Paragraph		Policy	P4E	Policies Map	
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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.

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.

Clause 4 of the Policy requires all developments greater than 300 dwellings to provide specialist housing or care bedspaces. It is not considered that this is appropriate, as there are likely to be sites where it is not possible or appropriate to provide such accommodation on site, or it would not be an appropriate location for such provision. Instead, the Council should focus on providing care specific developments in appropriate locations, which would better meet the needs of residents, staff and the operator's requirements.

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.

There are also issues with the numbering of clauses within this policy.

(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.

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.

Clause 4 should be modified to the following:

*4. All developments of 300 dwellings or more, where feasible and appropriate, should ~~must~~ provide specialist housing or care bedspaces in accordance with the Council's most up to date statement of need on older person's accommodation.*

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;

NB, The numbering within Policy P4E appears to be incorrect with two clause 5s. Clause 7 referred to above is the clause relating to Care Homes.

(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)?

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

To explain the concerns of MACC Group relating to specialist housing developments to an Inspector.

**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.

9. Signature:

K Else

Date:

Dec  
2020

## Part B – Please use a separate sheet for each representation

Name or Organisation: Claremont Planning obo MACC Group

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

Paragraph	216	Policy		Policies Map	
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4. Do you consider the Local Plan is :

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

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. However, it is noted that this may conflict with the requirement for specialist housing or care bedspaces to be provided on all sites over 300 dwellings, as this may result in such developments being provided on the edge of developments isolated from any form of local facilities, public transport and other services.

(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	<b>No</b> , I do not wish to participate in hearing session(s)		<b>Yes</b> , I wish to participate in hearing session(s)
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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:

**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.

9. Signature:	K Else	Date:	Dec 2020
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## Part B – Please use a separate sheet for each representation

Name or Organisation: Claremont Planning obo MACC Group

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

Paragraph		Policy	P5	Policies Map	
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4. Do you consider the Local Plan is :

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

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.

The policy as currently drafted is not considered to be consistent with national policy, in that it is not striving to significantly boost the supply of housing in accordance with the requirements of Paragraph 59 of the Framework. This is particularly relevant to windfall sites, where the policy suggests that proposals will only be supported where they contribute towards meeting borough-wide housing needs and towards enhancing local character and distinctiveness. It is considered that this seeks to conflate two issues of delivering housing and ensuring design quality, the latter which is already dealt with in other policies in the emerging Plan. As such, it is considered that in principle, the Council should be supporting proposals that will deliver housing to meet local needs in accessible locations, notwithstanding issues relating to character and distinctiveness which should be considered as part of the assessment of proposals through the application process. Furthermore, it is considered that in the context of windfall sites, the policy should emphasise the potential of the sustainable redevelopment of brownfield sites to deliver housing. This is outlined in Paragraph 118 of the Framework, where policies and decisions are expected to give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs.

Clause 6 of this policy relates to density, confirming that it will be informed by a number of factors, including the need to maximise the efficient use of land, an ap-



appropriate housing mix, responding to local character and distinctiveness, and scale, type and location of development. There is the potential for some of these factors to conflict, notably the need to efficiently use land in accessible locations, whilst responding to local character and distinctiveness. Assessing design considerations such as character and distinctiveness is a subjective matter, and this should not be used to restrict development potential to utilise land efficiently, particularly in highly sustainable locations, unless there are specific constraints such as heritage that must be appropriately considered. The Framework at Paragraph 123 requires plans to contain policies that optimise the use of land and meet as much of the identified need for housing as possible. In a Borough with high levels of housing need and that is constrained by the Green Belt, it is particularly important that the Council is aspirational and encourages proposals that comprise higher density developments in order to maximise housing delivery.

(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.

3. New housing will be supported on windfall sites in accessible locations where they contribute towards meeting borough-wide housing needs particularly where proposals involve the redevelopment of suitable brownfield sites ~~and towards enhancing local character and distinctiveness~~. Unless there are exceptional circumstances, new housing will not be permitted in locations where accessibility to employment, centres and a range of services and facilities is poor.

Density

6. The Council will seek to make most effective use of land, by seeking to ensure an ~~The~~ appropriate density of new housing that will be based on a number of factors, and measured on the developable area of a site.

(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 exam-**

**ination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

**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:

To emphasise the importance of ensuring the effective use of land, including brown-field sites.

**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.

9. Signature:

K Else

Date:

Dec  
2020

## Part B – Please use a separate sheet for each representation

Name or Organisation: Claremont Planning obo MACC Group

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

Paragraph	241	Policy		Policies Map	
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4. Do you consider the Local Plan is :

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

MACC Group supports the Council's assertions in the supporting text that where proposals fall significantly below 'indicative densities' justification must be provided through the supporting information. This demonstrates a commitment to achieving high density schemes, particularly in town centre and urban redevelopment locations.

(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)?

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

**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.

9. Signature:

K Else

Date:

Dec  
2020

## Part B – Please use a separate sheet for each representation

Name or Organisation: Claremont Planning obo MACC Group

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

Paragraph		Policy	P9	Policies Map	
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4. Do you consider the Local Plan is :

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

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.

The policy is highly aspirational in seeking to ensure development is mitigating and adapting to the effects of climate change. However, in order to be fully consistent with national policy, the policy should identify that exemptions will apply where meeting these standards is not viable or feasible. This is outlined in the Planning Practice Guidance, which states that when considering local policy requirements, regard should be had to national standards and viability. It is considered that there may be circumstances where it may not be feasible or viable to conform to BREEAM Excellent for major non-residential developments, for example, or it may not be possible to provide at least 15% of energy from renewable or low-carbon sources, particularly on constrained, brownfield sites.

It is also considered that the requirement for one electric vehicle charging point per residential dwelling, is not appropriate in all circumstances. This requirement fails to account for developments where parking may be less than one space per dwelling, for example for flatted developments in town centre locations, or for developments of specialist housing where parking may not be provided.

(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.

Amend Policy P9 as follows:

3. At a site level, where feasible and viable, development must apply the 'energy hierarchy' to reduce energy demand for heating, lighting and cooling and minimise carbon dioxide emissions as follows:

*viii For residential development of new dwellings: provide at least one charging point for electric vehicles per dwelling. For non-residential development, 1 charging point will be provided per 10 parking spaces. On development sites without allocated parking or where less than one space per dwelling is provided, a contribution will be made to the Council's Charging Infrastructure Fund and/or provision to be made through a commercial rapid charging point.*

(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)?

**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:

To participate in discussions relating to this matter.

**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.

9. Signature:

K Else

Date:

Dec

**Part B – Please use a separate sheet for each representation**

Name or Organisation: Claremont Planning obo MACC Group

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

Paragraph		Policy	P14	Policies Map	
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4. Do you consider the Local Plan is :

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

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.

It is considered that the policy as currently drafted is not considered to be justified or consistent with national policy. Whilst the Framework strongly encourages good design and creating high quality buildings and places, Paragraph 130 provides that permission should be refused for development of poor design that fails to take opportunities available for improving the character and quality of an area and the way it functions. This does not mean that only development that secures high quality design should be permitted, but rather that good design should be encouraged. Furthermore, Policy P15 seeks to deliver high quality design, and so it is not considered necessary to include this requirement in P14, with clause I of this policy instead restricted to dealing with issues of amenity to ensure the emerging Plan is effective.

(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.

1. (i) Permit development ~~only if it secures high quality design (See Policy P15)~~ ~~whilst respecting that respects~~ the amenity of existing and future occupiers; and the character of the surrounding area;

(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)?

**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:

To explain our concerns regarding consistency with national policy to the Inspector.

**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.

9. Signature:

K Else

Date:

Dec  
2020



## Part B – Please use a separate sheet for each representation

Name or Organisation: Claremont Planning obo MACC Group

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

Paragraph		Policy	P15	Policies Map	
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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.

This policy seeks to secure high quality design which is supported in principle, but as currently drafted it is not consistent with the provisions of national policy. Paragraph 125 of the Framework requires Plans to set a clear design vision and expectations so that applicants have as much certainty as possible about what is likely to be acceptable. It goes on to state that policies should reflect local aspirations and be grounded in an understanding of each area's defining characteristics.

The policy requires proposals to be 'sympathetic to the surrounding natural, built and historic environment', and it is concerned that this requirement could be used to curtail proposals of a modern design that are seeking to positively enhance and improve the built environment in more run down parts of the Borough. This should be recognised in the wording of the policy.

Furthermore, when considering matters such as scale, massing and density, matters of design should be balanced with other factors such as securing the viable reuse of brownfield sites and delivering housing, which are significant issues for the Borough. This is addressed in Paragraph 127 of the Framework, which identifies that as part of design considerations, policies and decisions should 'optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development'. As such, it is considered that scale and massing should not be restricted due to the scale of development surrounding the site, if it can be demonstrated that increasing

height and density can be achieved in a high quality manner, leading to an appropriate residential environment, and maximising housing delivery in a sustainable location.

The policy proposes a requirement for usable private outdoor amenity space as well as public and private open spaces to be provided. It is considered that this requirement is not feasible on all sites, for example town centre sites that primarily comprise flatted developments. Rather than simply requiring such provision, when considering schemes, the Council should consider the availability and quality of open space nearby. No requirement in the Framework for all developments to provide private outdoor amenity space, instead Paragraph 96 emphasises the importance of access to a network of high quality open spaces and opportunities for sport and physical activity. Furthermore, development is required to enable and support healthy lifestyles, with access to green infrastructure, local shops, healthier food and layouts that encourage walking and cycling. The policy should therefore recognise that private outdoor amenity space provision is not always feasible, and where that is the case seek contributions towards nearby areas of public open space and green infrastructure.

The proposed content of clause 6 of the policy is however strongly supported, as in order to meet housing needs in the borough it is imperative that proposals make efficient use of land and seek to optimise densities in appropriate locations.

(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.

2. (i) *Conserve and contribute positively to local character, distinctiveness and streetscape quality and ensure that the scale, massing, density, layout, territory (including space between buildings), materials and landscape of the development is sympathetic to and seeks to enhance the surrounding natural, built and historic environment.*

*(ii) Ensure new developments, where feasible, include usable private outdoor amenity space and provide public and private open spaces where there is a choice of areas of shade, shelter and access to recreation that will benefit people, wildlife and provide flood storage and carbon management. Where the provision of private outdoor amenity space, contributions towards nearby public open space should be secured.*

(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)?

**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:

To ensure the design policy and proposed modifications are discussed and given appropriate consideration in front of an Inspector.

**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.

9. Signature:

K Else

Date:

Dec  
2020

## Part B – Please use a separate sheet for each representation

Name or Organisation: Claremont Planning obo MACC Group

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

Paragraph	438	Policy		Policies Map	
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4. Do you consider the Local Plan is :

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

Our client supports the Council's recognition that the numbers of old age residents within the Borough of Solihull is increasing as this is a key challenge that must be addressed by the emerging Local Plan Review.

(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)?

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

**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.

9. Signature:

K Else

Date:

Dec  
2020

## Part B – Please use a separate sheet for each representation

Name or Organisation: Claremont Planning obo MACC Group

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

Paragraph		Policy	P18	Policies Map	
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4. Do you consider the Local Plan is :

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

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.

The policy, as currently drafted, fails to acknowledge the importance of housing in delivering improved health outcomes, despite the recognition of this in Paragraph 454 in the Supporting Text. This is particularly the case in relation to housing for older people, with the text suggesting that developments that address such issues and mitigate health impacts for an ageing population will be supported. It is imperative that this is acknowledged within the policy itself, in order to give weight to this statement and emphasise support for such proposals that deliver specialist housing and care accommodation.

(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.

Modify Policy P18 to include support for specialist housing and care accommodation:

2. *(vii) Delivering new and improved health services and facilities, or specialist housing and care accommodation for older people or those with disabilities, in areas accessed by sustainable transport modes (facilities for primary medical care should be identified and planned for);*

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)?

**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:

To emphasise the importance of specialist housing and care accommodation developments for improving health and wellbeing.

**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.

9. Signature:

K Else

Date:

Dec  
2020