

Part B – Please use a separate sheet for each representation

Name or Organisation: Planning Prospects on behalf of Persimmon Homes

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

Paragraph Policy Policies Map

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	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

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 allocation of land West of Dickens Heath is supported. The site represents a suitable and deliverable site which will positively contribute to the development, particularly housing, needs of the Borough. Persimmon Homes have an option land interest in land north of Tythe Barn Lane. Persimmon's site can be developed as a phase of the overall allocated site, adhering to the overall development principles and masterplan, mitigating its own development impacts and contributing to the wider site development and masterplan aims.

Persimmon have reviewed the Council's masterplan for the allocated site and have updated and refined their proposals for their part of the allocation to align to the overall masterplan and address clear opportunities which this part of the site can address and contribute to.

Included with these representations of general support for the allocation is an updated masterplan for this phase of the development – the masterplan addresses the following and also explains the way the site can be delivered as a logical, integrated and high quality early phase of the wider allocated site noting;

- The proposals for this parcel of the wider site can be developed with its own safe access from Tythe Barn Lane
- The proposals can deliver that part of the proposed new footpath towards Whitlocks End Station behind the retained hedgerow to Tythe Barn Lane
- A positive relationship between new housing and the canal can be achieved, provid-

ing opportunities for this phase to achieve its own biodiversity gains in line with policy

- The proposals can facilitate enhanced and improved public right of way connection to the canal and promote public access to new open space
- There are no other technical infrastructure requirements which link to the wider site and would prevent this parcel of the site being delivered as a first phase

The policy requirements of Policy BL1 are generally supported. The policy requirements include provisions which will contribute to the overall comprehensive development of the whole allocation.

However, one aspect of the Policy requiring the relocation of the existing sports provision south of Tythe Barn Lane is a mitigation for the development of that part of the allocation that contains existing sports pitches. It should be made clear that where the development of any phase of the development impacts upon existing sports provision, that phase should provide for its relocation to a suitable site in the vicinity. It is not for all development phases to mitigate that loss, but in line with statute, each development phase should mitigate its own impacts.

Likewise, infrastructure requirements under Criterion 3 regarding relocation of sports facilities is only relevant to those aspects of the development impacting on such existing provision.

Green Belt enhancements are noted including reference to replacement sports provision – again this is only relevant to those phases of the development which results in loss of existing facilities. The development more generally has the ability to contribute to new sports provision in the area.

Criteria 5 is therefore objected to. As drafted, it restricts development of the site until such time as the existing sports facilities south of Tythe Barn Lane are relocated to an alternative location within the surrounding area. However, that mitigation can only reasonably be imposed upon any development of the site which results in the loss of the existing facility. The Persimmon phase of the development has never been put forward as part of a scheme which would seek to promote the relocation of existing facilities. The Persimmon site does not impact on existing facilities and can be developed fully in line with the wider principles of the masterplan, yet does not require the relocation of any existing facilities. That may well be relevant for the wider development area.

Various references with the plan including for example paragraphs 243 and 608, allow for and recognise the opportunity for phased developments. Phased developments can positively bring forward proposals with early development delivery, without compromising wider development opportunities in the site – they are not piecemeal development, but can bring forward proportionate aspects of the wider masterplan, mitigate their own development impacts but also include elements of the wider masterplan. The Persimmon site element of this development is one such example and is specifically noted as a distinct parcel of land at paragraphs 603 and 604 - the policy should allow for this opportunity and the specific opportunities this parcel affords, including in respect of view of the canal but also the Tythe Barn Lane footpath enhancements (para 608) are elements which the site's development can positively address and provide for.

It is particularly important that the plan allows for the phased delivery of development as the

plan overall is struggling to deliver development in line with the annual average delivery of housing across the plan period, during the early years of the plan – the plan should proactively work with developers to seek where opportunities for phased delivery can be brought forward to support early housing delivery in the plan period. Indeed under Policy P5 the allocation is expected to deliver some units during delivery period I (0-5 years), yet the current restrictive wording of this policy would have some considerable potential to unreasonably prevent this, particularly concerning the early delivery of the Persimmon parcel.

It is also highlighted that Criterion 2, Parts Xiii and iX as they refer to other policy requirements of the plan relating to self build and elderly accommodation are not necessary to repeat.

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.

References within the Policy which require relocation of the existing sports facilities should ensure that these requirements are only for those parts of the development which result in the loss of such existing facilities.

The policy should specifically note the opportunity for phased delivery. Criterion 5 should be amended to the following (changes shown in BOLD/UNDERLINED);

“To support sustainable development within the area, the site should be promoted on a comprehensive basis **and where the proposals result in the loss of the existing sports facilities**, supporting the positively planned relocation of the existing sports facilities south of Tythe Barn Lane to alternative locations within the surrounding area. **Where a phase of the development results in the loss of the existing sports facilities**, until such time as these facilities are appropriately relocated or robust plans have been confirmed to secure a timely relocation that would prevent the closure of any associated clubs (either for a short period of time or permanently), development of **that phase of the development site** will not be supported.”

Criterion 2, Parts Xiii and iX can be deleted as other policies of the plan address such matters.

(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:

The representations here (and others on behalf of Persimmon) set out a numbers of technical matters which would require more detailed explanation to the Examining Inspector in order to explore the extent of the issues of concern.

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:

Date:

10/12/20



Residential Development on land north of
Tythe Barn Lane, Dickens Heath

UPDATED VISION RESPONSE

Pegasus
Group

DECEMBER 2020

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SUMMARY

Pegasus
Group





PERSIMMON

EXECUTIVE SUMMARY

The aim of this document has been to show that the land north of Tythe Barn Lane, Dickens Heath can deliver a high quality, distinctive and positive development as part of an early phased parcel of the wider site allocated for growth in the Solihull Local Plan Review. The site represents a distinct parcel of land which can provide a mixed range of new homes in a landscaped setting adjacent to the canal, retaining ecological interest around the site, enhancing biodiversity and delivering its share of required infrastructure for the area.

01 / INTRODUCTION & PLANNING CONTEXT

- 1.1 This document has been prepared to support and explain the proposals for the development of land north of Tythe Barn Lane, Dickens Heath.
- 1.2 The site is located north of Tythe Barn Lane and extends to 3.5 ha. It is in agricultural use. To the south the site fronts Tythe Barn Lane with hedge boundary, beyond which in part is existing housing. West the site adjoins a garden centre, again with landscape boundary comprising trees and hedges. North is a canal, set down at a slightly lower level with extensive boundary landscape screening. To the east is easing housing, beyond a public right of way which gives access to the canal and other recreation links to the north.
- 1.3 The Council are in the process of preparing a Review of the Local Plan which will set out ambitious proposals for the growth of the Borough through to 2036. As part of that new Plan, land to the West of Dickens Heath has been identified as suitable location for around 350 new homes under Policy BL1.

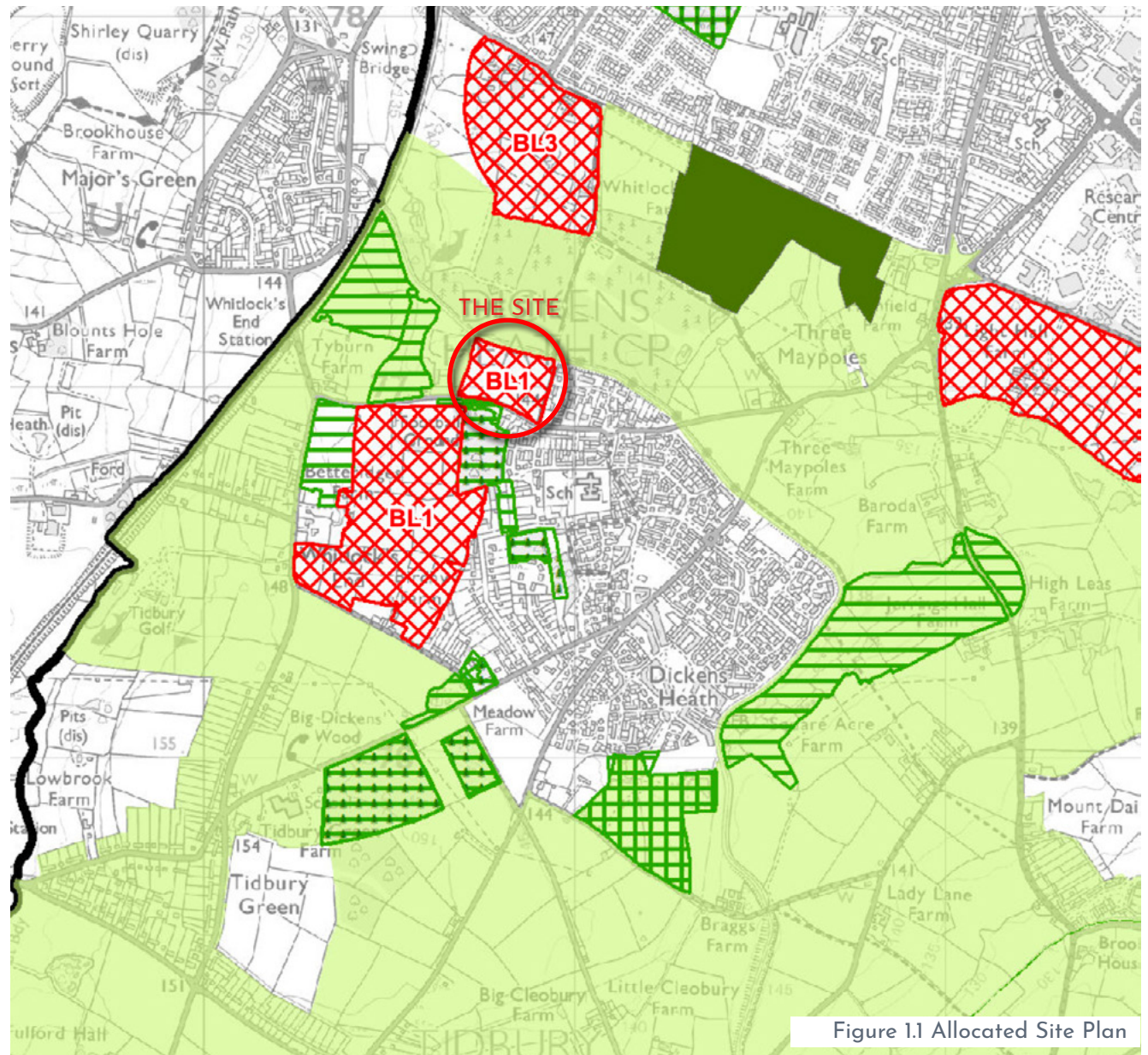


Figure 1.1 Allocated Site Plan

- 1.4 In allocating the site for development and removing it from the Green Belt, Policy BL1 sets out a number of detailed requirements for the development of the site. This includes requirements to retain trees and hedgerows, local wildlife sites and manage drainage. It also includes new infrastructure requirements for enhanced pedestrian links, highway improvements, new play space as well as contributions to new education, health and sports.
- 1.5 The Plan highlights that it is important that the development is considered in a comprehensive manner and to that end have produced a guiding masterplan for its development, but equally recognises that a phased delivery of the site is not precluded. Paragraph 604 of the Plan identifies this parcel of land, highlighting its limited constraints, but opportunities to gain views and access to the canal, whilst retaining its important function as a wildlife corridor. The Council's concept masterplan for the allocation sees this part of the site developed for housing, with some open space provision. A pedestrian link north of the hedgerow along Tythe Barn Lane is proposed in order to provide a safe route to Whitlocks End Station. This document shows how the positive development of this site can address these opportunities.



Figure 1.2 Council's Concept Masterplan

02 / PHASE DESIGN PROPOSALS

2.1 To positively respond to the Council's feedback, address Policy BL1 requirements and opportunities presented by this parcel of land and phase, an updated component masterplan for this part of the site has been developed here. Site survey work in respect of site topography, utilities and services, tree and hedgerow assessment, ecology, drainage evaluation and highway assessments have been undertaken to inform the updated site Vision.



2.2 Key aims and opportunities from the emerging Local Plan and Policy BL1 comprise;

- A mixed range of new homes
- Provision of public open space
- Views onto and access to the canal enhanced
- Protect wildlife corridor and green infrastructure
- Protect hedgerow along Tythe Barn Lane
- Provide new pedestrian link north of the hedgerow along The Barn Lane
- Enhance public right of way connection to canal



2.3 Site assessment highlights key considerations as follows;

- Access opportunity from Tythe Barn Lane, with detailed design to accommodate new footpath
- Hedgerows important to protect and minimise loss for access
- Opportunities to enhance biodiversity and achieve in excess of 10% gain
- Ecology interest along line of canal, with opportunity to locate open space, protect wildlife corridor and provide sustainable drainage
- Overlook canal possibility although must retain landscape setting
- Retain other trees on site
- Enhance and overlook footpath link to canal

DESIGN PROCESS AND VISION

2.4 The proposed site has been subject to numerous studies, surveys and design iterations. The following section sets out the design principles and aspirations for the site based on updated technical input.

ACCESS AND MOVEMENT

- 2.5 The proposed site will be safely served from a single access point off Tythe Barn Lane. Modifications to the existing highway will be required to ensure that safe access and egress can be provided.
- 2.6 Another principle of the hedgerow retention requires the footway along Tythe Barn Lane to be located within the site to the north of the existing hedgerow. This will increase connectivity to the centre of Dickens Heath and the Railway Station in a sensitive way whilst also improving the safety of people traveling along this section of the existing road.
- 2.7 The existing Public Right of Way will be enhanced to improve accessibility and connectivity. The proposed layout is permeable and encourages sustainable movement.



Figure 2.1 - Concept Masterplan

LANDSCAPE FRAMEWORK

- 2.8 Vegetation will be retained wherever possible. A small section of the hedgerow along Tythe Barn Lane will be require removal to allow access to the site. This hedgerow loss will be replaced behind the visibility splay. Boundary trees and vegetation will be retained to maintain the existing visual screening and contribution to the local character of the area. Retaining this existing landscape framework will create a strong backdrop for the future residential development.
- 2.9 A combination of species rich grassland, meadow planting, shrub/scrub, hedgerows and native/ornamental planting will combine to create a series of attractive character areas which will respond to the neighbouring landscape and townscape characters.
- 2.10 New planting throughout the scheme will assist in softening the appearance of built form whilst enhancing habitats. Plant species will be selected to respect and compliment the existing local landscape and nearby residential developments. New hedgerows to the front of homes will assist in defining the public and private realms.

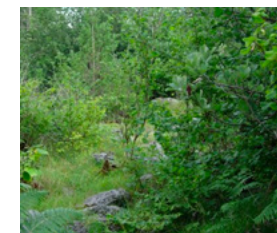


SCALE AND DENSITY

- 2.11 The Concept Masterplan has evolved to consider previous iterations of the site, aspirations of the Council and more recently identified opportunities across the site. The site boundary extends to approximately 3.5ha and c. 120 new homes could be delivered.
- 2.12 It is considered that lower densities of housing could be proposed along Tythe Barn Lane, the proposed ecological buffer and the existing PRow to respect the existing character. Opportunities to increase the density within the heart of the scheme could be achieved due to the limited visual envelope of the site. This approach will assist in ensuring that the land is utilised in an efficient way whilst respecting the neighbouring receptors.

ECOLOGICAL BUFFER

- 2.13 A 20m buffer has been applied along the northern boundary to protect existing habitats from built development. It also provides a suitable location for a bio-diverse SUDS basin. New paths will meander through this space, providing a connection to the existing PRow. This will also create an attractive aspect to new homes and sympathetic separation to the canal.



ENHANCED PROW

- 2.14 The existing PRow along the eastern boundary of the site will be resurfaced to improve accessibility. Vegetation along the route will be enhanced to create a pleasant connection between Dickens Heath and the wider landscape to the north. Outward facing homes will provide natural surveillance and improved safety.



03 / SUMMARY

- 3.1 The overall vision for this phase of the wider allocation is to provide for a distinctive and positive parcel and phase of development which can positively contribute its part to the wider comprehensive development west of Dickens Heath, protecting its landscape, trees and hedgerows as well as ecology value, whilst also grasping opportunities for biodiversity gains, new public open space and providing enhanced opportunities for countryside access.
- 3.2 The phase will contribute its own unique opportunities for new infrastructure, providing its own sustainable drainage, delivering part of the wider new pedestrian link along the site frontage, new public open space to the canal with protected and enhanced biodiversity.
- 3.3 The phase can deliver a mix and range of around, 120 new homes, including provision of affordable homes, all designed to high quality standards.
- 3.4 The phase will make its own proportionate contributions to education, off site sports and recreation as well as other requirements of the development such as enhancing the canal tow-path to ensure it mitigates its own development impacts, but equally provides for a positive and high quality place to live, which respects and enhances the local area and will make a key contribution to the wider development.



Pegasus Group,
No. 4 St Pauls Square
Liverpool
L3 9SJ

www.pegasusgroup.co.uk

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