



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

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

**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.*

2. Agent's Details (if applicable)

| | | |
|----------------------------------|---|--|
| Title | <input type="text"/> | <input type="text" value="Mr"/> |
| First Name | <input type="text"/> | <input type="text" value="Gary"/> |
| Last Name | <input type="text"/> | <input type="text" value="Stephens"/> |
| Job Title (where relevant) | <input type="text"/> | <input type="text" value="Partner"/> |
| Organisation (where relevant) | <input type="text" value="Rainier Developments Limited (Tidbury Green)"/> | <input type="text" value="Marrons Planning"/> |
| Address Line 1 | <input type="text"/> | <input type="text" value="Bridgeway House"/> |
| Line 2 | <input type="text"/> | <input type="text" value="Bridgeway"/> |
| Line 3 | <input type="text"/> | <input type="text" value="Stratford upon Avon"/> |
| Line 4 | <input type="text"/> | <input type="text"/> |
| Post Code | <input type="text"/> | <input type="text" value="CV37 6YX"/> |
| Telephone Number | <input type="text"/> | <input type="text" value=""/> |

E-mail Address

(where relevant)

Part B – Please use a separate sheet for each representation

Name or Organisation:

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 type="text" value="X"/> | No | <input type="text"/> |
| 4.(2) Sound | Yes | <input type="text"/> | No | <input type="text" value="X"/> |
| 4 (3) Complies with the Duty to co-operate | Yes | <input type="text" value="X"/> | No | <input type="text"/> |

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.

See attached paper

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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.

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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)

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9. Signature:

Gary Stephens

Date:

14/12/2020

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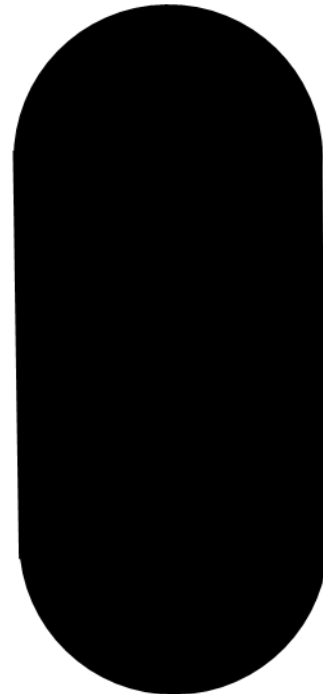
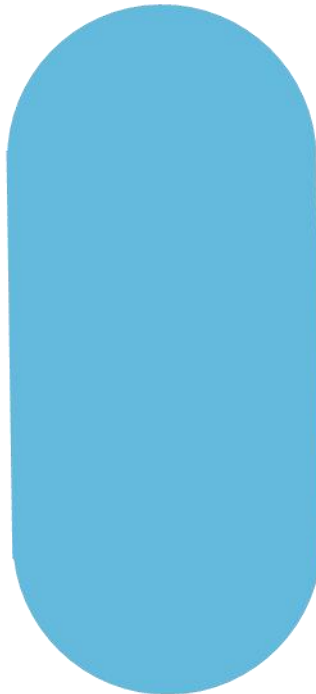
14/12/2020

Representations – Tidbury Green (Site 404)

Solihull Local Plan - Draft Submission Plan

Rainier Developments Limited

December 2020





1. The following representations are made in response to the Solihull Local Plan – Draft Submission Plan (October 2020) on behalf of Rainier Developments Limited in respect of their land interests at land west of Rumbush Lane, Tidbury Green (Site 404). These should be read alongside the completed Representation Form.

Paragraph 523 (Sustainability Appraisal)

Question 5

2. There is not a specific section within the Plan which refers to the Sustainability Appraisal (SA), therefore this objection is made in relation to Paragraph 523 of the Plan as this is the first reference to the SA in the Plan.
3. The SA has not fairly considered reasonable alternatives in respect of levels of housing growth. In fact, the level of growth was pre-determined prior to undertaking the SA this year, and has therefore not been informed by the SA in accordance with the Framework¹.
4. Option 2 (15,000 dwellings) is the Plan's preferred approach in light of the SA, and yet higher levels of growth perform equally as well. In fact, the only tangible difference between Option 3 (16,000 dwellings) and Option 2 is that Option 3 has a negative effect in relation to resource efficiency (resulting from greater generation of waste) whereas Option 2 is regarded as neutral². An additional 1,000 homes represents a percentage increase of less than 1% in the number of homes within the Borough, and whilst they will generate greater levels of waste, it will not be material. The SA is actually inconsistent on this point as it has considered the additional 1,000 homes delivered by Option 3 to not have a material difference to the positive effects on housing, social inclusion, regeneration and employment. In any event, the negative effect on resource efficiency is not significant adverse, and therefore the SA demonstrates that a higher level of housing growth than 15,000 dwellings can be accommodated sustainably.

¹ Paragraph 32 of the Framework

² Table 5.4 of the SA



5. Looking further, Option 4 (19,000 dwellings) is a sizeable jump from Option 3 without any explanation in the SA as to why it was selected over lesser options. The additional positive effects of Option 4 on housing, social inclusion, regeneration, and employment are noted. However, it also notes greater negative effects in relation to flooding and climate change, and the natural environment. Those greater negative effects appear to relate to the choice of locations that were put forward by the Council to assess this level of housing growth, e.g. significant growth (3,000 additional dwellings) at either Balsall Common or land south of the A45. Only considering two spatial options for this higher level of growth clearly has the potential to skew the conclusions of the SA. Further, the two spatial options were selected from the GBHMA Strategic Growth Study, and therefore had not even been taken from the Council's own SHELAA evidence as to land that was suitable for development. Greater negative effects say for example on flooding or green infrastructure would have been avoided had alternative options been considered.
6. It is acknowledged that the SA has to be manageable, and cannot consider endless alternatives and permutations. However, given the importance of testing higher levels of housing growth in light of the scale of unmet need arising from the neighbouring authority, the SA should have undertaken a finer grain analysis of options at levels of growth above 16,000 dwellings utilising its own evidence base of available and suitable sites.
7. The SA does therefore not provide a sound evidence base for not pursuing higher levels of housing growth in order to meet the housing requirement.
8. In relation to the specific assessment of Site 404 (TG3 West of Rumbush Lane), there are a number of inaccuracies identified below which have been raised within representations made to earlier consultations.
 - a. SA2 refers to the nearest primary school being 1259m. This is incorrect the nearest primary school (Tidbury Green) is less than 800 metres (9 minutes walking distance) from the site based on pedestrian access through the adjoining residential development as demonstrated on the Connectivity Plan appended to these representations (Appendix 1). SA2 should therefore be light green (positive effects likely).



-
- b. SA10 states the landscape is of medium-high sensitivity to change based on the high level Landscape Character Assessment of the LCA2 Southern Countryside character area. Factually, this is incorrect as the landscape character sensitivity of LCA2 is considered to be medium within the Assessment. Notwithstanding the above, a Landscape and Visual Appraisal has been submitted with these representations (Appendix 2) which has demonstrated the site has a small zone of visual influence, and can accommodate development without causing harm to the wider landscape. SA10 should therefore be grey (neutral effects).
 - c. SA11 refers to the distances to greenspace. The site is within 400m of public open space well in excess of 2ha taking into account the existing open space on the adjoining residential development, the sports pitches to the north, and the proposed open space (including a new full size football pitch) and woodland within the site, and SA11 should therefore be grey (neutral effects).
 - d. SA12/13 states the site is within 100m of a heritage asset. Development of the site is unlikely to affect the significance of a heritage asset, and SA12/13 should be light green (positive effects).
9. On the basis of the above, the site performs well and the only negative being the fact the site falls within a least deprived area (SA1). This is not a significant adverse effect though, and therefore not a reason to not allocate the land.

Question 6

- 10. The SA should be updated to re-consider higher levels of housing growth using a more refined approach.
- 11. The SA of Site 404 (TG3 West of Rumbush Lane, Tidbury Green) should be amended to reflect the updated and correct position.



Paragraphs 63 to 69 (Spatial Strategy/Site Selection)

Question 5

12. There is not a policy within the Plan that contains the Spatial Strategy, and so representations are made against paragraphs 63 to 69 of the Plan. The Plan should contain strategic policies which set out the overall strategy for development³, and therefore the Plan is not sound on this basis.
13. The Spatial Strategy as defined in paragraph 63 confirms that growth around high frequency public transport corridors and hubs is the 'starting position' (Options A to D). High frequency is not defined within the Plan, but is defined within its evidence base at paragraph 1.1 of the Accessibility Mapping Report. In relation to Rail Stations, it defines high frequency as 3 services per hour in at least one direction during the peak hour period. So, for example, Wythall Rail Station is excluded from this definition on the basis that it only has 2 services per hour in the PM peak (even though at other times of the day including the morning peak there are more than 3 services per hour).
14. This approach is unnecessarily strict and not consistent in any way with national policy that promotes sustainable transport, and which requires the identification and pursuit of opportunities to promote the use of public transport⁴.
15. The means by which to increase the frequency of services in the PM peak hour at stations like Wythall, is to focus growth around them in order to increase footfall and demand for existing services to stop. To do otherwise, is to ignore the potential of the existing infrastructure to promote sustainable transport contrary to the Framework. Indeed, the Framework states that significant development should be focussed on locations which are, or can be made, sustainable.
16. The Strategy should therefore be revised to make it clear that all rail stations fall within the category of high frequency public transport corridors or hubs (Growth Option A). This would increase the potential for growth in the top tier of the Strategy, and reduce the pressure for growth in less sustainable locations lower down the hierarchy.

³ Paragraph 20 of the Framework

⁴ Paragraph 102 of the Framework



17. The Strategy then refers to other Options (E to G), which can only therefore be described as 'secondary' to A to D. However, Options E to G may well also fall under Options A to D. For instance, a limited expansion of a rural village/settlement (F) could well be near a high frequency public transport corridor and hub (A). There is therefore ambiguity as to which option such a site might fall within. It should be noted that Rainier are promoting such a site at Land west of Rumbush Lane, Tidbury Green (Site 404) which is within walking and cycling distance of Wythall Rail Station. The Strategy should be amended to clarify.
18. Paragraph 65 then adds further confusion by introducing three further criteria which inform the location of growth but don't relate in any way to Options A to G. It is unclear which takes precedence (A to G or Paragraph 65).
19. Notwithstanding the above, in relation to the first criteria, reference is made to a highly accessible settlement. This is not defined within the Plan or within the evidence base, and therefore is ambiguous. The second criteria covers less accessible settlements (again not defined), but in the footnote includes the phrase 'This includes Balsall Common and Knowle/Dorridge/Bentley Heath'. Again, it is ambiguous and not clear which settlements this refers to beyond those listed. Similarly, the third criteria applies to less accessible settlements that have a limited range of services (including a primary school). Again, no definition within the Plan or the evidence base as to what settlements fall within this category (other than those listed in the footnote). It is also noted that only proportionate additions to the settlements in the third tier are allowed, suggesting that disproportionate additions might be acceptable in other settlements.
20. The absence of a clear Spatial Strategy and indeed settlement hierarchy therefore makes it impossible to understand how the scale and pattern of development is to be delivered within the Plan. Furthermore, within the evidence base, the Site Selection Topic Paper includes an entirely new set of hierarchy criteria⁵, which has been used to inform the site selection.
21. This therefore makes it difficult to understand how the sites selected relate to the Strategy. By way of example, it is noted that no sites selected in Paragraph 69 as

⁵ Paragraph 43 of the Topic Paper



allocations fall within Options A to D, and yet these Options are the 'starting position' within the Spatial Strategy. Site Selection (Paragraph 69) refers to the site selection methodology which is set out in the Topic Paper. The methodology is consistent with national policy in so far as considering first the potential of sites outside of the Green Belt (Priority 1 and 2), however it then departs from national policy in relation to Green Belt by not first considering previously developed land and land well served by public transport⁶. It also makes no reference to whether the loss of Green Belt can be offset through compensatory improvements to the remaining Green Belt.

22. The implications of the Spatial Strategy and site selection methodology are that Green Belt sites that perform well in relation to national policy⁷ were not selected as a result of the methodology and its confused application.

Site Selection

23. For example, Site 404 at Land west of Rumbush Lane, Tidbury Green is well served by public transport given its relationship to Wythall Rail Station. It offers compensatory improvements to the environmental quality and accessibility of the remaining Green Belt in the form of ecological enhancements and access to woodland and proposed playing pitch (as illustrated on the Illustrative Masterplan at Appendix Three). It therefore fits squarely with the Framework.
24. However, the Site Assessment completely ignores the existence of Wythall Rail Station, and considers Tidbury Green village as not being suitable for expansion and regards it as 'isolated' (Priority 9). Accordingly, the site was not considered further in the process.
25. Aside from the Rail Station referred to above within walking distance of the village, the village includes a range of facilities, including a primary school and village hall. Indeed, the Secretary of State considered as recently as 2015 in granting planning permission for 190 dwellings at Tidbury Green, that it was a sustainable settlement with a suitable range of facilities and services to support major residential

⁶ Paragraph 138 of the Framework

⁷ Paragraph 138 of the Framework



development (Appeal Reference: APP/Q4625/A/14/2220892). The Secretary of State notes:

“14. The Secretary of State has carefully considered the Inspector’s reasoning (IR78-90) and agrees with his conclusions (IR91) that the proposal complies with Local Plan policies P7 and P8 relating to accessibility and sustainable modes of transport. He notes that although the scheme does not comply entirely with some of the accessibility criteria on policy P7 the policy allows for consideration of local circumstances and for investment in local public transport measures as proposed in the appeal scheme. He gives the matter moderate weight in favour of the proposal.”

26. In terms of a more detailed assessment of services and facilities, including accessibility via sustainable transport modes, the Inspector notes:

“81. Tidbury Green itself, given the relatively small scale of the settlement, has a reasonable level of facilities in easy walking and cycling distance of the appeal site. In particular it has two churches, a sports and social club, a car dealership and workshop, a restaurant, a primary school and a village hall. However there is no surgery or a shop selling fresh food. Moving further afield, Dickens Heath provides the next level of services, along with other settlements in the area. For the widest range of facilities, employment and services, one would look to Solihull or Birmingham.

82. In terms of buses, there are stops on Dickens Heath Road and Fulford Hall Road, around 400 metres from the site access. The main bus service (leaving aside term time buses) is the S3, which provides hourly services in both directions to Whitlock’s End Station, Dickens Heath, and Solihull. The Planning Obligation provides a contribution towards the improvement in the frequency of these services. Access to these bus stops on foot is perfectly adequate, and would be improved as part of the package of offsite highway works. The bus service represents a reasonable level of provision, which would be improved if the appeal scheme went ahead.

83. There is a choice of railway stations which can be accessed on foot, by bus (in the case of Whitlock’s End) or by bicycle. Whitlock’s End station (1.6km from the site) provides a 20 minute service to Kidderminster, Worcester, Birmingham and Stratford-on-Avon. Wythall station (1.1km from the site) provides hourly services to Stourbridge Junction, Birmingham and Stratford-on-Avon.

84. Residents explained that the recently extended car park at Whitlock’s End station is often full during the morning peak and beyond. That is not doubted, but the station is within convenient walking and cycling distance from the site (around 20 minutes on foot). The S3 bus service serves the station, and there is no need to access the station by car. Wythall station has no parking (aside from cycle parking), but is also within reasonable walking and cycling distance (around 13 minutes on foot).

85. The local centre in Dickens Heath can be reached by pedestrians in less than 20 minutes and by cyclists in around 6 minutes.

86. It is appreciated that the width of the pedestrian footways is limited in some locations due to overgrown vegetation, but in no area are the footpaths approaching impassable, and where this is an issue it can be addressed by the highway authority.



Some limited parts of the relevant footways do not have street lighting, but there is no requirement to provide this.

90. The Framework, whilst seeking to maximise the use of sustainable transport, recognises that solutions will vary from urban to rural areas. In this case the opportunities for the use and encouragement of sustainable transport modes have been taken into account in the selection of the site and the details of the scheme. Sustainability is not an absolute concept and covers a wide range of topics. It would be unrealistic to consider a potential development as being sustainable only if it complied absolutely with every facet of sustainability. If that were the case, there would be very few developments which could be considered sustainable.

91. Overall, the proposal complies with LP policies P7 and P8 related to accessibility and sustainable modes of transport (although this does not equate to the totality of sustainability). Although the site does not comply entirely with some of the accessibility criteria in policy P7, the policy itself allows for the consideration of local circumstances and for investment in local public transport and cycling/walking measures – as are proposed in the appeal scheme. The development also complies with the approach of the Framework. This matter weighs in favour of the proposal.”

27. The Assessment completely ignores this decision in regarding the settlement as isolated. Further, the transport improvements provided by the development that was granted permission will further enhance the accessibility of the location.

28. The Accessibility Study which forms part of the evidence base of the Plan has also incorrectly assessed the site. Public transport is incorrectly assessed as being ‘low/medium’, and yet the site is within walking distance of Wythall Rail Station as well as frequent bus services. The assessment also states that there is no existing footway. However, a new footpath will be provided southwards along Rumbush Lane. Rainier also have a legal agreement with Bellway Homes (the developer) that they can provide pedestrian access linkages into their development.

29. The site has not therefore been considered fairly through this process. It is in an accessible location, it is a lower performing site in Green Belt terms (see representations in relation to Paragraph 419 of the Plan on the Strategic Green Belt Assessment), and should therefore be a Priority 5 site and an allocation listed in Paragraph 69.

Question 6

30. The Spatial Strategy should be set out as a strategic policy in the Plan.



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31. The Spatial Strategy should be more clear as to the scale and pattern of development that is intended to be delivered, and how this has informed site selection.
 32. The Spatial Strategy (Growth Option A) should define 'High Frequency Public Transport Corridors and Hubs' to include all rail stations.
 33. The Site Selection methodology should be amended to reflect Paragraph 138 of the Framework.
 34. The Site Selection should include an allocation of land west of Rumbush Lane, Tidbury Green.



Policy P17 – Green Belt Policy

Question 5

35. Policy P17 makes no reference to safeguarding land within the Green Belt. Indeed, there is no reference to any consideration being given to safeguarding land. It is considered necessary for the Plan to safeguard land in order to meet longer-term development needs. Exceptional circumstances exist in that:
- a. the local authority is significantly constrained by Green Belt with opportunities outside it very limited;
 - b. unmet needs within neighbouring areas already exist (see representations under the housing requirement and the Council propose to deal with them through the next review of the Plan); and,
 - c. there are no neighbouring Councils who have expressed a willingness to take any unmet needs arising from Solihull thereby meaning the next review of the Plan will need to release land from the Green Belt.
36. This Plan should therefore be safeguarding land in order to ensure there is a degree of permanence to the boundaries proposed within this Plan.

Question 6

37. The Plan should be amended to include safeguarded land to accommodate longer-term development needs.



Paragraph 419 – Strategic Green Belt Assessment

Question 5

38. Paragraph 419 of the Plan makes reference to the Solihull Strategic Green Belt Assessment, and that its findings have been used to help justify the removal of land from the Green Belt. That statement is inconsistent with the Assessment itself which states on page 2 that it does not make recommendations for amendments to the boundary but that it forms the basis for more detailed assessment. There is no evidence of any more detailed assessment. The Assessment also was prepared in 2016 and therefore pre-dates the current version of the Framework.
39. There are inaccuracies in relation to the Assessment of Parcel RP75 (Site 404: land west of Rumbush Lane, Tidbury Green). The site is assessed as representing a gap of less than 1km between urban areas (Purpose 2). That is incorrect as development of the site would not result in the built form of Tidbury Green being any closer to Dickens Heath than exists at present (as evident from the illustrative masterplan at Appendix Three). The existing gap would therefore remain, and the site does not therefore perform any role in preventing neighbouring urban areas merging into one another.
40. A more detailed assessment of the site's contribution to the Green Belt forms part of the Landscape and Visual Appraisal at Appendix Two. This demonstrates that the site has strong defensible boundaries, and would be viewed as a 'rounding off' of the settlement with no meaningful narrowing of the gap between settlements.
41. Based on this analysis, the site therefore should be regarded as 'lower performing' in the Assessment. This inaccuracy has contributed to the site not being selected as an allocation and should be addressed.

Question 6

42. The Strategic Green Belt Assessment should be updated and corrected in relation to its Assessment of RP75 (land west of Rumbush Lane, Tidbury Green).



Policy P5 – Provision of Land for Housing

Question 5

Housing Requirement

43. The housing requirement is not sound as it is not positively prepared, justified, effective or consistent with national policy for the following reasons.

Local Housing Need

44. The minimum Local Housing Need (LHN) has been calculated using the standard method which is well established and is not disputed. However, the Council will need to be mindful of any changes arising from the Government's stated intention to change the method for calculating LHN prior to submission of the Plan.

Plan Period

45. It is highly unlikely that the Local Plan will be adopted in 2021, thereby providing a plan period of 15 years post adoption as recommended by the Framework. On the basis that it is already December 2020 and the Plan has not been submitted, it is more likely to be adopted in 2022, and therefore the housing requirement and the Plan should be extended to 2037.

Employment uplift

46. LHN is afforded an employment uplift of nine dwellings per annum to take account of the substantial job growth at UK Central of around 13,000 net additional jobs. This is a figure which could increase as plans crystallise, and it is noted that the Council's Viability Study (2020) predicts up to 77,500 jobs by 2040. The Plan justifies the small increase based on the distinct jump between economic based housing needs and the number of jobs the minimum standard method can accommodate.



47. The Plan also justifies the small uplift from LHN on the assumption that only 25% of the jobs will be filled by people residing in Solihull, with the remainder in commuting from neighbouring areas. Travel to work data from the 2011 census is used to justify this, despite it being acknowledged in the HEDNA that patterns have likely changed since 2011.
48. Taking this approach will 'bake-in' inward commuting reflecting an historic pattern of movement rather than shaping growth to be more sustainable by locating homes close to where work is. This can only serve to increase traffic levels given the main mode of transport using census data in 2011 is the private car. In light of the Council's recognition of the gravity of the climate change emergency, it is not sound to Plan on the basis of accepting such high levels of inward commuting.
49. As a consequence for the housing requirement, the Plan as proposed creates an unmet housing need that has no clarity about how it will be addressed, as the HEDNA states:
- 6.43 The UK Central scenario (Growth C), which is the recommended growth scenario, results in a housing need 9 dwellings per annum above the Standard Method, under the commuting assumptions set out above. There is, however, an unmet need 379 dwellings per annum required to fulfil the 75% of in-commuting jobs associated with UK Central.*
50. This unmet need amounts to over 6,000 dwellings over the Plan period. It is stated that some of this may already be accommodated within other Plan's housing requirements (HEDNA Para 6.35), but there is no evidence to support that assumption.
51. The Plan also appears to suggest in paragraph 2.29 that its contribution to unmet needs from Birmingham should be taken into account as contributing to the UK Central employment uplift. However, the unmet housing needs arising from Birmingham had no regard to the level of job growth at UK Central and its implications on their housing needs.
52. The housing requirement should therefore be increased to take account of the employment uplift, particularly in the absence of any evidence that neighbouring areas are intending to accommodate higher housing numbers as a consequence.



Affordability uplift

53. The housing requirement should also be increased to take account of affordability within the Borough, consistent with national guidance (paragraph 2a-024-20190220) which states:

An increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes.

54. The identified affordable housing need is 578 homes per annum (HEDNA para 35). However, the Council has reached the conclusion that the maximum amount that can be viably sought is 40% on any given scheme. Even if it was assumed that all of the LHN (807dpa) could contribute 40% affordable housing it would amount to only 322 affordable homes per annum. This top line is substantially less than the evidence suggests, and in reality 322 per annum is unlikely given the sources of supply, despite the Housing Topic paper (Paragraph 73) noting other methods for maximising affordable housing provision.
55. The Housing Topic paper notes at footnote 10 that this reduced to 224dpa if households already in accommodation are excluded, however the HEDNA is clear that the figure is theoretical and should not be seen to minimise the acute housing need in the borough.
56. The housing requirement should therefore be increased to reflect the levels of affordability.

Unmet Needs

57. The Plan does not fully address unmet housing needs and the housing requirement should be increased accordingly. Paragraph 227 of the Plan advises that Birmingham has unmet needs (37,900 homes), and paragraph 228 advises that the Plan is proposing a contribution of 2,105 homes towards unmet needs. However, there is no evidence that this level of contribution is agreed with Birmingham or



- other neighbouring authorities⁸, or that the unmet needs that remain are to be addressed elsewhere⁹.
58. Further, there is no evidence as to why the contribution is only 2,105 homes. Solihull has a strong functional relationship with the City, with good transport connections, and in population terms is much larger than other neighbouring areas (such as North Warwickshire) which have agreed to take a greater share of the unmet need.
59. In addition to Birmingham's needs, it is also noted the Black County Authorities estimate unmet housing needs of 29,260 homes and up to 570ha of employment land to 2038, and have written to the Council notifying them. The Council has suggested their unmet needs can be dealt with as part of the next review of the Local Plan¹⁰. However, that is not evidence of effective joint working, but rather deferring its consideration which is evidence of an unsound Plan in being contrary to paragraph 35 c) of the Framework.
60. It is unacceptable to propose before the Plan has even been submitted to the Inspectorate that a review will be necessary to properly address housing and employment needs. That amounts to 'poor planning', and is not evidence of a positively prepared Plan which, as a minimum, seeks to meet the needs of the area. The opportunity exists now to make this Plan sound before it is submitted to the Inspectorate, and the Council should properly address this issue.
61. In any event, were an early review of the Local Plan to be undertaken addressing unmet needs it will inevitably require the release of Green Belt land. This Plan demonstrates exceptional circumstances exist to require the removal of land from the Green Belt as a consequence of the level of need, the lack of sufficient alternatives outside of the Green Belt, and the absence of willing neighbouring Councils prepared to accommodate some of the need. Those exceptional circumstances are very likely to still exist when the Council comes to undertake its review as urban capacity is limited, and nearby Councils are similarly constrained.

⁸ Page 21 of the Summary of Representations to the Supplementary Consultation

⁹ The GBBC Housing Needs and Housing Land Supply Position Statement (August 2020) confirms unmet needs from Birmingham still exist of 2,597 homes taking into account the contribution from Solihull.

¹⁰ Paragraph 154 of the Overall Approach Topic Paper



62. The Council have therefore failed to demonstrate the proposed Green Belt boundaries within this Plan will not need to be altered at the end of the Plan period¹¹, and therefore consideration must be given in this Plan to safeguarding land. If not, there is no permanence to the Green Belt boundaries proposed within this Plan and they will not endure beyond the Plan period contrary to the Framework¹².

Housing Requirement

63. The Plan is proposing a housing requirement that equates to the supply that it considers is capable of being delivered over the Plan period. However, the Sustainability Appraisal of the Plan does not provide any evidence as to why higher levels of housing growth could not be accommodated without causing significant adverse effects.
64. There is therefore no flexibility within the supply to ensure that the housing requirement is met. An oversupply above the housing requirement is typical for all Plans to some degree, and a 10% buffer is advised for Solihull since the Plan is reliant upon sites with long gestation periods. and its portfolio of allocations relies upon larger strategic sites. In order for the Plan to be positively prepared, the housing requirement should be expressed as a minimum.

Supply over the Plan Period

65. There are a number of objections to how the Council has calculated supply over the plan period as set out below.

UK Central

66. The plan assumes 2,740 units will be delivered at UK Central by 2036. This is a substantial amount of growth for a site that is unlikely to see any completions for

¹¹ Paragraph 139 e) of the Framework

¹² Paragraph 136 of the Framework



- several years post plan adoption¹³. The UK Central Hub Growth and Infrastructure Plan suggests 2028. However, it is difficult to envisage that substantial residential completions will take place on the UK Central site until such time as the HS2 railway line is constructed and operational.
67. The Transport Secretary said in a written statement to parliament in September 2019 that it could be between 2028-31 before trains run on the route. Even if completions could be achieved from 2028 this would assume an annual total of 340 completions to achieve the delivery projected in the plan period which is far beyond what might be realistically be achieved. Without sight of a realistic housing trajectory, there is no evidence to support this level of delivery and therefore it is not justified. Since this is a strategic site, it is appropriate for the anticipated rate of development to be included within the Plan in accordance with the Framework.
68. In addition, there are substantial infrastructure requirements in addition to HS2, such as public transport and active travel bridges across the WCML, which has an estimated cost of £40m and with no timescales confirmed for delivery. It is also noted the Council are still working with Highways England to assess the impact of development on their highway network¹⁴. The absence of any agreement undermines the extent to which the assumptions within the Plan on delivery can be relied upon.
69. This evidence is important in being able to demonstrate the Plan is deliverable and sustainable, and that improvements to infrastructure required as a result of development have been robustly assessed, costed in order to demonstrate viability, and capable of being delivered in a way which does not hinder the proposed delivery of housing and employment. The absence of this evidence means the Plan is not justified.

¹³ The UK Central Hub Growth and Infrastructure Plan suggests 2028.

¹⁴ Page 23 of the Draft Infrastructure Delivery Plan



Allocated Sites

70. The absence of any evidence in relation to housing trajectories for the proposed allocated sites means that the figure of 5,270 homes to be delivered by 2036 is not justified.
71. Also, of note, the allocation for Solihull Town Centre (Site 8) in the adopted Local Plan expected 350 units to come forward in the first phase of the Plan period. This has not transpired. The new Local Plan now estimates 861 units but none coming forward in the first 5 years, and no evidence to support its delivery¹⁵.

Windfalls

72. The estimated level of windfalls at 2,800 homes completed over 14 years is not justified.
73. Firstly, whilst it is stated that windfalls are not included for the first 3 years (to avoid double counting with extant planning permissions) only 2 years have been discounted.
74. Secondly, the annual average level of windfall is substantial for an authority significantly constrained by Green Belt. The SHELAA notes that of the known sites, 96% are in the Green Belt. Very few of these are likely to be suitable for windfall planning applications given Green Belt policy, but in any event these are a separate source of supply in the Plan.
75. Reliance is placed on historic trends, but there is no certainty that past sources of supply are likely to continue. Given the absence of a Local Plan meeting housing needs in Solihull for some time, there is a degree of inevitability that there has been a high level of windfalls historically. Relying upon past trend averages is not sufficient for a forward projection to be made. As the Framework states, the

¹⁵ SHELAA – Site number 5015.01



evidence should be so compelling that it is a source of supply that can be relied upon for delivering the housing requirement.

76. The SHELAA notes that 20% of the windfall allowance is for sites under 1ha. Therefore, 80% is for over 1ha – which should be covered by sites assessed in the SHELAA. Indeed the SHELAA is so comprehensive that very small sites have also been assessed. Therefore, the windfalls allowance is double counting with other sources of supply in the Plan. Indeed, the source of housing supply includes sites identified in the land availability assessment, brownfield register, and town centre sites. This amounts to over 1,350 dwellings, much of which would have previously been counted as a windfall. It is also unclear in whether projecting forward using historic trends the Council has removed garden land from its supply.

Existing Sites

77. In the SHELAA, there are also Existing Sites and Communal Dwellings where it appears there may be calculation errors, including:
- a. Examples of demolition of existing dwellings where it is rightly noted the net is 0 but this is not reflected in the deliverable supply column which remains 1 (or greater).
 - b. 2102.06 where the net should be zero since it is a change of use.

Five Year Supply on Adoption

78. The Plan will not provide for a five year housing land supply upon adoption. As noted elsewhere, three years' worth of windfalls are included within the supply rather than two (an estimate which is high, and overlaps with other sources of supply). There is also 350 homes on allocated sites without the benefit of planning permission, without clear evidence that housing completions will begin within five years. Discounting by these two sources (550 units) puts the supply under five years.
79. The Plan assumes that 1,170 homes will be delivered on allocated sites within the first five years but there is no evidence to support this. The table at Paragraph 226



of allocated sites only breaks down sites into phases of the Plan. There should be a year by year completions trajectory for the whole of the plan period for all sources of supply, and the SHELAA 2020 only does this in part. Without this, the Plan is not justified. For all sites, there needs to be clear evidence that housing completions will begin and be delivered within 5 years.

Question 6

80. The housing requirement should be amended to take account of the likely realistic date of adoption; a more sustainable balance between the jobs uplift and commuting patterns; unmet housing needs; and an affordability uplift. The housing requirement should also be expressed as a minimum figure. The exact figure will need to be informed by further assessment by the Council.
81. The housing supply should be justified with evidence, and assumptions in relation to windfalls should be reviewed and amended. The housing supply should contain a buffer of 10% over the housing requirement to ensure delivery and that housing needs can be met should some sources of supply slip.
82. There is an insufficient portfolio of sites, in particular small sites, that can deliver quickly ensuring a five year housing land supply is achieved upon adoption. National planning guidance advises where a stepped trajectory is used local authorities could identify a priority of sites that could come forward earlier in the plan period in order to ensure housing needs are met. This emphasises the imperative to release further small sites within Solihull that can deliver quickly.
83. Policy P5 and the table of allocated sites should be amended to include land west of Rumbush Lane, Tidbury Green¹⁶. The site:
 - a. is deliverable, available and achievable¹⁷;
 - b. is low performing in Green Belt terms when assessed correctly against the criteria within the Green Belt Assessment¹⁸;

¹⁶ A Vision Document is appended at Appendix Four that presents the site.

¹⁷ Site 404 – Category 1 in the SHELAA Update

¹⁸ See representations in relation to the Strategic Green Belt Assessment



- c. has a low impact in landscape terms due to its enclosed nature¹⁹; and,
 - d. is within walking and cycling distance of services and facilities including a rail station, and is therefore a sustainable location for residential development²⁰.
84. Further, the Sustainability Appraisal finds no significant adverse effects from development of the site. To support these representations, a proposed site access drawing and briefing notes on ecology, archaeology and heritage, and arboriculture are appended as Appendices Five to Eight to demonstrate the deliverability of the site.

¹⁹ See Landscape and Visual Appraisal submitted with these representations

²⁰ As determined by the Secretary of State in his decision in 2015 in relation to an appeal within the village (Appeal Reference: APP/Q4625/A/14/2220892).