



**Solihull MBC Local Plan**  
Publication Stage Representation  
Form

Ref:

(For  
official  
use only)

**Name of the Local Plan to which this representation relates:**

Solihull MBC Local Plan

**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 00:00**

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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	<input type="text"/>	<input type="text" value="Mrs"/>
First Name	<input type="text"/>	<input type="text" value="Glenda"/>
Last Name	<input type="text"/>	<input type="text" value="Parkes"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Director"/>
Organisation (where relevant)	<input type="text" value="Kendrick Homes Limited"/>	<input type="text" value="Tyler Parkes"/>
Address Line 1	<input type="text" value="Please refer to Agent"/>	<input type="text" value="66 Stratford Road"/>
Line 2	<input type="text"/>	<input type="text" value="Shirley"/>
Line 3	<input type="text"/>	<input type="text" value="Solihull"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text" value="B90 3LP"/>
Telephone Number	<input type="text"/>	<input type="text" value="0121 744 5511"/>
E-mail Address (where relevant)	<input type="text"/>	<input type="text" value="info@tyler-parkes.co.uk"/>

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

Name or Organisation: **Tyler Parkes on behalf of Kendrick Homes Limited**

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

Paragraph **222, 225 & 226** Policy **P5** 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.

### Representation on behalf of Kendrick Homes

#### Objection

#### Policy P5 'Provision of Land for Housing:

#### Paragraph 222 Solihull Housing Land Supply 2020 – 2036,

#### Paragraph 225 Maintaining Housing Land Supply and

#### Paragraph 226 Allocated Sites

- On behalf of our Client Kendrick Homes, we are instructed to submit representations to the Solihull Local Plan review 2020. An objection is submitted to Policy P5 'Provision of Land for Housing', paragraph 222 'Solihull Housing Land Supply 2020-2036', Paragraph 225 'Maintaining Housing Land Supply' and Paragraph 226 'Allocated Sites'. It is contended that insufficient 'deliverable' sites and 'developable' sites and broad locations have been identified to maintain a 5-year housing land supply over the plan period or to accommodate the scale of growth projected up

**to 2036, undermining the deliverability of P5 – contrary to the requirements of National Planning Policy Framework (NPPF) paragraph 67, 70, and 72 d).**

2. To be considered ‘deliverable’ NPPF Appendix 2: Glossary, requires the sites are *‘available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within 5 years...’* Planning Practice Guidance (PPG paragraph 007 reference ID: 68-007-20190722, revision date: 22 July 2019) advises that robust up-to-date evidence is required. To be considered ‘deliverable’ sites which would require further evidence including those which: *‘have outline planning permission for major development; are allocated in a development plan; have a grant of permission in principle; or are identified on a brownfield register’*. Evidence, to demonstrate deliverability, may include:
  - *‘current planning status – for example, on larger scale sites with outline or hybrid permission how much progress has been made towards approving reserved matters, or whether these link to a planning performance agreement that sets out the timescale for approval of reserved matters applications and discharge of conditions;*
  - *firm progress being made towards the submission of an application – for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers’ delivery intentions and anticipated start and build-out rates;*
  - *firm progress with site assessment work; or*
  - *clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects.’*
3. There are significant doubts over the deliverability and suitability of several proposed site allocations promoted for delivery in periods I (years 0 to 5) and/or II (years 5 to 10) at paragraph 226 ‘Summary Table of Residential Allocations’.
4. The 5-year housing land requirement from the base date of 1<sup>st</sup> April 2020, table at paragraph 225 ‘Maintaining Housing Land Supply’, is **unsound** on the basis that there are doubts over the veracity of the evidence. There is a lack of robust evidence to demonstrate that there has been no double counting across the sources and the evidence to demonstrate the deliverability of the capacity numbers shown in the table is questionable. This is contrary to NPPF paragraph 31 which states that, *‘The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals’*.
5. The sources of ‘deliverable’ dwelling capacity relied upon in Policy P5, to enable delivery of an annualised requirement of 938 (or even the proposed annualised requirement proposed of 851 dpa in the period 2020 to 2026, detailed in paragraph 224), are of particular concern on the following basis. The lack of credible evidence to demonstrate:

- the deliverability and suitability of several of the allocated sites on the basis that there is no specific evidence to demonstrate the allocations without planning permission in the 2013 Solihull Local Plan will be developed before 1<sup>st</sup> April 2025.
  - 200 dwellings could be provided on sites identified in the land availability assessment (SHELAA),
  - 77 dwellings could be provided on sites identified in the brownfield register (BLR), and
  - 600 dwellings could be provided on windfall sites (2022 to 2025).
6. There is also an undue reliance on larger site allocations. The smallest of the allocations being for 50 units. This is contrary to the recommendations in NPPF paragraph 68, which states that, '*Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly...*'
7. Appendix E 'Land Availability Assessment' of the 'Draft SHELAA Update', October 2020, includes a list which concludes that if land is released from the Green Belt (as is currently proposed in the Publication version of the SLP and Policies Map), there would be a capacity of 220 dwellings on deliverable sites. Sites to accommodate 120 of these are itemised in the Publication version of the SLP within proposed amended settlement boundaries for Balsall Common and Hockley Heath.
8. In order to ensure deliverability, our Client contends that the small and medium size SHELAA sites with an estimated 'major' development capacity of 10 units or more, should be specifically allocated in the SLP (if they are not eligible for inclusion in the BLR). This would be a mechanism to provide greater certainty of deliverability and speed up delivery – effectively allocating the sites, would give permission in principle. NPPF paragraph 68 clearly recommends that local planning authorities identify through their local plan and BLR land to accommodate at least 10% of their housing requirement on sites of no more than 1 ha.
9. The SLP is currently **unsound** as it is not an appropriate strategy, to, on the one hand, count the SHELAA sites as deliverable, yet have the two sites identified in Hockley Heath, which includes the site of interest to our Client – site 49 Land adjacent 84 School Road, caveated in the SLP at paragraph 671 with the comment, that they 'may' be considered appropriate for development. The emphasis on 'may' by it being underlined in the SLP is inappropriate and undermines deliverability and the soundness of the plan which is relying upon delivery of these sites before 2025.
10. There is no evidence to demonstrate that there is a reasonable prospect of all the sites identified in the BLR coming forward for development. Indeed, Stage 2 of the BLR has not been undertaken by the Council and none of the sites have permission in principle. We are aware from our representation of landowners, that SMBC have not approached BLR site landowners or their agents since 2018, in order to establish whether there is an intention to bring the land forward for development in the before 2025. Our Client is therefore concerned that the evidence in support of the 77 BFL capacity

within the 5 YHLS table at paragraph 225 (Draft SHELAA Update, October 2020 Appendix F) is unsound, as the Council have no evidence of deliverability.

11. In terms of longer-term, post 5 years, to be considered 'developable' the NPPF Glossary requires that, *'sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged.'* PPG paragraph 019 reference ID: 68-019-20190722, revision date: 22 July 2019, requires that if longer-term sites are to be included in a Local Plan, for example as part of a stepped requirement, then plan-makers will need to demonstrate that there is a reasonable prospect that they are likely to come forward within the timescale envisaged.
12. Our Client is concerned that the evidence provided in support of the housing figures contained in Policy P5 is unsound – not only in terms of the deliverability and developability of some of the site allocations, SHELAA sites, and sites with planning permission, but also in terms of the windfall capacity numbers included in the housing land supply tables at paragraphs 222 and 225.
13. Our Client questions the basis on which the windfall allowance has been calculated without evidence to demonstrate that the historic rates (on which the current estimates are based), excluded sites identified in the SHELAA and BLR – something which would be difficult to extrapolate from the windfall figures prior to introduction of SHELAA and BLRs. There is no commentary in the evidence documentation to explain if/how an allowance has been made in the historic windfall rates to remove a proportion, which would have come forward through the more recent SHELAA and BLR site identification mechanisms (i.e. to clearly demonstrate that there has been no risk of double counting).
14. NPPF paragraph 70 states that, *'Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends...'* There appears to be an expectation that the SHELAA information will be used to inform the likely remaining windfall allowance.
15. It is also important to note that the proposed delivery on SHELAA sites, proposed in the Publication version of the SLP, paragraph 225 table, anticipates 200 dwellings to be delivered on SHELAA sites in 5-years from April 2020. This would effectively double the 5-year housing land supply delivery rate proposed in the 2013 SLP's first 5 years. If the proposed 320 SHELAA capacity, over the whole 16-year plan period were taken into the average the annualised delivery from SHELAA sites would be 20 dwellings per annum, compared to the average annualised delivery rate of 8.7 SHELAA dwellings adopted in the 2013 SLP. There is no compelling evidence to justify this steep increase or to demonstrate the deliverability and developability of the SHELAA sites.
16. It is evident therefore, that insufficient 'developable' sites or broad locations have been identified to accommodate projected growth in the 6-to-10 or 11-to-15 years – contrary to the requirements of NPPF paragraph 67 and 72 d).

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.

**Modifications Sought**

17. Evidence is required to:
- demonstrate which of the SHLAA sites identified as contributing towards the 5 and 16 year housing land supply in the 2013 SLP have been delivered.
  - extrapolate the windfall, BLR and SHLAA site completions.
  - robustly demonstrate the deliverability and developability of all BLR sites, SHELAA sites, and proposed housing allocations.
18. Where the necessary justification cannot be provided, those SLP housing site allocations, SHELAA sites, BFR sites and planning permissions should be deleted from the SLP and housing land supply information (paragraphs 222 and 225).

**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:

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To address the Council's Responses and the Inspector's Matters, Issues and Questions

**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:

Glenda Parkes

Date:

14/12/2020

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

Name or Organisation: **Tyler Parkes on behalf of Kendrick Homes Limited**

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

Paragraph **233 & 234** Policy **P5** 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.

### Representations on behalf of Kendrick Homes Ltd

#### Objection

#### Policy P5 'Provision of Land for Housing: Paragraphs 233 and 234 Housing Requirement for Designated Neighbourhood Areas

1. On behalf of our Clients Kendrick Homes Ltd, who have an interest in the site adjacent 84 School Road, Hockley Heath, to make representations to the Solihull Local Plan Review 2020. It is submitted that Policy P5 is unsound on the basis that insufficient policy weight has been given to encouraging the development of suitable sites within settlements for housing enabling villages to grow and thrive, especially where this will support local services, at densities in keeping with national and local strategic policies in Neighbourhood Areas – contrary to NPPF paragraphs 65, 122 and 123.
2. The NPPF paragraph 65 explains that, within the overall strategic housing requirement for the whole area, '*...strategic policies should also set out a housing requirement for designated neighbourhood areas which reflects the overall strategy for the pattern and*



*scale of development and any relevant allocations. Once the strategic policies have been adopted, these figures should not need retesting at the neighbourhood plan examination, unless there has been a significant change in circumstances that affects the requirement.'*

3. PPG Paragraph: 101, reference ID: 41-101-20190509, revision date: 09 05 2019 advises that while there is no set method for setting the Neighbourhood Area housing requirement, *'...the general policy making process already undertaken by local authorities can continue to be used to direct development requirements and balance needs and protections by taking into consideration relevant policies such as the spatial strategy, evidence such as the economic and housing land availability assessment, and the characteristics of the neighbourhood area, including its population and role in providing services. In setting requirements for housing in designated neighbourhood areas, plan-making authorities should consider the areas or assets of particular importance (as set out in paragraph 11, footnote 6), which may restrict the scale, type or distribution of development in a neighbourhood plan area...'*
4. **To comply with NPPF paragraph 65, it is important that the Neighbourhood Area housing requirement is included within Policy P5 as a strategic policy requirement, rather than as part of the supporting text explaining and justifying the approach set out in the policy. Currently, Policy P5 makes no reference to the housing requirement being partly attributed to specific Neighbourhood Areas.**
5. **Given that there is unlikely to be an opportunity to test the housing requirement at the Neighbourhood Plan stage, it is important to ensure that the proposed Neighbourhood Area housing requirements and supporting text are not overly restrictive jeopardising the NPPF and local plan objective of meeting the minimum housing requirement over the plan period.**
6. Removing land from the Green Belt should only occur through the plan-making process when justified by 'exceptional circumstances', as detailed in NPPF paragraphs 136 and 137. The significant need for housing and the shortage of an adequate housing land supply outside the Green Belt has satisfied this 'exceptional circumstances' test. However, to ensure that the minimum amount of protected Green Belt land is required for housing, it is important to both ensure that the Green Belt boundaries will endure beyond the plan period and to ensure that the land which is removed is put to the most effective use, to reduce future pressure to review Green Belt boundaries again.
7. Encouragement is given to sustainable development of land, NPPF paragraph 122, states that, *'Planning policies and decisions should support development that makes efficient use of land*', whilst, of course, respecting the prevailing character of the area, the availability of infrastructure and services, viability, the need for different housing types, and the importance of securing well-designed, attractive and healthy places. NPPF paragraph 123 requires that, *'Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.*
8. NPPF paragraph 123 goes on to states that, in these circumstances:  
*'a) plans should contain policies to optimise the use of land in their area and meet as much of the identified need for housing as possible. This will be tested robustly at examination, and should include the use of minimum density standards for city and*

*town centres and other locations that are well served by public transport. These standards should seek a significant uplift in the average density of residential development within these areas, unless it can be shown that there are strong reasons why this would be inappropriate;*

*b) the use of minimum density standards should also be considered for other parts of the plan area. It may be appropriate to set out a range of densities that reflect the accessibility and potential of different areas, rather than one broad density range; and*

*c) local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)'*

9. Using the Hockley Heath Neighbourhood Area as an example, the proposed housing requirement in the SLP at paragraph 234 is 141 dwellings. This comprises the estimated capacity of 90 dwellings at proposed site allocation HH1 School Lane, plus the two SHELAA sites falling within the proposed revision to the settlement boundary: Land adjacent to 84 School Road (i.e. the site of interest to our Client) and the rear of 84, 86 & 90 School Road with an estimated capacity of 51 dwellings.
10. The Indicative Density table beneath paragraph 240 of the SLP suggests it would be appropriate for the limited extension of urban or larger villages to be 30-35 dph for houses, 'as appropriate' for apartments and 40-50dph for mixed development - based on the net developable area of the site.
11. Clearly, without the necessary pre-application work to produce a detailed development proposal on the proposed site allocation and SHELAA sites, there can be no guarantee on exactly how many new dwellings could be delivered. However, our Client contends that it would be contrary to the aims of national policy to put an upper limit on the sustainable development of Neighbourhood Areas, which otherwise satisfy all other policy requirements.
12. Our first-hand knowledge of, and masterplan work on, two sites proposed for allocation in the SLP, has clearly demonstrated that the capacity shown in the Concept Masterplan Document and within the site allocation policies is an under estimate of the actual number of new dwellings which could be achieved on these sites. The removal of an upper limit would not undermine the ability to deliver development that would satisfy all the policy requirements set out within the plan, including; responding to sensitivities and constraints, providing infrastructure and upgrading ecological value.
13. For example, we are aware from our involvement in masterplan work conducted over a number of years on Site SO1 East of Solihull that there is a discrepancy of nearly 13% between the 700-capacity proposed in the SLP Policy SO1 and the 790 currently arising from the detailed masterplan work. The masterplan work was informed by various detailed expert reports and it was led by the SMBC's Resources Director (as a major landowner), with the involvement of SMBS's architect and design team, landowners and their representatives, in consultation with the local planning policy officers. It also exceeds minimum SLP policy requirements, such as proposing provision of over 10ha of public open space when 6.5ha is the minimum policy requirement.

14. Building upon the example of the Neighbourhood Area of Hockley Heath; the promoters concept masterplan prepared for proposed site allocation HH1, reproduced within the Concept Masterplan document, proposes a development of 100 dwellings i.e. 11% more than 90 dwellings proposed as the capacity for the site in Policy HH1 Land South of School Lane, Hockley Heath.
15. If, as has been shown in the masterplan work we have been involved with elsewhere, and the work undertaken by the promoter of site HH1, there is an uplift in delivery of between 11% and 13% on the proposed site allocation and SHELAA sites in Hockley Heath, these sites could well be capable of delivering 157 to 160 dwellings.
16. In addition to the need for a reasonable allowance to be made in the SLP for the potential uplift on the deliverability of dwellings on the three development sites identified in the SLP, it is important to recognise that the proposed Neighbourhood Area housing requirement figures make no provision for a windfall allowance. Policy P5 states that the annual housing land provision target is 938 net additional dwellings. Paragraph 223 of the SLP explains that there is an expectation that 200 of these dwellings, post 2022, will be provided on windfall sites i.e. over 21% of the housing target is expected to be delivered by development on windfall sites.
17. Therefore, it is reasonable to assume that Hockley Heath could accommodate an additional 21% of residential development, in addition to the development taking place on the identified site allocation and SHELAA sites. Using the current SPL proposed Neighbourhood Area capacity of 141 (comprising the estimated capacity of the identified site allocation site plus the two SHELAA sites) an extra windfall allowance of 21% would take the total Neighbourhood Area requirement to 170 dwellings.
18. However, once the likely additional uplift resulting from detailed planning application work on the identified development sites has been completed, the Neighbourhood Area housing requirement figure would be 186 to 189 dwellings.
19. These figures are calculated on the basis of the settlement boundary amendment proposed at Hockley Heath, on the Policies Map, which accompanies the SLP. However, it is important to emphasise that there is a strong case for realigning the boundary to also include the completed affordable housing site, adjacent house, garden and employment use land in a southwards direction. This amendment to the settlement boundary would facilitate delivery of approximately 15 additional dwellings. If this logical extension to the settlement is included in the SLP, the Neighbourhood Area housing requirement would be 201 to 204 dwellings.
20. PPG paragraph: 104, reference ID: 41-104-20190509, revision date: 09 05 2019 advises that, '*...The strategic policies will...have established the scale of housing expected to take place in the neighbourhood area...*' Our Client therefore recommends modifications to ensure that the eight Neighbourhood Area housing requirements, listed at SLP paragraph 234, are flexible enough to encourage the maximum appropriate delivery rates on site allocations, SHELAA and BLR sites, in addition to any windfall sites. This is necessary for the plan to be effective – it needs to be flexible and responsive to needs over time.

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.

**Modifications sought**

21. Our clients contend that Policy P5 is unsound on the basis that it fails to demonstrate that the housing requirement for designated Neighbourhood Areas is appropriate, proportionate and makes the most effective use of land having regard to local characteristics and national requirements (NPPF paragraphs 122 and 123) Our client recommends introduction of a strategic policy (in line with NPPF paragraph 65).
22. A modification is sought to Policy P5 as shown in ‘bold italics’ below:
- Insert a new paragraph below paragraph 2 of Policy P5, as follows:
- ‘A proportion of the Borough’s housing requirement will be expected to be delivered in designated Neighbourhood Areas as detailed in the table below. These housing requirement figures are indicative minimum numbers and may be exceeded once detailed permissions have been considered for the sites identified in the land availability assessment, Brownfield Land Register, site allocations within this plan and saved from the 2013 Local plan and any suitable additional sites which come forward within the settlement boundaries as defined on the Policies Map.’*
23. It is submitted that paragraph 234 should be deleted and replaced by a table of Neighbourhood Areas with the minimum housing requirement listed for each area.
24. The minimum housing requirement figures currently shown at paragraph 234 should be critically reviewed to reflect the deliverability of the housing land supply sources more realistically. As a minimum, our client submits that an addition of 21% to the numbers proposed at paragraph 234 should be incorporated, to reflect the windfall delivery expectation.

**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 address the Council's Responses and the Inspector's Matters, Issues and Questions

**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:

Glenda Parkes

Date:

14/12/2020

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

Name or Organisation: **Tyler Parkes on behalf of Kendrick Homes Limited**

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

Paragraph **669 and 671** 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.

**Representations on behalf of Kendrick Homes Ltd, who have an interest in land adjacent 84 School Road, Hockley Heath (Call for Sites ref 49)**

**Objection – Hockley Heath Section: paragraphs 669 and 671**

1. On behalf of our Client, Kendrick Homes Ltd, who have an interest in the site adjacent 84 School Road, Hockley Heath we are instructed to submit representations to the Solihull Local Plan Review 2020. Whilst our Client fully supports the proposed removal of the land adjacent 84 School Road, Hockley Heath, from the Green Belt and the associated amendment to the Hockley Heath settlement boundary, they affirm that without changes to the Draft Submission SLP, the section which relates to Hockley Heath and the Hockley Heath settlement boundary shown on the Policies Map are unsound.
2. This representation should be read alongside the representations submitted on behalf of our Client in respect Policy P5 'Provision of Land for Housing'. Our Client contends that Policy P5 is unsound and has not undertaken the necessary steps regarding the legal Duty to Cooperate. The deliverability and developability of many of the proposed sources of

residential land supply have not been robustly demonstrated and do not satisfy national planning policy requirements.

3. The result of the Council's failure to identify a sufficient supply of deliverable and developable housing sites means that there is an immediate need to identify additional and/or alternative sustainable, suitable sites which can be shown to be deliverable and developable meeting the requirements of the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).
4. Whilst our Client supports the proposed removal of Site No. 49 (Land adjacent 84 School Road, Hockley Heath) from the Green Belt and the proposed settlement boundary amendment at Hockley Heath (as shown on the Policies Map), our Client specifically objects to Paragraph 671 as currently worded and we make the case that the site 49 (Land adjacent 84 School Road, Hockley Heath) should be formally allocated for housing development or at the very least the current uncertainty that the wording of paragraph 671 should be amended.
5. The land is available now, offers a suitable location for development now, and has a realistic prospect that housing will be delivered on the site within five years. In summary, our Client's site:
  - is proposed to be removed from the Green Belt;
  - links the previous settlement boundary to the ribbon of established development to the west along School Road;
  - has clear physical defensible boundaries;
  - is in a sustainable location;
  - is in the ownership and control of a landowner keen to bring it forward for development at the earliest opportunity;
  - is a small site which would contribute towards the timely delivery of housing to meet the housing requirement as recognised by NPPF paragraph 68 which states that, '*Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.*' and
  - could deliver approximately 21 dwellings within the first 5 years of the plan period.

#### **Promotion of the Site**

6. Representations have been submitted in respect of the site on behalf of our Client in response to consultations on each iteration of the SLP, including proposed layout plans, and it has been promoted for consideration in the Strategic Housing and Economic Land Availability Assessment (SHELAA).

## Assessment

7. NPPF paragraph 68 requires local planning authorities to identify small and medium sized sites as they can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should, amongst other approaches, *identify, 'a)...land to accommodate at least 10% of their housing requirement on sites no larger than one hectare;'* ...and 'c) *support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes...*'
8. Planning Practice Guidance (PPG) paragraph 002 (Reference ID: 2a-002-20190220 Revision Date: 20 02 2019) on housing need assessment makes it clear that the standard method is only a minimum starting point for housing need, it is not a housing requirement. Local authorities should be seeking to put in place the necessary mechanisms to boost housing delivery, including ensuring land which it is not necessary to keep permanently open is removed from the Green Belt as part of any review and adjustment to boundaries.
9. Paragraph 674 of the SLP accepts the case for the existing ribbon of development on the north side of School Road, which is without any significant gaps warrants removal from the Green Belt, which would include our Client's site.

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.

## Modifications

10. Paragraphs 671 should be amended as detailed below (proposed new wording shown in bold):

### Paragraph 671

*'In addition to the site south of School Road that would then fall within the settlement boundary, if the Green Belt boundary were amended as described above, there are also two smaller sites that **will** be considered appropriate for development as they would then also be within the settlement boundary. These sites are not being allocated as part of this plan but are being highlighted as they have been promoted for development by the landowner/developer and if the Green Belt boundary is changed **as proposed on the Policies Map** they would no longer be subject to Green Belt policy. The **details of the scale of** development would be established through the planning application*



process. These are as follows (using the call for site references and the SHELAA for potential indicative capacity):

- 49 Land adjacent to 84 School Road (capacity 21)
- 328 land at and to the rear of 84, 86 & 90 School Road (capacity 30)

**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 address the Council's Responses and the Inspector's Matters, Issues and Questions

**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:

Glenda Parkes

Date:

14/12/2020