

Representations on Solihull Council's Submission Draft Local Plan 2020 on behalf of Mr Williams

List of Representations

[To Follow]

NOTE:

1. These representations are in the form of a single document which can be split into **[Number]** separate sections as necessary.
2. All the representations relate to the matter of soundness and legal compliance of the Submission Draft Local Plan.
3. We wish to participate in the hearing sessions in respect of Site 127, **etc** and, in addition, in respect of the Knowle Settlement Chapter, Policies KN1 and KN2 and their respective concept masterplans to the extent our representations on those matters differ from those of the KDBH Forum.
4. We consider this to be necessary because the detailed submissions relating to Site 127 submitted in our behalf by **Oakwood Planning** in Response to the Supplementary Consultation on the Draft Plan 2019 have not been addressed at all. A stated aim of the Supplementary Consultation was to request information on which sites should be re-assessed and included which had not yet been proposed. Our representations on these issues relate to soundness and legal compliance and we wish to have the issue presented and considered at a hearing in a transparent way.
5. A number of provisions of the Draft Submission Local Plan are unsound in a number of important respects. In many places, proposals are not justified by the evidence. There is a lack of consistency with national policy. There is ambiguity and lack of clarity.

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Community Involvement

The process of community involvement is not in general accordance with the LPA's Statement of Community Involvement - January 2020:

Response to Supplementary Consultation 2019

- a. One of the stated purposes of the 2019 Consultation was to "consider whether any sites should be re-assessed and asked whether any red sites should be included and if so why". Despite detailed representation on the errors made in assessing Site 127, providing the facts for reassessment and requesting that Site 127 was reassessed, it was not re-assessed by the Council. The Council therefore did not comply with its stated action points. Any reassessments undertaken appear limited to sites already selected for allocation, new sites submitted as a call for sites and sites which had been amended. It is not proper to fail to reassess Site 127, given the manifest errors in the original assessment and the submission that a correct assessment would rank the site as "Green" and that it should be a selected site according to the Council's own criterion and there was a compelling case for its inclusion in the Local Plan.
- b. This does not comply with Paragraph 7 of the SCI, which refers to paragraph 16 of the NPPF "Plans should be shaped by early, proportionate and effective engagement between plan-makers and communities...". It would be proportionate to re-assess and consider Site 127 in light of the comments made on re-assessment, especially as other new sites and amended sites were being assessed post 2019 and that consultation is a two way process where comments are acted upon, rather than ignored. The Summary document does not fairly summarise the strength of the representations for Site 127 or the request for a re-assessment and allocation.
- c. The Statement of Consultation (pages 4-5) states that the responses to the Local Plan Supplementary Consultation 2019 was on the location of new homes and infrastructure requirements and the Council recognised that a review of the Sustainability Appraisal and other environmental evidence was necessary, the site selection methodology required review further consideration of infrastructure was required. However:
 - i. The Council did not communicate how the selection criteria was changed.
 - ii. The Knowle Traffic Impact Plan was only published for the Draft Submission Plan Consultation (it would appear that the report was commissioned once the Government consultation on planning changes was announced). It seem clear from the report (Limitations section) that given the COVID pandemic, a further study would have been commissioned once the pandemic had passed.
 - iii. Despite many sites being re-assessed, site 127 was not reassessed despite the first assessment being very demonstrably wrong.
- d. The Council did not respond positively to the evidence or the consultation submissions in respect of Site 127 (and others according to the summary of responses to the Supplementary Consultation).

Consultation on Draft Submission Plan

- a. In respect of the 2020 consultation, the Council has provided 3 live meetings which were subsequently available on you tube, in place of in person meetings. These were on 9th, 12th and 16th December. However:
 - i. No questions were submitted during these live events so it is doubted how many people watched them live.
 - ii. The number of views is very low compared to the real in person meetings that have been held in the past. For example, at Arden Academy which attract hundreds of people (the large school hall is packed).
 - iii. There would have been great interest in KDBH in a live meeting, especially related to the Concept Masterplans and the new Traffic Study.
 - iv. The total numbers of views are 235, 157, 129 respectively (as of 8.12.20). The total number of You Tube views for the 3 meetings added together would not represent the effectiveness of the videos; for example, there is no analysis of:
 1. How long someone viewed for (1 second will count as a 'view')
 2. How many unique views there were (a viewer may have 'viewed' more than once e.g. come back to watch more later)
 3. How much duplication there is between 2 or 3 videos i.e. the same person watched two or all three videos (this should not be counted as 2 or 3 separate 'views')
- b. The Report to Cabinet dated 1 October 2020 - Local Plan Review Draft Submission Plan states, at para 3.13, that the Council's intention is that plan is submitted in order to take advantage of the transitional arrangements (allowing plans to be examined under the existing rules) and it would appear that it is submitted that is the reason behind the refusal to extend or delay the consultation period even though the Plan is not finalised and there is a global pandemic.
- c. It is unhelpful for effective consultation and likely to reduce representations, on concerns over traffic, deliverability or soundness under the auspices that if the Local Plan is not approved, then more housing will be needed and it will be "even worse".
- d. Despite requests from Councillors, the consultation time limit was not extended beyond the statutory minimum on the basis that the Council has "already been consulting for 5 years", even though we are in a global pandemic and there is a significant Evidence base, including new documents and updated Evidence and the technicalities of responding.
- e. While efforts as social media the consultation period not long enough given in national lockdown (only allowed to meet one other person outside while doing exercise) has deeply reduced the word of mouth spread of information which Council includes as a way to spread information. In addition, the Draft Plan is not finished, for example the Concept Masterplans are not agreed with the numerous landowners in relation to Site KN2. The Knowle Transport Study 2020 para 2.8 highlights the limitations of the traffic surveys being based on data that is older than 5 years. The traffic surveys were intended to be updated in early 2020 but due to Covid 19 were not undertaken.

- f. Paragraph 52 SCI – In respect of the responses to the 2019 Consultation, it appears that the Cabinet Member only received a summary of all the comments received during the consultation.
- g. Paragraph 53 SCI – This was not complied with in relation to the publication of the submission version of the plan. In particular, prior to submission, there is no opportunity given to explain how the consultation had been used to shape the final submission plan and especially not of the responses in relation to how selection criteria should be changed (or why it was not), why sites had not be reviewed and therefore were rejected again without reason (when this was a specified purpose of the 2019 consultation).

Equality and Diversity

- a) In respect of Equality and Diversity paragraphs 24-26 SCI, consultation on the Submission version of the Local Plan is a "procedure" under paragraph 26 SCI which will affect people with a particular protected characteristics (age), (disability) (and potentially race) unfairly.
- b) The Statement of Consultation, in the penultimate paragraph states that a Fair treatment Assessment of the Draft Submission Local Plan has been undertaken to demonstrate that hard to reach groups have been involved.
- c) A draft FTA is publically available as an attachment to the Report to Cabinet 1.10.20 – Local Plan Review – Draft Submission Plan. It states in section 5 that the minimum period for engagement and representations is 6 weeks and that it is not the Final FTA, but has been developed to ensure policy formulation has considered equalities and the protected characteristics in the development of the Local Plan Review – Draft Submission to be consulted on during October 2020 to December 2020. This is what was available when the decision to go ahead with the consultation was made by Council on 6.10.20.
- d) While assessing the policies relevance to the protected characteristics (see Appendix A of the FTA), it does not address the impact of a minimum 6 week consultation period on the protected characteristics during a global pandemic with severe restrictions.
- e) The draft FTA, Part D, lists any actions required to address negative impacts identified or to better promote equality, good relations. Human rights and safeguarding as merely "responses to the consultation will be sought from stakeholders and the community across different characteristics" and "Responses to the consultation will be analysed across different characteristics during Autumn/Winter 2020 and Spring 2021.
- f) No proactive steps (such as postponing consultation) were considered or recommended despite many policies being "highly relevant" to identified protected characteristics including meeting housing needs, provision of sites for gypsies, accessibility and ease of access.
- g) It is submitted that the only effective way of avoiding prejudice would have been to delay the consultation to a time when the country was not in COVID restrictions.
- h) During the period of consultation, Solihull was initially in Tier 2, then in National Lockdown for 4 weeks (preventing any mixing indoors or outdoors except with one other person for the purposes of exercise) and for the remainder of the period in the stricter Tier 2 imposed at that time.

- i) Proceeding will have disproportionately affected older people (65+) as they are more likely to be shielding, vulnerable to COVID19 and not have access to social media or the internet. As stated in paragraph 19 SCI, the "Borough has a relatively high proportion (21%) of older people aged 65+ compared to both England and the West Midlands".
- j) In addition, the general Equality Duties of Local Government are relevant to consider and it must be considered whether these have been met or breached.
- k) It is not clear from the documents available that the consultation is in accordance with paragraph 31 SCI especially on accessibility, appropriateness and understanding community/stakeholder needs.
- l) The Council cannot rely on meeting the minimum legal requirements for consultation under the Town and Country Planning (Local Planning) (England) Regulations 2012 as the SCI clearly requires involvement by individuals and not just specified bodies/general consultation bodies.
- m) Similar engagement and accessibility issues for consultation are likely to apply to the more deprived communities. As set out in paragraph 19 SCI, "whilst much of the Borough is relatively affluent, 16 out of 134 neighbourhoods are in the most deprived 10% in the country". These communities are likely to have less access to and awareness of the alternative methods of communication being used by the Council during this period of consultation during the pandemic and also less ability to respond.
- n) Many people with protected characteristics would find responding to the consultation without support impossible, and that support is more likely to be unavailable due the national lockdown and subsequent restrictions.

Summary

There were many requests from Councillors for a longer consultation period during the Full Council meeting on 6.10.20 but this was voted down (by a relatively small margin).

It is clear that numerous groups of people have been disadvantaged as a result of this consultation being the statutory minimum and held during the pandemic, especially as 4 weeks was during the National Lockdown.

Modifications

Submissions relate to soundness/legal compliance.

Representations on Solihull Council's Submission Draft Local Plan 2020 on behalf of Mr Williams

Draft Local Plan Introduction - Status of Neighbourhood Plans

Summary

The Introduction needs to be modified to indicate that, following adoption of the Local Plan, neighbourhood plans will still be part of the development plan. In addition, neighbourhood plan policies that provide a more appropriate local expression should be identified in the related settlement chapter / allocation policy.

Representations

Para 20 of the Introduction to the Draft Local Plan states:

“There are now three neighbourhood development plans that have been ‘made’, and they formed part of the development plan for the Borough before this plan was adopted.”

This sentence indicates that the neighbourhood plans are no longer part of the development plan. This is wrong in law (NPPF Para 30). Where there is conflict, policies in the neighbourhood plan will be superseded by policies in the Local Plan that are adopted subsequently.¹ However, the neighbourhood plan still forms part of the development plan. The sentence needs to be modified accordingly.

Para 21 of the Introduction states:

“The Council places great importance on neighbourhood plans and recognises the substantial efforts that communities have made in bringing forward plans. In the context that this plan provides a number of policies that include Borough wide standards or expectations, there may be occasions when existing neighbourhood plans (particularly if they are up to date and reflect current evidence) provide a more appropriate local expression of a standard or expectation that should be taken into account and given due weight.”

This paragraph is not clear and unambiguous (NPPF Para 16 d). A decision maker will not know which policies provide a more appropriate local expression. To avoid doubt in decision making, relevant policies will need to be identified in the settlement chapters / allocation policies and this point recognised in Para 21.

See also representations on the relationship between the Local Plan and the recently adopted KDBH Neighbourhood Plan Policy P4C on market housing mix; and in the relevant settlement chapter, particularly in relation to densities and community policies.

Modifications

1. Amend Para 20 as follows:

20 There are now three neighbourhood development plans that have been ‘made’ and are part of the development plan for the Borough. [, and they formed part of the

development plan for the Borough before this plan was adopted – delete]. Others that come forward will need to reflect the strategic policies of this plan.

2. Amend Para 21 as follows:

- 21 The Council places great importance on neighbourhood plans and recognises the substantial efforts that communities have made in bringing forward plans. In the context that this plan provides a number of policies that include Borough wide standards or expectations, there may be occasions when existing neighbourhood plans (particularly if they are up to date and reflect current evidence) provide a more appropriate local expression of a standard or expectation that should be taken into account and given due weight. These policies are identified in the related settlement chapter or allocation policy.

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Spatial Strategy

Para 56 - This plan seeks to do so by not only accommodating the Borough's own needs, but also in making a meaningful contribution towards accommodating some of the shortfall from the housing market area.

Developing the Spatial Strategy

Para 62 - The Scope, Issues and Options consultation set out 7 broad options for accommodating growth as follows :

- Growth Option F – Limited Expansion of Rural Villages/Settlements - should be noted as applying to KDBH to meet its Housing Needs.

Spatial Strategy

Para 65 - The strategy also seeks to focus significant developments in locations that are, or can be made, accessible and sustainable. These locations will typically be on the edge of the urban area or within the rural settlements that have a greater range of services. This will be achieved by focussing development in the following locations:

- Located adjacent to the urban edge/a highly accessible settlement or;
- Located adjacent to a settlement that although it may be less accessible, it has a wide range of local services (including a secondary school) (*This includes Balsall Common and Knowle/Dorridge/Bentley Heath*) or;
- Development that would be a proportionate addition adjacent to an existing settlement that although is less accessible still has a limited range of services available within it (including a primary school).

Para 66- Provision for some smaller sites will assist the early delivery of housing during the Plan period and support existing services

Para 67 - This approach would thus discourage development that is:

- Isolated from any settlement;
- A disproportionate addition to a settlement that only has a limited range of facilities;
- Occurs in relatively less accessible locations;

We refer to our submissions on uncertainty and lack of clarity resulting from using different expressions and the Evidence base and Site Selection e.g. in relation to sites being "adjacent to" or "isolated)

Modifications

1. Growth Option F – Limited Expansion of Rural Villages/Settlements - should be noted as applying to KDBH to meet its Housing Needs.
2. The Spatial Strategy needs to align with site selection criteria to prevent uncertainty and to be clear in respect of phrases such as "adjacent to" and "isolated" (See our other representations on the lack of clarity and ambiguity around the use of various words and the relevant criteria).

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Site Selection

Summary

The site selection process and allocations are not in accordance with NPPF para 139 and other amendments are needed for clarity and soundness.

Representations

Para 68 - Complementary to the spatial strategy is the approach to site selection. This is explained in more detail in the topic paper. But the principles of it are essentially that when assessing individual sites, that a higher priority is given to brownfield opportunities in the urban area/settlements and the least priority is given to isolated greenfield sites in highly performing areas of the Green Belt.

However, clarity is needed on the various uses of the words "adjacent/next to/close to/near" to villages etc throughout the Draft Plan and Evidence Base as there is uncertainty around the tests being applied based on inconsistent use of these types of phrases, and accordingly the use of the word "isolated" is misleading throughout the Draft Plan. It is submitted that the correct wording in the assessments should be either "close to or near to" a village or settlement as this reflects the actual wording and assessment measurements used in the site assessment criteria and Evidence base. Therefore, a site is not ruled out or inaccurately labelled as "isolated" based merely on very minor distances or spaces, even where the site performs well and is accessible and sustainable. It is submitted that to do so is an unsustainable and illogical approach, given the accessibility assessments and criteria set out in the site selection process and NPPF Para 138. It is noted that the NPPF refers to "isolated homes" in Para 79 as homes in the rural countryside and there is potential confusion with the way the Draft Plan and Council use "isolated".

Para 69 - By applying the spatial strategy and the site selection methodology, results in development opportunities coming forward across a range of the options that were identified as follows:

Growth Option F – Limited Expansion of Rural Villages/Settlements: There is a list which includes a list and states "Land to the north east of Knowle".

However, this should be expanded to include "around Dorridge and/or KDBH" (we refer to our other representations, in particular on the non-deliverability and/or incorrect density/capacity assessments or inappropriate allocation of KN1, KN2, G&T, Blythe House, 1807 and 1817 Warwick Road meaning KDBH will not meet its Housing Need (and consequently nor will the Borough) and Dorridge should also be marked as a rural village identified for limited expansion (under Option F).

It is not clear that the Draft Plan complies with NPPF para 139 e) – it is likely that greenbelt boundaries will need to be altered at the end of the plan period (given the comments above and the other representations made including those on Housing Need and in relation to KN1.)

Para 70 - The spatial strategy is illustrated in the following diagram is incorrect. It needs to show Knowle and Dorridge/KDBH as also being a rural village identified for limited expansion based on the allocation of site KN1 and comments above.

Modifications

1. Growth Option F and associated diagrams should be amended to include Knowle/Dorridge/KDBH as rural villages identified for limited expansion.
2. Clarity is needed on the various descriptions of the site selection and assessment process being applied to avoid uncertainty and not be misleading. It is submitted that the correct wording should be either "close to or near to" a village or settlement (and "isolated should be used correspondingly) as this reflects the actual wording and assessment measurements used in the site assessment criteria, the Evidence base.

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Policy P4C - Market Housing Mix

Meeting Housing Needs Market Housing and Justification

Representation

See also our representation to the Introduction.

The recommended market mix in this policy differs from Policy H3 Market Mix of the Knowle, Dorridge and Bentley Heath Neighbourhood Plan (NP). The NP was 'made' in April 2019 and is up to date and relevant. It is noted that para 187 states that relevant policies in neighbourhood plans will be taken into consideration along with other matters. However, the other matters are also referenced within the policy. In view of the role and status of neighbourhood plans, they should also be included in the policy.

Modification

1. Add to policy P4C, after point 1vi:

1vii any relevant policies in neighbourhood plans.

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Policy P5 – Provision of Land for Housing

Summary

The Council will not be able to meet its assessed Housing Need based on the Draft Submission Plan. The Plan is unsound.

There is evidence that the Housing Need figure for Solihull of 13,056 (Para 221) is in fact too low and should be adjusted upwards.

Representations

1. There appear to be exceptional circumstances which justify an alternative approach which also reflects current and future demographic trends and market signals (NPPF Para 60), which would increase the Housing Need for Solihull.
2. Under Policy P5 - Provision of Land for Housing, the Council sets out it will "allocate sufficient land for at least 5,270 net additional homes to ensure sufficient housing land supply to deliver 15,017 additional homes in the period 2020-2036. The allocations will be part of the overall housing land supply detailed in the table below."

Under Justification Local Housing Need Para 222, the Council states that, "This housing growth can be delivered through sites with planning permission, suitable deliverable sites identified within the Strategic Housing and Economic Land Availability Assessment, locations proposed for allocation by this policy and unidentified windfall sites, predominantly within South Solihull. The following table provides an overview of housing land supply."

This is not sound or effective and it is disputed that the Council will be able to deliver the Housing Need as set out in the Draft Submission Plan (see our representations mentioned below on all these issues).

3. If any allocations are not deliverable and must be deleted or amended (see our other representations), the Housing Supply figure must still be met and not reduced, either overall or in relation to specific areas.
4. The evidence of the likely need for an increased Housing Supply relates to the issues addressed in the Governments Proposals for Planning Reform. It is unclear what this will mean but, it is likely that Solihull would have a higher Housing Need:
 - a. See Planning for the Future Response from Solihull Council to the recent Government Consultation on Planning Reform. In the response to Q8 (a) (standard method for establishing housing requirements), the Council calculates that the revised methodology would see an increase in Solihull's local Housing Need of up to 25% (plus see below for extra to meet the HMA). While the Council expresses concerns about the formula, it is clear that adopting the Local Plan will significantly under deliver against any revised standard method introduces with the aim of increasing housing delivery.
 - b. Report to Cabinet dated 1 October 2020 - Local Plan Review Draft Submission Plan paragraph 3.13 indicates that in addition to the impact of the proposed changes to the standard methodology, which would increase the Borough's own needs, "To maintain the same contribution to the HMA would require more allocations to be identified".

- c. In the Full Council Meeting on 6.10.20, it is stated that the Planning Reforms would mean "up to a 50% increase in housing needs compared to what it is now"
<https://solihull.public-i.tv/core/portal/webcasts>

Modifications

1. The delivery of the Housing Need for Solihull should be re-assessed so the Plan is sound.
2. The Local Plan must be modified so that it will meet the currently assessed Housing Need, for the Borough and each area (even if delivery is reduced based on representations).

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Policy P5 – Provision of Land for Housing – Justification – Windfall Allowance

(See also Draft SHELLA 2020 – Windfall Sites – paras 58-64)

Summary

The Windfall Allowance (Para 222 - Solihull Housing Land Supply 2020-2036 (as of 1st April 2020) is disputed and not based on sound evidence.

Representations

In 2019, the Council's suggested "a windfall figure of 2,250 dwellings will obviously be heavily reliant on Green Belt sites coming forward, not all of which will be not inappropriate development in the Green Belt." However, in the Report to Cabinet dated 1 October 2020- Local Plan Review Draft Submission Plan, it states, at para 3.5 (c) that to achieve the housing requirement, it has included windfall developments at a higher rate than previously included.

NPPF (Para 70 requires compelling evidence that the windfall allowance will provide a reliable source of supply. However, it is unexplained what compelling evidence there is to support the new increased windfall number (now increased to 2,800) and how this is justified. In any event, presumably there is still an expectation that this will depend on Green Belt sites, so it is not clear how the Council will deliver Green Belt sites as part of Windfall.

Historic windfall delivery rates

Historic windfall rates cannot be assumed to continue indefinitely. We submit that it would not be correct to rely on historic assumptions going forwards, based on known information.

For example, in Dorridge, there has been extensive infilling and back garden development to date but there are extremely few roads (for example the so called "Golden Triangle") where such windfall can occur and such windfall development will not be sustained during the Plan period.

Expected future trends

The NPPF means it is important to look at what can realistically be expected going forwards, based on compelling evidence.

Under the Draft Submission Plan (Local Housing Need - Para 222), the Council states that the housing growth can be delivered through (various listed sources) and "unidentified windfall sites, predominantly within South Solihull".

However, South Solihull contain a very significant amount of the Green Belt land. It is not reasonable to expect the same historic windfall rate to continue in the Borough, particularly in South Solihull, for the reasons given below.

In addition, NPPF requires an assessment of what windfall sites can realistically be expected going forwards and if the historic assumptions are valid given known information. There is known information which will very likely further reduce the windfall rate across the Borough (see below). NPPF Para 31 also requires to take into account market signals.

1. New Policy on Back Garden Development. The Council has already publicised in the local press that it will be implementing a new policy which will prevent/limit back garden development. No comment is made on the aim or content of the draft policy as it is not in the public domain, save that the new policy will directly reduce the number and the capacity of windfall allocations being approved in the future.
2. See information on the new policy on avoiding Back Garden development - The Cabinet Member for Climate Change, Planning and Housing has approved taking it out to consultation. Consultation was due to take place after the Local Elections on 7 May 2019 but COVID has delayed that: Solihull Updates 19 Feb 2020 - <https://www.facebook.com/126136180809/posts/10156613108825810/?d=n>
3. The article mentions one site particularly as causing opposition in the past and even though that was subsequently approved, Councillors are aiming to avoid such development in future. It is understood there have been a "glut" of such applications in the recent past and several schemes which have been high profile and opposed but subsequently approved. As a result, the new policy has been developed. Mentioned in particular in the article are:
 - a. **PL/2018/01710/PPFL** - Approved subject to conditions. 85 Birchy Leasowes Lane Tidbury Green Solihull B90 1PU. Demolition of No. 85 Birchy Leasowes Lane and the construction of 5 detached dwellings and associated works, on the land of 85 Birchy Leasowes Lane, and land to the rear of 91 Birchy Leasowes, & 21, 29, 31 Birchy Close.
 - b. **PL/2018/00941/PPFL** - Approved subject to conditions. 21 - 23 And Rear Of 21-27 Alderbrook Road Solihull B91 1NN. Demolition of existing 23 Alderbrook Road dwelling and ground floor extension to No. 21 Alderbrook Road; erection of 5 No. new detached dwellings with associated access, garages and landscaping and new front garage and two storey side and rear extension to No. 21 Alderbrook Road.
4. In addition, and by way of example, in a very small area of Dorridge, it is questionable whether any of the following recent "windfall" planning permissions would have been approved under the new policy:
 - a. **PL/2018/03163/PPFL** - Land To Rear Of 51/53 Hanbury Road, Dorridge B93 8DW. Approved. Demolish 53 Hanbury Road and erect 7 No. dwellings with associated access, parking and landscaping. (Amended from 8 dwellings).
 - b. **PL/2019/02619/MINFDW** - 46 Avenue Road, Dorridge B93 8LA. Approved. Erection of one new dwelling to front of No. 46 Avenue Road and alterations/extensions to existing dwelling (No. 46) to include new first floor, with single and two storey extensions to front and rear.
 - c. **PL/2018/03163/PPFL** - Avenue Road, Dorridge. Approved.
 - d. **PL/2020/00439/PPFL** - 65 Knowle Wood Road, Dorridge B93 8JP. Approved. Demolition of existing dwelling, ancillary dwelling, garages and erection of 7 No. apartments and associated parking.
 - e. **PL/2018/02306/PPFL** - 34 Temple Row, Dorridge B93 8LF. Approved. Demolition of existing bungalow and erection of three new dwellings.

- f. **PL/2019/02612/PPFL** - 5 Woodcote Drive, Dorridge B93 8JR. Approved. Demolition of existing dwelling, erection of 2 No. new dwellings and erection of new entrance gates.
5. Even if it can be shown that these limited particular examples would in fact still be approved under the new policy, it is submitted that there will still be an overall reduction in windfall sites and capacity as a result of the new "No Back Garden" policy.
 6. The new "No Back Garden" policy will impact on the South Solihull given the affluent areas contained in it, which might historically have delivered windfall development. (See comments above about the Windfall Allowance being predominately from as yet unidentified sites in South Solihull).
 7. In addition, as outlined above in the opposition to development of (see Solihull Updates), there has been strong local opposition to developers clearing sites entirely of trees before submitting a planning application. In the Biodiversity Net Gain section of the Draft Plan (page 97), there appears to be a plan to take some action against this to prevent such action by developers in the future based on Footnote 41 ("The Council will take seriously any attempt to minimise the biodiversity baseline value, such as the removal of trees prior to planning application."). While it is unclear if there is another new policy proposed or what action the Council could take, it would seem very likely that Council 'taking seriously' this type of action by developers will reduce the capacity of Windfall Sites compared to historic rates and going forwards (see our representations on Biodiversity).
 8. Historic windfall rates also cannot be assumed to continue indefinitely. For example, in Dorridge, there has been extensive infilling and back garden development to date but there are an extremely limited number of roads where this can occur and such windfall will not be sustained. This is recognised in Para 688 of the Draft Submission Plan in respect of all KDBH where it states, "As such it [KDBH] is well placed to accommodate growth in excess of just its own local needs. Given that the area is mainly residential, the opportunities to develop on previously developed land *in KDBH are extremely limited and Green Belt release around the settlement has been required* to accommodate new development."
 9. It is acknowledged that in Dorridge there has been previously been significant historic development e.g. Four Ashes (late 1990s), more recently Bentley Park and significant infill development. Nevertheless, Dorridge is identified as being a suitable location for limited expansion under Option F- as shown on the relevant map around all sides of Dorridge (including the location of Site 127). Despite previous development, and the Green Belt Boundary being set in the late 1990's (see page 3 Green belt Assessment 2016, "In 1997 Solihull Metropolitan Borough Council adopted its Unitary Development Plan (UDP) which formally delineated the Borough's Green Belt boundaries including those areas designated as interim Green Belt"), there is still a Housing Need and Solihull's Green Belt boundary has to be redefined to meet housing need as 66% of the Borough is in Green Belt. Therefore, provided a defensible new Green Belt boundary can be established (as is the case for Site 127) reference to an existing defensible Green Belt boundary cannot reasonably exclude a site from being allocated, especially when it does not encroach on the strategically important Meriden Gap.
 10. The Windfall Allowance should be reduced as:

i) the new "No Back Garden" policy will disproportionately affect the number and capacity of small sites from coming forward successfully to development, which will impact especially in the South of Solihull where windfall is predominately being expected);

ii) the comments in the Draft Plan relating to Biodiversity Net Gain;

iii) the South of Solihull, especially KDBH, will reach saturation in terms of windfall development rates throughout the Plan period, given the extent of Green Belt in these locations; and

iv) consideration should be given to future trends in affluent areas (such as South of Solihull) for people to want/move to larger houses (e.g. more space and rooms to allow for home working) with larger gardens in light of the COVID pandemic and the impact on the availability of Windfall sites in South Solihull during the Plan period (evidence from Rightmove and Savilles' surveys) (this relates to "future trends and market signals").

11. As a result the Housing Need in KDBH will not be met and other appropriate sites will need to be allocated. It is submitted that Site 127 should be included in the delivery of housing.

Modifications

1. Compelling evidence is needed to support the increased Windfall Allowance of 2,800.
2. The Windfall Allowance should be reduced to reflect:
 - a) limited capacity in the South of Solihull (where windfall is predominately expected) and especially in Dorridge and KDBH.
 - b) the new policy preventing back garden development approved by the Council for consultation and likely to be implemented early in the Plan period (or before) which will reduce the availability and capacity of windfall sites across the Borough, and
 - c) the changes outline in relation to Biodiversity Net Gain, which are likely to result in reduced capacity on windfall sites compared to historic rates
 - d) the trend to larger properties and gardens, outside of town centres, such as in South Solihull as a result of COVID 19 pandemic.
3. Under Justification Local Housing Need Para 222, the Council states that, "This housing growth can be delivered through sites with planning permission, suitable deliverable sites identified within the Strategic Housing and Economic Land Availability Assessment, locations proposed for allocation by this policy and unidentified windfall sites, predominantly within South Solihull. This needs compelling evidence or the windfall allowance needs to be reduced.
4. The Local Plan should be modified to specifically allocate Small Sites to comply NPPF (Para 68).
5. It is submitted that Site 127 should be allocated in the Local Plan/counted in the housing delivery numbers (see our separate representations on Site 127).

Representations on Solihull Council's Submission Draft Local Plan 2020 on behalf of Mr Williams

Policy P5 – Provision of Land for Housing - Justification – Small Sites

(See also Draft SHELAA - Small Sites paragraphs 65-67)

Summary

The Draft Submission Plan does not comply with the National Planning Policy Framework (NPPF) - Small Sites – NPPF (Para 68).

Representations

The NPPF (Para. 68) includes a requirement that 10% of a Local Plan's housing requirement is accommodated on sites up to 1ha in size (aimed at promoting the development of a good mix of sites and recognising that small and medium size sites build out more quickly).

No small sites have been allocated in the Draft Submission Plan. In the 2019 Supplementary Consultation, the Council indicated it was not necessary to identify individual sites to meet the requirement of smaller sites to provide for at least 10% of the housing requirement. The Council claimed that this duty will be complied with from the allocation for windfall sites.

So, we must firstly consider whether the allocation of Windfall sites is sound, and then, whether at least 10% of those will be on Small Sites.

Soundness of Windfall Allowance

We consider the Windfall Allowance to be wrong and not comply with NPPF (Para. 70).

This states that where local planning authorities make an allowance for windfall sites as part of the anticipated supply, there should be *compelling* evidence base on the SHELAA, historic windfall delivery rates and expected future trends. The Windfall allowance of 2,800 is disputed and being unsound. Consequently, it is disputed that 20% of Windfall Allowance is 560 (40 dwellings per annum) as stated in the table shown at para 67 SHELLA 2020.

In summary, the allocated Windfall Allowance should be reduced to reflect i) the new policy preventing back garden development which will reduce the number and capacity of sites coming forwards and means the historic rate; ii) saturation of settlements in South Solihull (where the Council says Windfall will predominately arise) given the amount of Green Belt present; and iii) future trends. (We refer further to our submissions in relation to Windfall Allowance).

Small Sites as part of Windfall

Whether or not the Windfall Allowance is reduced (as we submit it should be), the new policy on 'Back Garden' development and other factors is very likely to directly impact on Small Sites and affect whether there is compelling evidence that at least 10% will be delivered on sites up to 1 ha in accordance with the NPPF (for details on the new policy see comments in relation to Windfall Allowance).

A number of larger proposed allocations appear to be dependent on multi-landowners or other conditions. If the Draft Plan is to rely on these allocations to deliver the housing requirement, it must be certain that there is real likelihood of delivery within the plan period. That is the advantage of allocating smaller sites, as in many cases, delivery is more certain and quicker.

To ensure that the "at least a 10%" figure is achieved, given the reliance of the Council on Green Belt land to provide for overall housing numbers, it is considered that Small Site allocation (such as Site 127) should be included.

It is noted that the 10% small site requirement is only a minimum requirement and a site should not be excluded on the basis of its size or the number of houses it can deliver as this is not a selection criterion. There is no rationale for not including small sites assessed as "Green" under the Site Selection criteria beyond any anticipated windfall figure.

In particular, being a small site should clearly not prevent a site being included.

Site 127 should be included as a Small Site to comply with NPPF (Para 68).

Modifications

1. The Windfall Allowance should as set out in the representations under Windfall Allowance.
2. The Local Plan should be modified to specifically allocate Small Sites to ensure compliance with NPPF (Para 68).
3. It is submitted that Site 127 should be allocated as a Small Site. (We refer to our representations on Site 127 (including that it should be a 'Green' Site under the Site Selection Criteria and allocated in the Local Plan.)

Representations on Solihull Council's Submission Draft Local Plan 2020 on behalf of Mr Williams

Policy P5 – Provision of Land for Housing – Land Availability Register

St George & St Teresa Catholic Primary School, Mill Lane, Dorridge B93 8PA (Site Ref 8010.01 and SHELAA Site 155) (G&T)

Summary

St George & St Teresa Catholic Primary School is not deliverable/there is no evidence that it will be deliverable in the Plan period.

The G&T site was submitted as part of the Call for Sites (SHELAA Site 155) when the proposal was that it would relocate to KN2 and have a new expanded 2 form entry school which would be funded by the housing development. This plan cannot happen and there are no other alternatives likely which would result in G&T vacating its current site.

Representations

St George & St Teresa Catholic Primary School (G&T) was originally included as part of the call for sites (SHELAA Site 155) on the basis that it would relocate to the Arden Triangle (KN2 site) and expand to a 2 form entry school.

This proposal was included in previous iterations of the Draft Local Plan. However, this is not happening.

G&T is currently a one form entry school. We understand there is a shortage of Catholic School places within Solihull Borough. On that basis, previous iterations of the Draft Plan envisaged that once a new 2 form Catholic primary school had been built on KN2 and G&T had moved to the KN2 site, the G&T site would become available for housing development.

However, things have changed and the G&T site is non deliverable:

- a) The Submission Draft Plan makes it clear that the intention is no longer to move G&T to KN2 site with an increased capacity for 2 form entry. The new primary school indicated on the KN2 site is a non-faith school, to operate as a "through school" to Arden Academy Secondary School.
- b) The latest review of Local Schools clearly indicates that the planned primary school on the KN2 site would be built in phases and to meet the demand created by the *new* housing. The updated review of Local Schools clearly indicates that the planned schools across the Borough are designed to "cope with an influx of families into future housing developments" and were laid out in a report presented by education chiefs. See Solihull Updates - <https://www.facebook.com/126136180809/posts/10157365312005810/?d=n>
- c) There is no longer any connection between KN2 and the G&T site or the provision of increased school places for Catholic children in Solihull Borough.

- d) There is no evidence that there is a suitable alternative site for G&T to move to which would allow a 2 form entry school.
- e) As a result, it is clear the Council looked at other options for increasing the number of Catholic School places.
- f) There was a proposal to expand St Augustine's Catholic Primary School in Solihull to a 2 form entry school. The 25 September 2019 Report to: Cabinet Portfolio Holder for Children, Education & Skills on the Proposed expansion of St Augustine's Catholic Primary School Report from: Director of Children's Services & Skills Report (Ann Pearson, Team Leader – School Place Planning), states that there is "a clear business case to meet an increasing demand for primary Catholic school places, including additional Catholic demand from the housing developments at Blythe Valley, Tidbury Green and Shirley". However, at para 3.3 "Following site feasibility work carried out by the Catholic Diocese, St Augustine's is identified as their preferred primary school to expand to meet the demand for Catholic places. The Diocese confirmed their support for the expansion of St Augustine's School through the consultation process"
<https://eservices.solihull.gov.uk/mgInternet/documents/s74681/Proposal%20to%20expand%20St%20Augustines%20Catholic%20Primary%20School.pdf>.
- g) However, in February 2020, this planning application was not approved due to local opposition and traffic issues.
- h) The latest position is that although the School Organisation Plan 2020 still identifies a need to add additional Catholic school places to meet both existing and future needs, there are no current proposals. The Council is working with the Catholic Diocese to consider the options. *If* the Council decides to move forward with proposals then they would be subject to full consultation (email from Ann Pearson - School Place Planning).
- i) If G&T itself does not require a 2 form entry school (e.g. demand for Catholic places has fallen or a different Catholic primary school elsewhere in Solihull can accommodate increased numbers), there is no reason G&T would relocate or that the G&T site would be deliverable for housing within the Plan period.
- j) The G&T site is not Council owned land and so the decision on moving the school is outside the control of the Council.
- k) The G&T site is not in the Green Belt and although it should not be included in the land availability assessment or counted towards meeting the housing need, *if* the G&T site did subsequently become available for development (despite not currently being deliverable), there is no Policy or Plan reason to prevent its development other than the usual planning process for an urban site as part of (unexpected) Windfall.

Modifications

1. The G&T allocation should be deleted from the Land Availability Assessment in Schedule E of SHELAA as there is no (or insufficient) evidence that it is deliverable in the Plan.

2. The total deliverable housing number is reduced by 31 and alternative sites should be allocated to meet the Housing Need.
3. It is submitted that Site 127 should be included in the Plan as a deliverable and sustainable site (see our detailed representations on Site 127) to meet the Housing Needs of the Borough and KDBH.

Representations on Solihull Council's Submission Draft Local Plan 2020 on behalf of Mr Williams

Policy P5 – Provision of Land for Housing – Brownfield Land Register (1)

Brownfield Land Register - Blythe House, Widney Manor Road (Site 9011.01)

Summary

This allocation is not justified. It is an isolated site that is not accessible or sustainable and it not a reasonable site selection given the alternatives available.

Representations

The site is not an appropriate selection, taking account of reasonable alternatives, and based on proportionate evidence. It is not a justified allocation and is unsound (NPPF Para 35):

- a) This site is located almost exactly half way between the settlement of Dorridge and Solihull, breaching the i) Green Belt boundary, ii) The Green Belt Policy P17 and iii) is contrary to KDBH Neighbourhood Plan, Jan 2019, Policy VC1 (see also paras 4.9, 5.1).
- b) Blythe House breaches Policy P5 - "Unless there are exceptional circumstances, new housing will not be permitted in locations where accessibility to employment, centres and a range of services and facilities is poor" (page 67 Draft Submission Plan).
- c) The location of the site breaches the clear separation of KDBH from Solihull and this allocation would be against that principle and the above policies. The policy drivers and target outcomes in the KBH Neighbourhood Plan include ensuring clear separation from Solihull and surrounding villages by protecting the Green Belt from inappropriate development whilst ensuring easy access to the countryside.
- d) The site has not been assessed in the SHELAA.
- e) It is submitted that if this site were assessed under the Site Selection criteria, this site would be poor performing given its isolated location: (see Site Selection Topic Paper section 5 paras 38-53)
 - a. Blythe House should not be selected according to the Site Selection criteria (see Site Selection Topic Paper, para 38) it would be a category 6 site (i.e. a low priority site, as it is in Green Belt, it is not highly or moderately accessible, it is not a) located adjacent to the urban area or a highly accessible settlement or (b) located adjacent to a settlement that although may be less accessible has a wide range of local services or (c) is a proportionate addition adjacent to an existing settlement that although is less accessible has a range of services available within it).
 - b. Further, Blythe House would be assessed as a category 8 site at Step 1 of the Site Selection Criteria (i.e. Brownfield in isolated Green Belt location: Green Belt PDL in isolated location, i.e. poorly accessible (other than by car) to retail, educational & medical services. (See table as para 43).

- c. This would mean the site is "Red" at Step 1. Give the Site Selection Process (see para 52), the site would remain "Red" in conclusion (i.e. it would not be included in the Plan).
- d. A "Red" site is defined as, "Not included in the Plan" and "Red" means "that the development of the site has widespread or severe impacts that are not outweighed by the benefits of the proposal). <https://www.solihull.gov.uk/Portals/0/Planning/LPR/Reg-19-Draft-Local-Plan-Site-Selection-Process-Topic-Paper.pdf>
- f) Blythe House does not fit any of the Spatial Policies Options.
- g) Therefore, although the site is on the Brownfield Land Register it is not a reasonable allocation, given the better available sites (such as Site 127 - a site which in any event would meet the definition for inclusion on the BLR. The deadline for the annual consideration for BLR has just passed, an annual assessment is only a minimum requirement and sites could be considered and added to the BLR at any time. We refer to our separate representations on the inclusion of Site 127).
- h) Comparatively, it is submitted that Site 127 should be correctly assessed as "Green" (To be included in the Plan as an intended allocation. This means the inclusion of the site has no or only a low impact on relevant considerations" (para 50 Site Selection Topic Paper) and allocated for the reasons set out (please refer our detailed representations on Site 127).
- i) Accordingly, the Counsel has not considered the reasonable alternatives available and just because Blythe House is on the BLR does not mean it should be allocated ahead of better performing sites in accordance with the site selection criteria.

Modifications

1. Blythe House should be deleted as an allocation.
2. Site 127 should be included as a replacement site, albeit not currently in the BLR, Site 127 does not need to be BLR (even though it meets all the requirements to be included in the BLR) to be allocated under the Local Plan.

Representations on Solihull Council's Submission Draft Local Plan 2020 on behalf of Mr Williams

Policy P5 – Provision of Land for Housing – Brownfield Land Register (2)

1. Brownfield Land Register - 1806 Warwick Road (Site 9005.01)

This allocation is only justified if Policy KN2 is deliverable.

However, we refer to our representations in relation to Policy KN2 and that site KN2 is non deliverable. On that basis this site should be deleted as it is isolated and not accessible or sustainable and would not meet the Site Selection Criteria.

Unless Policy KN2 is deliverable this site is not a reasonable site selection given the alternatives available.

Modifications

Delete this site unless Site KN2 is proved deliverable (see our representations in respect of Policy KN2).

2. Brownfield Land Register - 1817 Warwick Road, Knowle (Site 9006.01)

This allocation is only justified if Policy KN2 is deliverable.

However, we refer to our representations in relation to Policy KN2 and that site KN2 is non deliverable. On that basis this site should be deleted as it is isolated and not accessible or sustainable and would not meet the Site Selection Criteria.

Unless Policy KN2 is deliverable this site is not a reasonable site selection given the alternatives available.

Modifications

Delete this site unless Site KN2 is proved deliverable (see our representations in respect of Policy KN2).

Representations on Solihull Council's Submission Draft Local Plan 2020 on behalf of Mr Williams

Policy P5 – Provision of Land for Housing (Density)

Summary

The content of the Plan in relation to density is not clear and unambiguous. The application of Policy P5 and the indicative density tables are inherently inconsistent with site allocation policies KN1 and KN2 and their respective concept masterplans. The provisions do not reflect the Neighbourhood Plan policies nor the published evidence base relating to local character and masterplanning.

Representations

On density, Paragraph 6 of Policy P5 and Paragraphs 237-240 of the justification recognise the need to consider *“in particular, the prevailing character, identity and setting of the surrounding areas”*. The opportunity to increase densities *“in more sustainable locations which are highly accessible by public transport, as well as cycling and walking”* is also recognised.

Policy P15 Securing Design Quality repeats the importance of conserving local character and distinctiveness:

“In delivering high quality design, development proposals will be expected to:

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

These policies are consistent with Policies H1 and D1 of the Knowle, Dorridge and Bentley Heath (KDBH) Neighbourhood Plan. However, their application as indicated in the density table and in the Concept Masterplans for KN1: Hampton Road, Knowle and KN2: South of Knowle is inherently inconsistent with these policies.

The density table at Paragraph 240 indicates that mixed development should be at a density of 40-50 dph for limited or significant extensions at the edge of larger villages. However, proposed densities in Knowle above 40 dph on site allocations would be out of character with the area and its surroundings and would be unacceptable. This is an example of the need to be clear about which Neighbourhood Plan policies provide *“a more appropriate local expression”* (**refer to our representation on the Introduction**).

Modifications

None required to the policy. See proposed amendments to densities in representations to Policies KN1, KN2 and the concept masterplans.

Representations on Solihull Council's Submission Draft Local Plan 2020 on behalf of Mr Williams

Policy P7

Policy (page 82/83)

1.All new development should be focussed in the most accessible locations and seek to enhance existing accessibility levels and promote ease of access.

2. The Council will expect development proposals to fulfil the following: i. Demonstrate how access to the site will be achieved in a sustainable manner by a range and choice of transport modes. ii. For major residential development provide access to a high frequency bus service within 400m of the site; and/or 800m of a rail station providing high frequency services; iii. For all other development, provide access to a bus service offering at least a 30 minute daytime frequency within 400m of the site;....

Representation

Policy KN1 and KN2 is not in accordance with Policy P7.

Para 272 Draft Submission Plan states that "where development cannot be provided in accordance with the accessibility criteria as part of this policy then mitigation will be expected to demonstrate how sustainable transport choices can be made. Such mitigation will be proportionate to the scale of development."

The mitigation in respect of sites KN1 and KN2 are insufficient.

Modifications

Policy KN1 and KN2 need to comply with P7 or be deleted. [See our representations in relation to KN1, KN2 and their Concept Masterplans].

Representations on Solihull Council's Submission Draft Local Plan 2020 on behalf of Mr Williams

Policy P15 - Securing Design Quality

Summary

It is important to ensure that the aim of "tree-lined streets" does not compromise the safety or contribute to the fear of being unsafe and subject to crime, especially for women, disabled and ethnic minorities and at night.

Representations

The Policy includes at 2 vi) Developments should incorporate new tree planting, including streets being tree-lined wherever possible....

Under Justification - Para 398.

It states that, "In accordance with the 'Living with Beauty' report of the Building Better, Building Beautiful Commission (January 2020), there will be an expectation to incorporate tree planting in development including streets being tree-lined wherever possible. However, it is essential that new developments are appropriately designed and planted to ensure that new trees are suitable for the location, have longevity, and that existing mature trees are not compromised." This does not clearly recognise the importance and legitimacy of crime and the fear of crime for residents, particularly women, disabled and ethnic minority residents, especially at night and especially if active travel (cycling and walking) is being encouraged.

While Para 401 does mention requiring development proposals to create safe and attractive streets and public spaces, which reduce crime and the fear of crime, this is not specifically linked to "tree-lined streets"

Modifications

Amend Policy 15 2vi – "Developments should incorporate new tree planting, including streets being tree-lined wherever possible and safe with due consideration for potential crime and the fear of crime".

Para 398 - "In accordance with the 'Living with Beauty' report of the Building Better, Building Beautiful Commission (January 2020), there will be an expectation to incorporate tree planting in development including streets being tree-lined wherever possible and safe. However, it is essential that new developments are appropriately designed and planted to ensure that new trees are suitable for the location, have longevity, and that existing mature trees are not compromised. In addition, any tree planting must consider the importance of reducing potential crime and the fear of crime for all residents."

Representations on Solihull Council's Submission Draft Local Plan 2020 on behalf of Mr Williams

KDBH Settlement Chapter (Paras 675 to 719)

These representations should be read in conjunction with all our other representations.

Paras 685 and 690 - Public Transport

Contrary to the assertion in Para 685 (and at Para 690), Knowle and Bentley Heath is not well served by public transport. This is an important point, relevant to the accessibility of the allocated sites and the need to improve bus services. Dorridge has an important and high frequency train service.

With regard to bus services in Knowle:

- A7 ("South Circular") links Solihull and runs in a clockwise direction through KDBH. The A8 runs in the opposite direction (anti-clockwise). Both provide an hourly service through the day and into the evenings; also, through the day on Sundays.
- 87 and 88 services run between Solihull and Balsall Common, via Knowle, with the 87 continuing to Coventry. The essentially hourly services run through the day but not in the evenings or on Sundays.
- three once-a-day services to and from Solihull that pass through Knowle, Mondays to Fridays. These serve Kenilworth via Balsall Common (233), Norton Lindsey (513) and Leamington via Lapworth (514).
- There is no bus route along Hampton Road. The poor service to the eastern part of the Land South of Knowle site is evidenced by the Council's Highways Officer in a recent response to a planning application at the Wyevale Garden Centre (*'The application site is considered to be relatively isolated and is not in an accessible location.'*)
- There are also no direct bus services from Knowle to the large employment centres around the NEC/JLR/Birmingham International Airport/ Arden Cross locations to the east and Blythe Valley and Shirley employment hubs to the west.

The assertion that Knowle is well served by buses needs to be corrected. If development is to proceed on the allocated sites, significant improvements to bus travel will be needed to satisfy the requirements of Policy P7 of the Local Plan. In terms of rail, there is an important railway station at Dorridge; but this is towards the southern boundary of the settlement and not readily accessible from the Knowle allocations.

The text needs to be corrected so as to avoid the misleading description.

Para 688 - The Settlement in the Future

This acknowledges that Knowle, Dorridge and Bentley Heath is one of two rural settlements in the Borough that has a full range of facilities including both secondary & primary schools, health services and a range of shops, services and facilities. As such it is well placed to accommodate growth in excess

of just its own local needs. Given that the area is mainly residential, the opportunities to develop on previously developed land in KDBH are extremely limited and Green Belt release around the settlement has been required to accommodate new development.

As a result, the Local Plan should make it clear that the settlement has been identified as suitable for expansion under Growth Option F (limited expansion of rural villages – KN1) and Option G (significant expansion of rural villages - KN2).

Given the other representations made that the Plan is unsound as it fails to deliver the Housing Need for KDBH (and consequently the Borough), it is submitted that the Plan will need to be amended to clearly state that KDBH (rather than just Knowle) is suitable for limited expansion under Option F. In any event, this limited expansion is what is envisaged by the Council as set out in Para 708 - Proposed Approach (see comments below) and so it would make the Plan clear and unambiguous if this were set out clearly.

Para 696 - Improved Public Transport

This acknowledges the need for improved public transport in KDBH, but relies on a higher population to improve the viability of services. There are no specific proposals in the Infrastructure Delivery Plan other than CIL or S106 to address this.

We do not believe that the Council's proposed mitigation measures will make the site allocations accessible to a 'high frequency bus service', particularly as Knowle is not a priority within the Solihull Connect Strategy and transportation measures in the IDP are modest.

If measures are unsuccessful, the outcome will be an increase in car borne traffic, congestion and pollution, contrary to the policy and sustainability aims of the Local Plan.

The emphasis on cycling and walking is insufficient but we understand that there is unlikely to be a step change in bus services as a consequence of the new development, although rural bus services will feature prominently in the review of the 'Solihull Connected' strategy.

If Knowle is to accommodate such a large scale of growth, then substantial investment in local transportation improvements is essential. This requires inclusion of proposals within the IDP and CIL Regulation 123 schedule to enhance bus services (and walking and cycling measures) within KDBH and on east west routes to key employment centres.

Para 699 - Cycle Lanes and Footpaths

Enhancements to encourage walking and cycling towards the schools, local centres and public transport are not enough for the proposed new developments to ensure that connectivity is provided within and beyond their site boundaries.

'Quiet lanes' are also proposed, including along Lodge Road. The reality is that there is no indication as to how such improvements along priority routes, particularly Lodge Road, Knowle High St and Station Road, can be implemented having regard to their busy nature, narrow pavements and relatively narrow carriageways.

It is considered that the reality is that it is unlikely that walking or cycling routes to Dorridge Train Station or Dorridge Centre (to access Sainsbury's Supermarket - the only large supermarket in KDBH) will be effective in reducing car use and associated congestion, pollution and parking problems. This is especially so given that car use is so high in KDBH as noted in the Draft Plan (55% in Knowle and 56% in Dorridge).

The proposed linkages shown in the Knowle Transport Study do not appear to add any significant improvement to the existing routes. This threatens the sustainability and effectiveness of the Plan policies. Further clarity is required on the deliverability/effectiveness of the proposed mitigation measures.

Para 700 - New Education Provision

Paragraph 700 refers to a replacement Arden Academy. However, there is no mention of access to its facilities by the community. This was a key part of the original rationale for the Arden Triangle allocation i.e. residential development in this location would pay for a replacement academy; and that this replacement facility would be a community facility.

This was a paramount consideration in the balance of factors that led to the allocation of this site. A commitment to community use should be added to the Local Plan. See also The Neighbourhood Plan- Policy ECF2 requires consideration of dual use, by the community, of school buildings and outdoor recreational facilities and Policy ECF6 provides for the submission of a Community Access Statement and agreement regarding the extent of public access.

To avoid ambiguity and lack of clarity, and to address this important point, explicit reference needs to be included to these Neighbourhood Plan policies within the Local Plan.

Para 703 - Sport and Recreation

The rationale for the Hampton Road allocation was also the opportunity for community use of the replacement sports facilities.

This was a factor of paramount importance in site selection. Paragraph 703 of the Plan refers to such use "where appropriate". However, a strong commitment needs to be included within the Plan. See also representations on KN1 and related concept masterplan in respect of concerns relating to delivery of the new sports facilities.

Para 704 - Concept Masterplans

The references to identifying key features to be retained and providing certainty about the important elements of the development to be delivered are helpful. However, see separate representations relating to concept masterplans in relation to Policy P5, KN1, KN2 and their respective masterplans which reveal inconsistencies with the aims of this paragraph.

Para 707 - Affordable Housing and Smaller Market Homes

The Neighbourhood Forum's affordable housing policy (Policy H2) requires 25% of such housing to be occupied by households who have a strong local connection with KDBH. This is at variance with the provisions in the draft Submission Plan (Policy P4A). However, as recognised in Para 20 of the Plan,

“...there may be occasions when existing neighbourhood plans (particularly if they are up to date and reflect current evidence) provide a more appropriate local expression of a standard or expectation that should be taken into account and given due weight.” The KDBH Neighbourhood Plan was “made” in April 2019. It is up-to-date and relevant. For clarity and to avoid any ambiguity, the appropriateness of Policy H2 should be recognised in Para 707. A similar situation arises with regard to the required percentages of social rented accommodation and shared ownership housing (Policy P4A 6). The Neighbourhood Plan (Page 39) indicates a strong preference for a higher percentage of shared ownership. To avoid any ambiguity, this point should be addressed in the Local Plan.

After Para 707 – New Matter – Primary Health Care

The three doctors’ surgeries within KDBH are all under stress. The previous iteration of the Local Plan required a health facility to be provided on the Arden Triangle site. This is no longer proposed. The lack of additional health care provision is a major issue of concern for local residents.

There needs to be a commitment, within the Plan, to use developer contributions for related improvements to the local primary health care system.

Para 708 - Proposed Approach

The paragraph needs to make clear the KDBH is identified as a settlement for both Growth Option F and Growth Option G.

After Para 709 - New Matter – Densities

Densities on allocated sites should be addressed under Policy H1: Housing on Allocated and Larger Sites; and Policy D2 (Character and Appearance) which requires developments to be of a density characteristic of the Area.

A plan at Appendix 1 of the Neighbourhood Plan gives examples of existing housing densities in the Neighbourhood Area. The text supporting the KDBH Neighbourhood Plan Policy H1 states:

"Density: Lower housing density is a key characteristic of some parts of KDBH, particularly as it reflects the semi-rural nature of the Area. No absolute figure or average is set for future housing in the Neighbourhood Plan Area, but it is important that new development reflects the locality and that any suggestion of a cramped appearance is avoided. (KDBH Neighbourhood Development Plan Heritage and Character Assessment p 32 and Masterplanning /Design and Design Coding p 27, 72 and 74)

All other things being equal, those sites or parts of sites close to village amenities and public transport corridors or nodes are likely to be more suitable for housing of a higher density. Purpose built specialist accommodation (e.g. for the elderly) may also be suitable for higher densities."

We understand that these Neighbourhood Plan policies were based on the evidence provided by studies commissioned for the Forum on Heritage and Character Assessment and Masterplanning and Design Coding, both of which highlighted that lower housing density is a key characteristic of the Area.

The concept masterplan for KN1 (the Hampton Road) site illustrates medium density and low density housing with a proposed range of 30-40 dph (the Local Plan, at Para 240, suggests a range of 30-35 dph for this sort of site).

A higher density would be appropriate on the site of the existing football club *if* this was developed as a care village or retirement complex. However, elsewhere, only low and medium density development (up to 35dph) would be appropriate given the site context. There is low density housing to the northwest and southwest (12.4 dph on the Wychwood estate) and opposite the site where Grimshaw Hall and related buildings are set in extensive grounds.

At KN2 (the Arden Triangle site), the concept masterplan illustrates high, medium and low density housing ranging from 30-40+ dph. Again, higher density development may be appropriate closer to the Station Road frontage, for example in a flatted development. However, densities of 40-50 dph for mixed development would be inappropriate having regard to the character and surroundings of the area. We understand that the Neighbourhood Forum's landscape studies have pointed to the need for lower densities elsewhere on the site, and particularly on the lower and eastern parts where transition to countryside is important.

So as to inform the design of future development, density constraints should be summarised in the supporting text. In addition, appropriate densities need to be set in Policies KN1 and KN2 as important development principles. (See also modifications to Policy KN1)

Modifications

Settlement Chapter – Knowle, Dorridge and Bentley Heath

The Settlement Now

Para 685

[The settlement is well served by public transport with bus services running throughout – ~~delete~~]. Bus services run through the area with routes to Solihull, Balsall Common and Coventry.

The Settlement in the Future

Para 688

Add, "Given that the area is mainly residential, the opportunities to develop on previously developed land in KDBH are extremely limited and Green Belt release around the settlement has been required to accommodate new development as limited expansion of rural villages/settlements (Growth Option F) and significant expansion of rural villages/settlements (Growth Option G)."

Para 690

The area is however [well-~~delete~~] served by public transport and it will be important to retain and where possible improve the public transport offer.

What is Required for the Settlement in the Future?

Para 698 Highway Improvements

The Council's highway evidence highlights that traffic in the settlement is set to increase over the Plan period, even without any new development. Additional traffic growth as a result of site allocations is likely to exacerbate this situation and highway improvements will be required at various locations. Traffic lights in the heart of the Conservation Area would be detrimental to the character and appearance of the area.

Additional para after Para 700

The Neighbourhood Plan has two policies that are particularly relevant. Policy ECF2 requires consideration of dual use, by the community, of school buildings and outdoor recreational facilities. Policy ECF6 provides for the submission of a Community Access Statement and agreement regarding the extent of public access. Both of these policies are applicable to the new education provision in Knowle.

Para 703 Sport and Recreation

Replacement of any lost recreation / sports provision as a result of development will be required to an equivalent or better standard, including access and use by the wider community where appropriate. New sports pitch provision is proposed on land off Hampton Road should redevelopment of the existing Knowle Football Club take place. Neighbourhood Plan Policy ECF6 provides for the submission of a Community Access Statement and agreement regarding the extent of public access. This policy will be applicable to the proposed new sports provision.

Additional para after Para 707

Primary Health Care – The three doctors' surgeries within KDBH are all under stress. As such, proportionate developer contributions will be required towards improvements to the local primary health care system. An appropriate location to meet the need will be identified.

Para 708 – Proposed Approach

Amend as, "Knowle, Dorridge and Bentley Heath is a rural settlement identified for significant expansion of a rural village (Growth Option G) as well as limited expansion of a rural village/settlement (Growth Option F). Given that the opportunities to develop on previously developed land in KDBH are extremely limited, Green Belt release will be required and a redefined Green Belt boundary will need to be established. In accordance with national planning policy, such boundaries should be defined clearly, using physical features that are readily recognisable and likely to be permanent. Sites that are close to the existing settlement or are/can be well-served by public transport will be preferable, subject to their performance against the purposes of including land in Green Belt as supported in the Green Belt assessment and any other evidence base and constraints."

Additional para after Para 709

The density of future development will need to reflect a number of factors. It will be appropriate to make efficient use of land and exploit proximity to existing services and amenities. At the same time, avoidance of a cramped appearance will be important as will the characteristics and distinctiveness of the area, the landscape setting and proximity to listed buildings.

Representations on Solihull Council's Submission Draft Local Plan 2020 on behalf of Mr Williams

Policy KN1, Knowle and Justification

Summary

There is a lack of evidence to demonstrate the deliverability of this allocation. The Site is certainly not "very accessible" as the Council claims, even on the Council's site selection criteria. It is not the best site compared to other possible alternatives. It is not clear that the sporting facilities could or would be provided. There has been no opportunity to consult on or assess The Traffic report as it was only published at consultation stage. The traffic report appears to be out of date and unrealistic especially regarding cycling and walking regarding access to key facilities such as Dorridge Train station, employment locations and the only large shop in the area - Sainsbury's at Dorridge. It is unsatisfactory that the Green Belt boundary is not finalised, risking development creeping further into Green Belt.

If the Site were subsequently deemed deliverable, additional measures are needed to add to or strengthen policy provisions in relation to site KN1 including densities; Grimshaw Hall; trees and hedgerows; footpaths; engineering works; community use; primary health care; highway improvements; and concept masterplans.

Representations

Part 1 - Deliverability and Effectiveness - Policy KN1

There is a lack of credible evidence to demonstrate that this site allocation will be viable and deliverable. This must be addressed primarily at the Local Plan stage ([www.gov.uk/guidance/viability p2](http://www.gov.uk/guidance/viability-p2)) rather than be left to potential pressure to significantly amend the extent and quantum of housing in an unacceptable manner at the planning application stage. Worse still would be the inability to provide the new sports provision.

This is a fundamental. The original rationale provided by the Council for selecting two large development sites in Knowle was the ability to deliver significant community benefit in the form of new education and sports facilities. The delivery of such benefits, to offset the loss of large areas of Green Belt, is therefore of critical importance to the local community.

The National Planning Policy Framework requires (e.g. Paras 16 b) and 35 c) that plans shall be deliverable. A key element is ensuring that necessary development contributions do not undermine deliverability (Paras 34 and 57).

Further advice is provided in the Government's guidance "Viability and plan making" (as above) Proportionate evidence is also required.

The Council's approach has been to examine the viability of various typologies. These include a Rural Greenfield (>200 dw) typology which is based on the Hampton Road site. However, the assessment ignores the fact that the proposed number of dwellings has now been reduced (from 300 to 180) and the site no longer fits into this typology. It could be argued that a different typology should be applied, that relating to Rural Greenfield (less than 200 dwellings), based on a site at Frog Lane, Balsall

Common. However, the site at Hampton Road, Knowle is subject to a large number of site-specific considerations, development requirements and abnormal costs.

In addition to the physical constraints, there are land ownership and financial considerations which may impact on deliverability. The typology approach is not appropriate in this case and a bespoke assessment should be carried out.

The Masterplans are not agreed with the developer.

With regard to land ownership and financial considerations, we understand that Knowle Football Club has no legal interest in the land it occupies and that it is subject to restrictive covenants. Whilst we are sympathetic to the Club's desire to improve its facilities, these raise significant concerns about the Club's ability to deliver, and to subsequently maintain, such a large new facility. Without evidence to demonstrate that this housing allocation and associated sports benefits is deliverable, the effectiveness of the Council's Local Plan is in doubt and the requirements of the test of soundness have not been met.

In addition, Policy KN1 is contrary to the Draft Submission Plan Para 708 as much of the site is neither close to the settlement or accessible (or to be accessible by public transport) and parts of KN1 are in higher performing Green Belt (see Green Belt Assessment).

In the absence of evidence of soundness and deliverability, Policy KN1 - Hampton Road, Knowle and related text should be deleted from the Plan.

Additionally, other points, in respect of deliverability relates to the effectiveness of proposed health and transportation mitigation measures.

These are addressed in more detail in our comments on the Settlement Chapter. In summary, residents are particularly concerned at the lack of any firm proposals to create additional local health care provision, particularly local GP services which are already under pressure: and also at the very modest proposals to improve local transport infrastructure, particularly as regards improvements to bus services, especially given the location of KN1 and distance from Knowle.

We understand local bus services provision is unlikely to be improved as a consequence of the new development and the allocation would inevitably lead to an increase in car trips, congestion and pollution, contrary to the sustainability aims of the Local Plan.

Part 2: Measures Required to Address Issues and Strengthen Policy KN1

Policy KN1 – Density Matters

We refer to our representations on the KDBH settlement chapter (general matters) on densities. Density constraints should be summarised in the supporting text and appropriate densities need to be set out in Policy KN1 as an important development principle.

Policy KN1 2i

Reducing harm to the Grade 1 listed building, Grimshaw Hall: Reducing harm is not an appropriate action. The Plan should refer to significantly reducing harm. The requirement to enhance the setting of Grimshaw Hall by providing landscaped amenity areas (Para 716) needs to be added to the policy.

Policy KN1 2iii Retention of trees and hedgerows along Hampton Road:

The important hedgerows that cross the site should also be retained. These are the double hedgerow along the public footpath and the hedgerow to the east-northeast of this.

Policy KN1 4ii

Appropriate facilities associated with the provision of outdoor sport in the Green Belt: There needs to be clear reference to the acceptability or otherwise of a replacement *sports pavilion* and *associated facilities*.

Policy KN1 2 – New Matter – Public Footpath

The public footpath should be retained along its current alignment.

Policy KN1 - 4 New Matter - Community Use of Sports Facilities

Sports pitches and pavilion: delivery of, and access to replacement sports provision: There needs to be an explicit commitment to community use and to the requirements of the Neighbourhood Plan policies ECF 5 and ECF6 - see above.

Policy KN1 - New Matter - Primary Health Care

There needs to be a commitment to use developer funding for related improvements to the local primary health care system. In particular as KN1 is identified as a suitable location for a care home or specialist care elderly village.

Policy KN1 5iii - Highway Improvement

Traffic lights should be ruled out in the Conservation Area.

Policy KN1 7 - Concept Masterplans

The reference to concept masterplans should not suggest that there could be a departure from the stated principles.

Policy KN1 - New Matter - Phasing of Development

The replacement sports provision needs to be closely related to the phasing of housing to ensure that housing does not take place on the site without the delivery of the playing pitches. A legal mechanism is required and should be a policy requirement. This would also cover funding and the nature of development.

Justification of Policy KN1 Para 713 and 714 - Sports Pavilion

Regarding sports pitches and associated facilities, the Local Plan states, “the relocation proposals may contain elements that would amount to inappropriate development”. This, presumably, refers to the pavilion and to any floodlighting, car parking and fencing. There needs to be explicit reference to the acceptability or otherwise of the sports pavilion and associated facilities (Para 714).

Para 715 - Site Characteristics

Reference to rounding off the settlement: This is a very poor description and it not agreed. The allocation represents a significant incursion into the open countryside beyond the build-up limits of Knowle. Only existing development to the southeast is contiguous.

Para 716 - Hedges

Development to be confined to the area between the former hedge lines (now removed) and Purnell's Brook:

Para 718 - Accessibility

This site, particularly the northern site, does not perform very well in accessibility terms by walking or public transport. This should be amended.

Para 719 - Spatial Option G

The reference to this allocation being consistent with Spatial Option G is incorrect. It should be Option F relating to the limited expansion of rural villages as set out in paras 62 and 69 of the Local Plan

Modifications 3.1 Policy KN1 - Hampton Road, Knowle

1. The site is allocated for 180 dwellings.

X Densities shall not exceed 35 dph other than in any care village or retirement complex developed on the southern part of the site.

2. Development of the site should be consistent with the principles as shown in the concept masterplan, which include:

i. Preserving the setting of the Grade 1 Listed Grimshaw Hall. Development should be set back from the immediate locality to avoid harm. The area between Hampton Road and the limits of the development shall be landscaped as amenity areas. Only if harm cannot be avoided should mitigation be considered, and then it should be fully justified and demonstrated to be successful in significantly reducing harm;...

viii. Relocation of the existing sports pitches and sports pavilion currently occupied by Knowle Football Club

X Retention of the public footpath along its current alignment.

3. Replacement sports provision

X. Community access shall be in accordance with terms agreed in accordance with Policies ECF5 and ECF6 of the KDBH Neighbourhood Plan

X. Developer contributions will be required for related improvements to the local primary health care system.

4. The Concept Masterplan document should be read alongside this policy. Whilst the concept masterplans may be subject to change in light of further work that may need to be carried out at the planning application stage, [any significant departure from the principles outlined for Site KN1 will need to be justified and demonstrate that the overall objectives for the site and its wider context are not compromised – delete] there shall be no departure from the principles and other requirements applying to Site KN1 as set out in this policy.

1. Infrastructure requirements should include:...

iii. Highway improvements as required including speed reduction measures and access improvements along Hampton Road, and highway capacity improvements at the A4141 junction and at the junction of Arden Vale Road with Warwick Road

2. There shall be no commencement of development until a planning obligation has been executed governing the nature of the development; its timing and phasing; and the funding of all aspects. No more than 20% of the housing shall be occupied before the playing fields and sports pavilion are brought into use.

Justification Paras

Para 713

The current playing pitches will need to be re-provided and available for use prior to the redevelopment of the existing football club. The “nature of the development” referred to in the planning obligation shall include the number of houses, details of the proposed sports facilities and provision for use by the community. The funding provisions shall show how the housing will pay for the development of the sports facilities.

Para 715 - Delete

Para 716

The northern part of the site is located immediately opposite the front elevation of the Grade I listed Grimshaw Hall. Evidence from the Council's Heritage Impact Assessment recognises the significance of this important heritage asset and identifies potential harm to its setting as a result of development in the immediate vicinity. It is therefore recommended that development should be confined to the western part of the site (as shown on the Concept Masterplan) between the [former-delete] existing hedge lines [(now removed) - delete] and Purnell's Brook. The areas between Hampton Road and limits of any new development should be landscaped as amenity areas to enhance the setting of the Hall. In making the recommendations, the guiding principle is to ensure that development cannot be seen from within the grounds of Grimshaw Hall and the concept masterplan for site 8 seeks to reflect this.

Para 718

The site performs very well in overall accessibility terms and there is good access to all key facilities in Knowle. **[Delete]** Amend to: Only parts of the site are accessible to some key facilities in Knowle.

Para 719

Amend to: Development of Site 8 at Hampton Road is consistent with Option F of the Spatial Strategy for the limited expansion of rural villages.

Representations on Solihull Council's Submission Draft Local Plan 2020 on behalf of Mr Williams

Policy KN2 - Land South of Knowle (Arden Triangle) and Justification

Summary

These representations address firstly, an objection to the lack of evidence regarding the deliverability of this allocation: and secondly, a raft of measures that are needed to add to or strengthen policy provisions in relation to site KN2: South of Knowle (Arden Triangle). They concern densities; community access; highway access; trees and hedgerows; structure planting; primary health care; bus services; footpaths; and concept masterplans.

Representations

Policy KN2

These representations are in two parts. The first part addresses the deliverability and effectiveness of the KN2 proposals, including the relocation of Arden Academy and creation of a 'through school'.

The second part addresses the measures that are required to add to and strengthen the policy provision in relation to KN2 in the event that evidence is produced to demonstrate that the deliverability issues can be satisfactorily resolved.

Part 1: Deliverability and Effectiveness Representations

The reasons for this site selection was that it would benefits that a new Academy could offer significant benefits to the community.

These benefits have been scaled back considerably over the course of the time; originally including a swimming pool; sports pitches, gym; theatre; childcare provision etc (none of which are now mentioned). It is vital that significant community benefit is delivered. .

The National Planning Policy Framework requires (Paras 16 b) and 35 c) that plans shall be deliverable. A key element is ensuring that necessary development contributions do not undermine deliverability (para 34 and 57).

Further advice is provided in the Government's guidance "Viability and plan making". <https://www.gov.uk/guidance/viability>

Proportionate evidence is also required. (NPFF para 31 and 35b)

There is no published evidence to demonstrate that this site is viable.

The Council's approach to viability has been to examine the viability of various typologies. The closest typology to the Arden Triangle site is Rural Greenfield (>200 dw) which is based (erroneously) on the Hampton Road site. However, the Arden Triangle site is atypical. The policy requirements show that the site would be subject to a large number of development requirements and abnormal costs (see footnote 5 in KDBH Forum submission).

In addition to the physical constraints, particularly the challenge of locating the through school and sports pitches on sloping ground, there have been land ownership issues which have only recently seen a more comprehensive approach being adopted. Even then, landowner objections around viability were still being expressed in public immediately prior to the publication of this Submission Draft Local Plan.

For example, one of the landowners at HN2 stated publically that he is unable to accept the site going forward in its current form. In addition, there must be no development on "site 9" at all until his mother (who lives on site) has passed away and that is a red line to any development on the site at all. (See Council recording of the meeting from @9.30mins (although the sound is no longer working). https://solihull.public-i.tv/core/portal/webcast_interactive/509646). From the content of the meeting it would appear that the collaborative process between landowners has collapsed and it is suggested that the Council officers changed the master plan without consultation. The Council (and some landowners) instructed Savilles in June 2020 based on incorrect assumptions (based on planning and that it was serviced land for Arden School) and there must be an equalisation of land value and consultation on the masterplan or it would be preferable for the site to remain Green Belt.

The typology approach is not appropriate in this case and a bespoke assessment should be carried out.

A specific assessment for this site would be consistent with government guidance on viability in plan making in view of its large size and education requirements (page 4 <https://www.gov.uk/guidance/viability>).

Delivery of this large housing allocation is integral to the effectiveness of the Local Plan. Without any credible viability evidence that it can be developed in a manner that meets the policy requirements, the effectiveness of the Local Plan is undermined and the test of soundness, required by national policy, has not been met. In the absence of such evidence, the allocation should be deleted.

A further consideration in relation to viability is whether the policy requirements could be met with a reduced number of houses. Whilst the reduction in numbers from 750 to 600 is welcome, there are still considerable concerns that the densities proposed for development of this site are too high and not reflective of the area's character or its Neighbourhood Plan policies. These concerns are addressed below but are of relevance to site viability.

A second aspect of concern over deliverability relates to the effectiveness of proposed health and transportation mitigation measures. These are addressed in detail in the representations to the Settlement Chapter. In summary, however, we are very concerned at the lack of any firm proposals to create additional local health care provision, particularly to local GP services: and also at the very modest proposals to improve local transport infrastructure, particularly to bus services. We understand that the Council's has indicated that this is unlikely to be achieved as a consequence of the new development. Without more positive proposals, the outcome will inevitably lead to an increase in car borne trips, congestion and pollution contrary to the sustainability aims of the Local Plan

Part 2: Measures Required to Address Issues and Strengthen Policy KN2

Policy KN2 - Density Matters

We refer to our representations on the Knowle, Dorridge and Bentley Heath (KDBH) Settlement Chapter (general matters) on densities on the allocated sites. So as to inform the design of future development, density constraints should be summarised in the supporting text. In addition, appropriate densities need

to be set out in Policy KN2 as an important development principle. This may have implications for the overall number of dwellings to be delivered on the site.

If required, the Council should look at other sites it could release under Spatial Option F – limited expansion of rural villages. It is noted that the KDBH Forum has not consulted on whether the release of any further Green Belt land within the area to compensate would be preferable to over development on KN1 and/or KN2. In any event, the Settlement Chapter identified KDBH as suitable for "significant development" in sharing the Housing Need of the Borough; this is not need to be concentrated in only KN1 and KN2.

Policy KN2 - New Criterion after Point 1 - Community Use of New Schools

There should be a policy commitment to community use of the new schools.

Policy KN2-2i) Retention of important landscape features

A Tree Preservation Order protects a number of trees on the Lansdowne parcel of land. There are also other trees, including veteran trees, and hedgerows which should be retained to protect the character of the site and the approach into Knowle.

Policy KN2 2 - New Matter - Structural Planting

There should be a requirement for a structural landscape strategy to include screen planting along the Warwick Road boundary.

Policy KN2 2 - New Criterion after Point 2 - Primary Health Care

There needs to be a policy commitment to use developer funding for related improvements to the local primary health care system.

Policy KN2 2 - New Criterion after Point 2 - Public Transport

There should be a requirement in the policy for enhanced provision of public transport.

Policy KN2 2 - New Criterion after Point 2

There should be a requirement to retain public footpaths including the public bridleway on their existing alignment.

Policy KN2 5 - Concept Masterplans

Concept Masterplans: The reference to concept masterplans should not suggest that there could be a departure from the stated principles.

Policy KN2 6 - New Matter - Planning Obligation

There needs to be a legal mechanism to ensure that the objectives of this allocation are met and the new educational facilities are built alongside the construction of new housing.

Para 726 - Site Constraints

The 'other valued landscape features' include mature hedgerows, other tree cover and the Cuttle Brook. These features, together with the protected trees, are intrinsic to the character of the various land parcels within the site and should be retained. They should be referenced in the justification.

In addition, no reference is made to the topography of the site. There are significant levels changes, particularly on that part of the site proposed for the new schools. This should be recognised in this paragraph.

Modifications

Policy KN2 - South of Knowle (Arden Triangle)

1. The site is allocated for 600 dwellings together with the redevelopment of the Arden Academy secondary school and new primary school to provide an 'all through' school.

X Densities shall be low in the south and east rising to a maximum of 40dph on the Station Rd frontage.

X Community access to the schools shall be in accordance with terms agreed in accordance with Policies ECF2 and ECF6 of the KDBH Neighbourhood Plan.

X There shall be no vehicular access to the schools off Station Road.

2. Development of the site should be consistent with the principles as shown in the concept masterplan, which include:

i. Retention of important landscape features, including trees and hedgerows, to conserve the character of the site and the approach into Knowle; and the setting of heritage assets;

X A structural landscape strategy to include screen planting along the Warwick Road boundary;

X Developer contributions will be required for related improvements to the local primary health care system;

X Provision shall be made for access to enhanced bus services;

X Existing rig Existing rights of way, including the bridleway, shall be retained along their present alignments.

3. The Concept Masterplan document should be read alongside this policy. Whilst the concept masterplans may be subject to change in light of further work that may need to be carried out at the planning application stage, [any significant departure from the principles outlined for Site KN2 will need to be justified and demonstrate that the overall objectives for the site and its wider context are not compromised – delete] there shall be no departure from the principles and other requirements applying to Site KN2 as set out in this policy.

4. There shall be no commencement of development until a planning obligation has been executed governing the nature of the development; its timing and phasing; and the funding of all aspects.

Modifications to Justification

Additional para after Para 720

That part of the site adjacent to Station Road is closer to bus routes and to the amenities of Knowle and Dorridge. Higher densities would be appropriate. Elsewhere, the landscape setting and proximity to the listed Rotten Row Farm dictate a lower density of housing, reducing in a southerly and easterly direction reflecting the transition to countryside.

Additional para after Para 724

Policy KN2 requires access to enhanced bus services. As a minimum, applicants will be expected to negotiate with providers to achieve a meaningful diversion of existing services into the site. Increased frequency and the provision of new services shall also be considered and addressed where feasible.

Para 726

The site as a whole includes a number of constraints including changes in levels, a Local Wildlife Site, protected trees and other valued landscape features, such as the mature hedgerows, other trees and Cuttle Brook.

Representations on Solihull Council's Submission Draft Local Plan 2020 on behalf of Mr Williams

Appendix: Schedule of Allocations – para 870

Summary

Site 127 should be an allocated site in the Local Plan.

The current assessment for Site 127 is fundamentally flawed and demonstrably wrong. (The correct assessment of Site 127 would render Site 127 "Green" and it should be included in the Local Plan, in accordance with the Site Selection criteria.

Oakwood Planning Ltd submitted a full analysis and explanation for the correct assessment of Site 127 on our behalf in response to the Local Plan Supplementary Consultation 2019.

One of the stated purposes of the Local Plan Supplementary Consultation was to ask whether any sites should be re-assessed and if any sites not allocated should be allocated. We requested that Site 127 be re-assessed and allocated in the Draft Submission Plan.

Despite this, Site 127 has not been re-assessed. Many other sites have been re-assessed as well as new sites which were submitted since 2019.

The Representations relate to the Plan being unsound and not compliant with legal obligations and requirements. In summary, the Council has not:

- considered all reasonable options
- included Site 127 when it should be in accordance with the Site Selection criteria
- calculated Windfall Sites correctly
- met the Small Sites (10%) requirement in the NPPF (Site 127 is a Small Site)
- met the Housing Need for KDBH/Borough as there is an undeliverable LAA site (G&T Site)
- provided evidence that KN1 & KN2 are deliverable (&/or if deliverable, the correct capacity)

Representations

1. We include a summary on the relevant representations made on our behalf by **Oakwood Planning** in response to the Local Plan Supplementary Consultation 2019 below.
 2. In addition, we make further representations now to support the inclusion of Site 127 based on additional information since 2019 and also by the new Evidence provided by the Council (only published as part of the Consultation on the Draft Submission Plan 2020). This is set out below.
 3. For completeness, we attach the previous Representations made on our behalf by **Oakwood Planning** in response to the Local Plan Supplementary Consultation 2019. We refer to the correct assessment and other representations regarding the allocation of Site 127
1. **Site Selection – Site 127 - Summary of Submission made by Oakwood Planning in response to the Local Plan Supplementary Consultation 2019**

Step 1 – Site Hierarchy

Site 127 has been correctly classified as part brownfield, part greenfield, within a lower performing parcel of Green Belt. Site 127 has been given an overall "medium" accessibility score but it should have an overall "medium/high" accessibility score (see comments below under Accessibility Study).

However, the Site Selection Step 1 score given is 9. A score of 9 is defined as 'Green belt non PDL in isolated location. Lower/moderately performing Green Belt will generally have a combined score of 7 or less'.

Part Brownfield

Having regard to the fact that Site 127 is part brownfield and part greenfield, it cannot be described as 'non PDL'. There is a house, separate garage and a number of other structures on site.

Site 127 is part PDL and the criterion does not accommodate for this distinction from complete brownfield or complete greenfield sites.

Accessible Location

Site 127 cannot be described as in an 'isolated location'. Site 127 is within easy walking distance of the centre of Dorridge, shops, bus stops, train station and a number of community facilities such as the cricket club, bowling club, Dorridge Village Hall and Railway Inn surround/are situated very close to Site 127.

Site 127 meets the definition of an "accessible location". Footnote 35 in the document defines an "accessible location" and Site 127 does indeed lie on the edge of Dorridge which has a wide range of services including a primary school and range of retail facilities. Site 127 is located within the Dorridge road sign, has a footpath immediately outside the site and an existing road access (including an existing dropped curb entrance). Footnote 35 further states that in this context, a broad approach to accessibility is used based on a sites' location in/edge of urban area or settlement. A finer grain of accessibility is used at Step 2. (However, note that at Step 2, accessibility is only a factor against a site if the finer grain accessibility shows the site is not accessible and Site 127 is clearly an accessible site).

It is noted that the proposed approach in KDBH (para 234 of the Plan) is that "sites that are close to the existing settlement or are/can be well-served by public transport will be preferable". Site 127 is both of these.

It is noted that other sites proposed to be allocated in Dorridge are more distant from some amenities than Site 127.

The comment about Knowle/Dorridge/Bentley Heath villages being considered suitable for growth is agreed.

Additional Comments on SHELAA (not part of the selection criteria)

The other comments made in respect of Step 1 are of a generalised nature and it is noted that they are not part of the selection criteria set out for this stage of the assessment.

The comment made that the Green Belt gap to urban areas should be protected is:

a) a general statement and not part of the site selection criteria listed in Step 1; and

b) although the GBA identifies that RP47 (containing Site 127) is moderately performing in purpose 2 (preventing neighbouring towns merging into one another), a site-specific assessment is required. Site 127 is the closest to the settlement being right at the edge of Dorridge and there is a very significant gap between Dorridge and Hockley Heath and the inclusion of Site 127 would have the least impact on that gap.

The general comment about ensuring no net loss of diversity is:

a) a comment relevant to any site put forward for consideration, so no more or less relevant to Site 127;

b) not part of the site selection criteria listed in Step 1; and

c) in any event the SHELAA assessment confirms Site 127 is not within or adjacent to a Local Wildlife Site and the SA Impact SA9 should be classed as neutral (see comments below).

The general comment that the site "would extend beyond strong defensible Green Belt boundary" is:

a) not part of the site selection criteria listed in Step 1 and as such not relevant at this stage of the assessment (it seems more of a subjective judgement); and

b) we refer to the comments below in respect of Step 2 - Refinement Criteria - about the need to extend the Green Belt boundary generally and how, for Site 127, a new strong defensible boundary can be created. Whether or not there is already a defensible boundary cannot validly be counted against a site allocation, is not in the Site Selection Criteria and does not affect the consideration as the relevant issue is whether a new strong defensible boundary can be created including from existing physical features (as is the case for Site 127). Many of the allocated sites in the Draft Plan would argue there is already a strong Green Belt Boundary but the Housing Need and amount of Green Belt in Solihull requires the existing Green Belt boundary to be redefined.

Summary of Step 1 Assessment

Site 127 is part brownfield and part greenfield and in view of the above facts, it is considered more appropriate to have categorised the Site Selection Step 1 score as at least '5' given that this identifies Site 127 to be lower performing Green Belt, in an accessible location and is green belt non PDL (noting that some of this site is PDL). As such, Site 127 should be categorised as at least 'Yellow' at Step 1.

However, a score of "5" would still not properly recognise the part PDL status of Site 127. On this basis, our view is that Site 127 should be at least at the very top of the category of sites scoring a 5.

Refinement Criteria in Step 2

These comments relate to how the refinement criteria should have been applied to Site 127.

Higher Performing Sites (in terms of suitability to be included in the Local Plan)

Given that Site 127 was originally assessed as 9 under Step 1, it would seem that the Refinement Criteria were not applied to it at all as the Refinement Criteria are to be used "principally to confirm whether "potential" allocations (yellow) should be included as green or amber in the consultation, and whether "unlikely" allocations (blue) should be included as amber or red sites". The summary illustration at para 73 shows red sites bypassing Step 2 and remaining as red. At best, the Refinement Criteria seem to have been applied as if it were a site which did not perform well. However, the opposite approach should be taken, given the arguments raised above and that Site 127 should be correctly classed as a higher performing site.

The factors set out in the table of Refinement Criteria are applied differently depending on the assessment of the site made at Step 1. This is because "higher performing sites need more

significant harmful impacts if they are to be excluded and for sites not performing well, they will need more significant justification to be included".

If a Step 2 assessment was followed, a re-assessment of Site 127 under Step 1 would mean that it would be at the very top of the high performing sites (given that Green sites do not usually go through the Refinement Criteria). So, as a very high performing site, more significant harmful impacts would be needed to exclude Site 127.

Evidence and Application of Refinement Criteria.

In any event, if the Refinement Criteria were applied to Site 127 in the original assessment, we do not agree that the Step 2 criteria have been applied correctly to Site 127.

The Refinement Criteria in Step 2 is a planning judgement but there needs to be a consistency and reasonableness of planning judgement for each site to be considered.

We make the following points on the flaws in the Evidence and the application of the Refinement Criteria in respect of Site 127.

SHELAA Site Assessment

Site 127 is given a Category 2 assessment based on the three criteria. This Evidence is not agreed. Site 127 should be Category 1. The Technical Note in Volume B: Appendices sets out the Assessment Criteria for Housing. Sites with a total "suitability" score of over 35 are given an overall suitability score of 3 (meaning the site is suitable and could contribute to the five-year supply). On the basis of the current assessment, Site 127 has a total "suitability" **score of 43**, which is well over 35, and so should equate to an overall suitability score of 3.

There are no suitability factors other than those listed which indicate a different overall suitability score and there are no exceptional circumstances. (Note: a) the assessment on agricultural land is not agreed and the 'agricultural land' score should be 5 (for the reasons set out under the SA Impact section below Site 127 is urban use i.e. non-agricultural) and b) the assessment on location is not agreed and should be a 3 for the reasons set out in this Response, and that would make the overall score 46).

In summary, even based on the current assessment, the suitability score should be a 3. The availability and achievability scores are also 3. Table 5.1 shows that sites which score a 3 in each category equate to a "Category 1 site" (i.e. sites which are suitable and could contribute to the five year supply).

Accordingly, Site 127 is a **Category 1 Site** (the highest allocation meaning "It performs well against the suitability, availability and achievability assessments. Affected by fewer constraints and considered to be deliverable. Sites would be available within 5 years").

Accessibility

The commentary describes Site 127 as lying 'away from the main built up area of Dorridge'. This is not agreed. The below map shows that Site 127 is part of the settlement and the small area to the immediate north cannot be a determining factor to suggest otherwise.

[We refer to the Picture in the original representations made by Oakwood Planning attached]

Site shown by red outline. Adapted from Council mapping system

Green Belt Boundary

The commentary goes on to say that Site 127 would 'breach established Green Belt boundaries and create an indefensible boundary, thereby opening up the surrounding land for development'. This is not agreed. Site 127 is currently Green Belt. However, the SHELAA indicated that 96.5% of the "theoretical capacity" identified in the study would be in Green Belt. So the vast majority of sites submitted will breach established Green Belt boundaries and this cannot be a conclusive factor given the sites currently allocated as "Green" in the draft Consultation. The Plan accepts that a redefined Green Belt boundary will need to be established. In this case, given the re-assessment of Site 127 under Step 1, this factor should be assessed on the basis that the site is higher performing (and not on the basis that it is lower performing with a very low score of "9" (if indeed the Refinement Criteria were applied to the Site at all in the original site assessment)).

In addition, the release of Site 127 from the Green Belt for residential development would not mean that large areas of surrounding land would also need releasing from the Green Belt and nor would the residential redevelopment of Site 127 inevitably open up surrounding land for development. This is because there are clear physical boundaries for the development site and the surrounding land uses (described above) are community uses such as village hall, bowls, cricket club, pub and if any application were proposed for residential redevelopment of those uses, the loss of those community uses would be a key material consideration. It is quite possible to release Site 127 from the Green Belt for residential development on its own site specific circumstances, principally its physical boundaries and relationship to Dorridge. It would not therefore result in the Council having to release adjoining land. Site 127 does not and cannot encroach onto the open countryside and is entirely self-contained. In these respects, it is a unique parcel of land.

Strong Defensible Boundary

We refer to the points above on Site 127 being unique and the ability to limit the release from the Green Belt in relation to the ability to create a strong defensible boundary.

Furthermore, with regards to creating an indefensible boundary, Site 127 (plus the small area to the north) is also unique in that it is physically surrounded by roads.

The physical road boundary could easily and clearly create a new logical and strong defensible Green Belt boundary line.

As such, the fact that the roads (being strong, physical, ready recognisable, permanent demarcations limiting the extent of the site and release from Green Belt) is a factor in favour of Site 127 according to the Refinement Criteria. The "Factors in favour" of a site include "sites that would use or create a strong defensible boundary to define the extent of the land to be removed from the Green Belt."

Green Belt Assessment

It is agreed that Site 127 is in a lower performing parcel of Green Belt (RP47).

In addition, although RP47 as a whole is deemed moderately performing in respect of purpose 2 (preventing neighbouring towns merging into one another) and purpose 3 (to assist in safeguarding the countryside from encroachment), Site 127 has site specific circumstances to consider.

Given the location of Site 127 at the edge of Dorridge, combined with the surrounding land uses, roads surrounding the site, the site not being open fields and that it cannot encroach onto the open countryside, it is perhaps the least harmful site within this lower performing parcel to release from the Green Belt.

Land Character Assessment

The commentary recites the Land Character Assessment. Site 127 is within LCA3. As such, it does not have a "very low landscape capacity rating". So, this is not a factor against the inclusion of the site.

Looking in finer detail, although not required by the criteria, we note that the LAC of parcel LCA3 refers to a general assessment of LCA3 having a "low landscape capacity to accommodate new development". However, this is not agreed in respect of Site 127. As set out in the LCA Methodology, and in line with current guidance, "it is not possible to establish a definitive baseline sensitivity to change without having details of a given development proposal and for the purposes of the report a general assessment of LCA3's capacity to accommodate change has been taken. This should be taken as a guide only".

Consideration needs to be given to the specific site. Site 127 is not an open field site and does not encroach into the open countryside unlike the vast majority of LCA3.

The LCA report (page 29) states that this area (LCA3) is "likely to be able to accommodate small areas of new development, which would need to be of an appropriate type, scale and form, in keeping with the existing character and local distinctiveness". Given the immediate site context of Site 127, there is no reason why this could not be achieved given the surrounding and nearby land uses and development.

Given the size and location of Site 127, at the edge of Dorridge, and that there are mature trees around the boundary which would help screen any new development and the small area of land to the north of Site 127 (which has mature trees to its boundary), we submit that Site 127 is a site particularly able to accommodate new development as suggested by the LCA.

Accessibility Study

It is not agreed that Site 127 has an overall "medium" accessibility (coloured yellow in Appendix F), Site 127 should be assessed as having an overall "medium/high" accessibility score (coloured light green in Appendix F).

Under the Accessibility Assessment distance criteria set out in the report at section 4.3, the scoring for Site 127 should be amended. Site 127 should score 80 ("high") for accessibility to a high frequency train service (Dorridge Train Station) being within relaxation 1 (up to 1000m) of the site. This brings up the total score for Site 127 from 240 to 260 and moves it from the overall "medium" to the "medium/high" category.

We would add that Site 127 has access by an existing footway along a road with street lighting.

An accessibility score of "medium/high" shows that Site 127 is in an even more sustainable location than previously assessed within easy access of services, facilities buses and trains immediately adjacent.

Sustainability Appraisal Impact

Finally, the commentary states that the SA identifies mainly neutral impacts with 4 positive and 4 negative effects. However, this contradicts the Evidence which sets out that there are 4 positive (1 of which is identified as significant) and only 3 AECOM negative effects (not 4 negative effects as stated).

The SA **scoring** is not agreed for Site 127.

We note that AECOM58 is an amalgamation of sites described as "South West Dorridge, off Earlswood Road and Four Ashes Road" and is shown in Appendix C. Site 127 is included in this amalgamated group of sites even though it is on Grange Road. As such, we do not agree

that the assessment scores for the combined site AECOM58 accurately reflect the assessment for Site 127 which is in the most sustainable location of the 4 sites grouped together.

Based on the site appraisal framework in the Interim Sustainability Appraisal Report 2017, in respect of the specific criteria as applied to Site 127 there should be 6 positive impacts (of which 2 are identified as significant), 10 neutral and only 2 negative impacts in respect of Site 127:

SA4 – should be a positive criterion rather than a negative criterion as Site 127 does not contain any agricultural land Grade 1-3b. Although Site 127 is classed as Grade 4 agricultural land in the SHELAA Site Assessment, we do not agree. As defined on the 'West Midlands Region 1:250 000 Series Agricultural Land Classification', Site 127 lies in an area shown as 'predominantly in urban use' i.e. non-agricultural. This equates to the Site on the ground.

SA9 – should be a neutral criterion rather than a negative criterion as the reference that AECOM58 "overlaps or contains a local wildlife site and/or records of priority species and habitats" does not refer to Site 127. The Site Assessment for Site 127 confirms that it is not within or adjacent to a Local Wildlife Site. Although the comment relates to AECOM58 because a number of sites have been amalgamated, the reference appears to specifically relate to site 210 - land between 39 and 79 Earlswood Road, which has "Soft Constraints of Potential Local Wildlife Site and habitats of interest - grassland and water bodies" as set out here [http://www.solihull.gov.uk/Portals/0/Planning/LDF/Dorridge_September_2012\(1\).pdf](http://www.solihull.gov.uk/Portals/0/Planning/LDF/Dorridge_September_2012(1).pdf)

SA16 – it is not clear why this criterion is not listed on the Site Appraisal Pro Forma as it should show as a significant positive effect (housing site deliverable within 5 years).

On this basis, in respect of Site 127, we submit that there should be 6 positive impacts (of which 2 are identified as significant), 10 neutral impacts and only 2 negative impacts.

6 Positive Impacts:

- SA3: Proximity to bus and train services
- SA4: No agricultural land Grade 1-3b
- SA16: Improve the supply and affordability of housing (significant)
- SA17 A) Access to healthcare
B) Access/Proximity of Leisure Facilities (significant)
- SA19: Distance to Jobs

Only 2 Negative Impacts:

- SA1: Site located within 60% least deprived
- SA2: Access to Primary School (1.2km – 3km) being slightly over 1.2km at 1.37km

In any event, the SA appraisal does not identify any "significant harmful impacts" and so this is not a factor against the inclusion of the site.

Summary of Step 2 Assessment

"Factor against":

Given the above comments, there are no factors against Site 127, as listed in the Refinement Criteria, besides the breach of the current Green Belt boundary. As we state above, this cannot be considered conclusive given the nature of nearly all the sites being considered and those identified as Green in the Draft Plan. The Plan itself recognises that in KDBH "Green Belt release will be required, and a redefined Green Belt boundary will need to be established". As set out above, following a re-assessment of Site 127 at Step 1, a higher performing site such as Site 127 needs more significant harmful impacts if it is to be excluded. Breaching the current Green Belt boundary cannot be seen as a significant harmful impact in this respect for Site 127.

"Factors in Favour":

In respect of the factors in favour of Site 127, there are four factors **in favour** as set out in the Refinement Criteria:

- 1) Site 127 is in accordance with the spatial strategy in Growth Option F: Limited expansion of rural villages/settlements.
- 2) There are no hard constraints affecting Site 127.
- 3) The ability to create a strong defensible boundary to define the extent of the land to be removed from the Green Belt;
- 4) If finer grain accessibility analysis were required (which is disputed), Site 127 would be deemed accessible in any event.

Taking these factors into account, there is a very strong case that, once the Refinement Step was correctly applied, the result of the application of the Refinement Criteria would be to assess Site 127 as 'Green'.

Given the Refinement Criteria, it is difficult to see how an assessment other than "Green" could be sustained. Site 127 is at the very top of the higher performing sites and this impacts on the weighing of factors. Site 127 is a higher performing site requiring more significant harmful impacts if it is to be excluded. There are four factors in favour of Site 127 being included as opposed to one factor against. The only factor against the inclusion of Site 127 is of limited impact given that redefining the Green Belt is accepted as being necessary in the Plan, the vast number of sites currently in the Green Belt and considering the site specific circumstances of Site 127 identified in this Response.

Additional Benefits

There are also a number of other benefits of allocating Site 127 and therefore refining the Green Belt boundary to follow the physical roads around the site to the south/west/east:

- Site 127 measures 0.62ha. Based on a 35 dph density as set out within the Council's consultation, this would equate to 21 houses on a straightforward mathematical calculation. There are some trees on the Site, but most mature trees are around the boundary and could be retained along with mature trees worthy of retention as part of any development. A significant majority of the Site does not contain trees and a further part only contains some saplings. As such, it is not agreed that the figure of 10 houses is correct and it is an underestimate of Site 127. A higher number of houses than suggested could be delivered, providing greater contribution to the overall Borough's housing need.
- The NPPF sets out that at least 10% of overall housing growth should be provided on sites under 1ha. Site 127 would go towards this requirement. In any case, a site should not be excluded on the basis of its size or the number of houses it can deliver as this is not a selection criterion. It is noted that the 10% small site requirement is only a minimum requirement. There is no rationale for not including small sites beyond any anticipated or hoped for figure. In particular, being a small site should clearly not prevent a site being included.

- Site 127 would not create infrastructure problems, particularly in the centre of Dorridge and Knowle. Site 127 is located on the SW edge of Dorridge and there is easy access to Solihull, the motorway network and Birmingham (via road or train) without necessitating travel through either Dorridge or Knowle village centres. Congestion in the village centres is a major concern of residents.

It is therefore requested that Site 127 is reappraised in light of the above comments and submit that there is a compelling argument made out for the inclusion of Site 127 in the Local Plan as "Green".

Summary

Site 127 lies in a sustainable location, there is residential development on the site currently, development of the site would have a relatively low impact and any adverse impact can be mitigated.

Furthermore, development of Site 127 would not open up surrounding land for development given the different nature of adjacent and nearby land uses and any development of Site 127 would not encroach onto open countryside. Importantly, Site 127 is unique in that there are specific site circumstances of the physical roads around the site which can create a clear, logical and defensible Green Belt boundary without having to release surrounding land for development meaning that a strong defensible Green Belt boundary could be created.

2. 2020: Additional Facts and Representations: Submitted in response to the Draft Submission Plan Consultation 2020

2.1 The Supplementary Consultation 2019 set out the purpose of that Consultation, including:

- Refine the Site Selection process for assessing which sites should be included in the plan and re-assess all sites (c320) to ensure that the preferred sites are the most appropriate when considered against the spatial strategy, and existing/new or updated evidence. (See Introduction – Para 4 of the Supplementary Consultation 2019).
- In addition, there is a specific question on omitted sites (see Para 39), "Are there any red sites omitted which you believe should be included; if so; which ones and why?"

Our response to the Supplementary Consultation dealt with these issues but they do not appear to have been considered in the Draft Submission Plan as Site 127 has not been re-assessed and the SHELAA has not been amended despite being demonstrably wrong to allocate Site 127 as red. It is noted that the summary of consultation responses does not mention that current assessment is clearly wrong or contain our request for Site 127 to be re-assessed in light of the evidence we supplied and as stated it would be in the Supplementary Consultation.

2.2 The Sustainability Appraisal and Evidence base is fundamentally flawed.

- The process by which the baseline information has been used in the Draft Plan is wrong. The site assessment of Site 127 is demonstrably incorrect (being assessed as level 9).
- Site 127 should have been re-assessed in the Updated SHEELA given the stated purposes of the Supplementary Consultation 2019 (including whether sites should be re-assessed and whether a site should be allocated) and the detailed representations

made on our behalf by **Oakwood Planning** in 2019. However, there has been no re-assessment – see Site Assessments October 2020.

- c. Site 127 should have been assessed as Green and allocated in the Local Plan.
- d. This means the current allocated sites have not been judged against the reasonable alternative as Site 127 is clearly a reasonable alternative/addition and achieves the relevant, economic and social objectives better than many other sites.
- e. The NPPF requires Local Plans to be justified and provide "an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence". The consideration of reasonable alternatives is therefore one of the key tests of soundness and the site selection process. Assessing how sites perform against each other is therefore relevant to satisfying this test. (See Site Selection Process Topic Paper Para 17). This has not been complied with in respect of Site 127.

2.2 Further Representations in support of Site 127 being allocated in the Local Plan:

In relation to Site 127, there is further/new evidence which would further support Site 127 being allocated in the Local Plan:

- a. Bearing in mind that Site 127 is entirely surrounded by existing roads, and Dorridge Cricket Club is beyond those roads, in 2020 more of the land beyond those roads (in the Green Belt) has been allocated as an extended community facility. Namely, 4 acres of land adjoining the current Dorridge Cricket Club cricket pitch has been allocated as a second cricket pitch for Dorridge Cricket Club (plus additional changing facilities on that land subject to planning permission at the relevant time) - see **PL/2019/01659/PPFL** - Land To The Side Of Dorridge Cricket Club Grange Road Dorridge Solihull Proposal Change of use from agricultural land to a cricket ground. Decision Approved. Date: 27.01.2020 <https://publicaccess.solihull.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=PTC92YOEHS00>
- b. The history is that Dorridge Cricket Club leased a second ground in Grove Lane, Lapworth, to help accommodate its three senior teams and its 250 plus junior members but the ground is remote with very basic facilities and no mains electricity. Investment there is not realistic given its short five-year lease. The Council owns the area of farmland (subject to the planning application above) but has been leasing it to Hatton Estates for 'agricultural purposes'. The Council has now approved plans for this four acres of farmland next to Dorridge Cricket Club's ground to become a new second cricket pitch and to include a new changing facility (subject to future planning permission on the changing facilities).
- c. This use of land beyond the roads surrounding Site 127 further strengthens the argument that Site 127 has a strong defensible boundary. Site 127 (being surrounded by roads) does not encroach into the surrounding countryside or diminish gaps between settlements and we refer to our previous comments on the Green Belt Assessment above.
- d. In particular:

- i. The roads which surround Site 127 are the current entrance and exit routes to the Dorridge Cricket Club.
- ii. The road to the south of Site 127 has marked car parking spaces used by Dorridge Cricket Club (and others). There are 30 marked parking bays placed perpendicularly to the road. In addition, cars attending the Dorridge Cricket Club also park on the grass verges on either side of that road (estimated space for at least 10 extra cars) making a total of over 40 parking spaces. However, to be clear, the 30 car parking spaces are actual marked parking bays positioned entirely off the road and perpendicular to it (therefore it is not merely "on road parking"). This is further evidence that these roads are permanent defensible boundaries.
- iii. The expansion of Dorridge Cricket Club to move all activities from the Lapworth site to the second pitch in Dorridge will mean the roads wholly surrounding Site 127 will increase in use as the key access/exit to the Cricket Club, Club House and Bar, changing facilities and pitch(es) and will provide parking facilities for Dorridge Cricket Club.
- iv. Change of use from a community facility (Cricket Club, Bar, playing pitches etc to housing) in respect of Dorridge Cricket Club (even as it currently stands with one pitch - and even more so with the extended 4 acres for the second pitch and planned changing facility) would be very difficult under the NPPF and provides further proof that the land beyond the roads surrounding Site 127 would not be subject to encroachment as a result of allocating Site 127. (See for example NPPF Para 97 regarding the loss of sports and recreational buildings and land, including playing fields and the "very special circumstances test").
- v. The existing and new second cricket pitch extend to the waterway shown on the map which could be a defensible boundary in itself in relation to the Cricket Club.
- vi. Even in circumstances where the Counsel purports there is currently a strong defensible boundary, this can be changed (see for example Site HH1: Land south of School Road, Hockley Heath where there is in existence a defensible Green Belt Boundary that will be changed) and a new defensible Green Belt Boundary can be created from either existing permanent physical features (as is the case for Site 127) or one can be created.
- vii. The Council accept this principle as evidenced in the Full Council Meeting of 6.10.20 (confirmed that a new defensible Green Belt barrier can be created by the form a new estate road in relation to sites BL1 and BL3 that the Masterplan for BL2 shows the "Estate Road" that will be created and it is "perfectly possible for a road like that to be a defensible boundary" - see recording @2hours <https://solihull.public-i.tv/core/portal/webcasts> - recording is being archived and not currently available on the website).

- f. The Policies Plan Map now shows two newly added LWRs but development on Site 127 would not impact on either LWR. In addition, these LWR would further show that given the unique location of Site 127 (in RP47 in the Green Belt Assessment) releasing Site 127 from the Green Belt would not detract from the purposes of the Green Belt even in terms of encroachment of the countryside or merging on neighbouring towns. The new LWRs are:
- i. A large LWR to the South of Site 127 extending to the waterway.
 - ii. A smaller LWR on Earlswood Road which adjoins the second cricket pitch on the expanded Dorridge Cricket Club site (see above).
- g. The comments on the SHELAA Site Assessment 2016 should in fact read that on the basis of the current assessment, Site 127 has a total "suitability" score of 45 (not 43), which is well over 35, and this means it is an even higher overall suitability score of 3 and the overall score 48 (not 46). As originally submitted, even based on the current assessment, the suitability score should be a 3. The availability and achievability scores are also 3. Table 5.1 shows that sites which score a 3 in each category equate to a "Category 1 site" (i.e. sites which are suitable and could contribute to the five year supply).
- h. Accordingly, Site 127 is a Category 1 site (the highest allocation meaning "It performs well against the suitability, availability and achievability assessments. Affected by fewer constraints and considered to be deliverable. Sites would be available within 5 years").
- i. There are 2 bus services from **immediately opposite** the entrance to Site 127 (the return bus stop is a few metres to the right):
- i. Bus services **A7** and **A8** - Solihull South Circular:
 - Everyday service including weekends. Stops at all the local essential and leisure services including Dorridge Station (to access Dorridge Village, Doctors Surgery, Dentists, Pharmacy, Restaurants/Take-Aways, Shops, the large Sainsbury's store), Knowle Village, Bentley Heath Village, Solihull School (opposite Solihull Hospital), Solihull Leisure Centre/Park, Solihull Station and Solihull Town Centre and many others.
 - Whilst this is an hourly service, it is an established route, eco-friendly and sustainable and the route provides access to all facilities from food, health to leisure and entertainment throughout Dorridge, Knowle and Solihull e.g. <https://bustimes.org/services/a7-south-solihull-circular-clockwise>
 - These bus routes are hourly but the Council uses them to support the accessibility of Site KN1 and KN2 (see our representation in relation to those sites). However, the difference with Site 127 is that it is already accessible to a high frequency train service and by walking to Dorridge Village Shops and all the associated facilities, so the bus services add further to the accessibility and sustainability of Site 127 especially as the bus stops are already located immediately at Site 127.

- ii. Bus Service **513** - Norton Lindsey Flexibus - in addition, this service operates on Monday mornings only but the service includes all the same stops and access to the same services in Dorridge, Knowle and Solihull as the A7/A8. <https://bustimes.org/services/513-solihull-norton-lindsey-flexibus-service-2>
- j. There is access to Open Space immediately next to Site 127.
- k. The Site 127 is not 'isolated' as evidenced by our representations and we strongly object to it being described in this way. Merely stating on the SHELAA comments that the site is 'isolated' does not make that true (just as stating KN1 is "accessible" is incorrect) and, in any event, that is not one of the criteria for selecting sites. We refer to:
 - i. the Picture in the original representations made by **Oakwood Planning** attached;
 - ii. the Plan for the location of Site 127 in the Site Assessments October 2020 Evidence;
 - iii. applying the selection criteria correctly to Site 127 would mean it has medium/high accessibility under the SHELAA (which is a very high score given the nature of Solihull and the majority of submitted sites being in the Green Belt, yet release from the Green Belt being required to meet Housing Need). See also Fig 6A and 6B accessibility scores for potential housing sites in the Solihull Accessibility Mapping Methodology Report 2020 but bear in mind this is not based on a correct assessment of Site 127 which should be even higher (see above).
- l. Site 127 is part of the built up area of Dorridge and, in any event, the proposed redefined Green Belt Boundary, following the roads around Site 127, includes the small area to the north and means the boundary of the allocation is immediately joining the built up area and the houses on Grange Road and Earlswood Road. If that small parcel of land remains undeveloped for housing (albeit it already contains a sub-station), it would provide a very attractive screening to any development on Site 127.
- m. With a redefined Green Belt boundary, the small area to the north may be developed or not (subject to planning) and even if it were not developed it cannot genuinely be said to make Site 127 isolated. (We also refer to our representations on lack of clarity in the Council use of the word isolated, confusion with NPPF and Site Selection).
- n. The Knowle Transport Study 2020 confirms (Figures 2.4 and 2.5 - Trafficmaster delay - AM and PM) that Grange Road is the least congested category of road (Green Roads). Even though this was based on 2018 traffic surveys it confirms the on the ground experience for this location in 2020. This supports Site 127 having no impact on the existing infrastructure. (See representations in response to the Supplementary Consultation 2020 above).
- o. The Windfall calculation is too high and does not have compelling evidence to support it and should be reduced. Site 127 should be allocated to replace the losses to this figure. (We refer to our representations in relation to Windfall)

- p. There is no credible evidence that there will be 10% Housing supplied on Small Sites, contrary to NPPF. Site 127 is a Small Site and should be specifically allocated to count towards the 10% Small Sites figure. (We refer to our representations in relation to Small Sites).
- q. The Green Belt boundary should be redrawn to include Site 127 as it is an anomaly given all the evidence set out here and can be included within the proposal to do this under Policy P17 Green Belt. (We refer to our representations in relation to Policy P17).
- r. The Housing Need for KDBH (and consequently the Borough) will not be met by the allocated sites, either because they are non-deliverable, they should be deleted or, if some sites are shown to be deliverable, they will only be so at a reduced capacity. In particular:
 - i. Land Availability Assessment - G&T Site is not available or deliverable. (We refer to our representations in relation to the Land Availability Assessment).
 - ii. Brownfield Land Register - Blythe House should not be allocated as in breach of Policies. (We refer to our representations in relation to Brownfield Land Register and that Site 127 could be included on the Brownfield Land Register).
 - iii. Policy KN1 – unsound and non-deliverable or, in the alternative, will have reduced capacity to meet Policies. (We refer to our representations in KN1 and KN1 Concept Masterplans).
 - iv. Policy KN2 – the allocation is unsound and non-deliverable or, in the alternative, will have reduced capacity to meet Policies. (We refer to our representations in relation to Policy KN2 and KN2 Concept Masterplans).
 - v. Brownfield Land Register – Warwick Road should not be allocated as in breach of Policies unless Policy KN2 is found to be sound and deliverable. (We refer to our representations in relation to Brownfield Land Register).
- s. Site 127 meets Growth Option F – limited expansion of rural villages and is a Small Site.
- t. KDBH is identified as suitable for expansion under both Option F (limited expansion as proposed under Policy KN1) and Option G (significant expansion as proposed under Policy KN2).
- u. The allocation of Site 127 is in accordance with NPPF (Para 138), "Where...it is necessary to release Green Belt Land for development, plans should give first consideration to land which has been previously developed and/or is well-served by public transport".
- v. Allocating Site 127 is in accordance with NPPF Para 23 (ensuring sufficient supply to meet Housing Need, in line with the presumption in favour of sustainable development). Further, given the roads and use of land entirely surrounding Site 127, it is not necessary to keep it in Green Belt under NPPF para 139 b).

2.3 Site Selection Criteria

The Supplementary Consultation 2019 asked for representations on whether the Site Assessment Criteria should be changed. The Counsel did not consult or announce and changes as a result but there has been a small amendments regarding environmental factors.

It is noted that the Council amended the Site Selection criteria to cover more environmental issues but even with the amended selection criteria, it is submitted that the Site 127 should still be assessed as "Green" and allocated in the Draft Submission Local Plan. The only change to the site assessment criteria between the first tranche of site assessments (including Site 127) and the second tranche of site assessments is on measuring impacts upon green infrastructure (see Sustainability Appraisal 2020 – Main Report para 7.1.4). It would appear that the amendment to the selection criteria post 2019 Consultation would not change the correct assessment of Site 127 as indicated here.

However, the site selection criteria is not in accordance with NPPF para 138, "Where it is necessary to release Green Belt land for development plans should first give consideration to land which has been previously developed and/or is well-served by public transport." The site selection criteria does not prioritise part PDL land in the Green Belt and is therefore non-compliant.

Lack Clarity on Selection – we refer to our separate representation on the lack of consistency in language in the Draft Plan and the Evidence Base and the Site Selection Criteria and the Spatial Policies, contrary to NPPF (Para 16 d) it is unclear and ambiguous, creating uncertainty.

2.4. Sustainability Appraisal 2020 Main Report

Section 7 sets out that the appraisal for site selection.

Para 7.1.3 explains sites have been assessed individually and that the initial clustering of larger sites was disaggregated (following complaints) to allow for the implications of smaller scale developments to be better understood before ruling out locations on the basis of a combined assessment of sites.

However, this is misleading. The effect of the Evidence is that sites have not been individually assessed. It is submitted that the way Site 127 has been assessed does not treat it as an individual site as the Evidence base is using amalgamated assessments such as the Sustainability Assessment and the Green Belt Assessment, rather than applying it to the individual site. (See comments above in relation to Site 127).

Para 7.1.4 is misleading because the process for identifying reasonable site alternatives is flawed. In particular it is incorrect in relation to Site 127.

Para 7.1.5. States that the SA is a critical piece of Evidence.

[Note: Evidence - Accessibility section - Appendix E - (Site Accessibility Score Spreadsheet sorted numerically by site reference number) is not available on the website as it is blank.] pro forma standard document which has not been completed with any content.

In any event, given our comments in relation to Site 127 (and the representations made as part of the Supplementary Consultation 2019), the accessibility scores are fundamentally flawed in any event and Site 127 should be a high scoring "Green" site and allocated.

Given the flaws in this Evidence the Plan is not justified, the Evidence base has not been applied correctly and the Plan is unsound and not legally compliant. The Draft Plan is not effective because it is not deliverable over the plan period and sites selected are not the most sustainable (we also refer to our other representations on the Draft Plan).

We refer to our other representations as well.

Modifications

1. So the Evidence base is not flawed and is applied correctly and the Council has considered all reasonable options properly, re-assess Site 127 individually and correctly as "Green", considering:
 - a. the representations made by **Oakwood Planning Limited** in response to the Local Plan Supplementary Consultation 2019; and
 - b. the additional information and new Evidence as set out above.
2. Amend the various inconsistencies in the Local Plan on the description of the selection criteria and instead base the descriptions on the site selection as set out in the Topic Paper and Evidence base. (We refer to our separate representations on Site Selection, the Topic Paper, the Selection Criteria and Evidence base).
3. Allocate Site 127 in the Local Plan in accordance with the Site Selection Criteria with a redefined Green Boundary along the roads surrounding the site, as proposed in our representations to the Supplementary Consultation 2019.
4. Alternatively, the Green Belt could be redefined as the Inspector thinks fit. If the Inspector considers an alternative redefined Green Belt boundary (to that proposed above) should be established in this case, we support that if it includes Site 127 as an allocated site (we refer to the representations on the surrounding land uses directly past the roads immediately behind Site 127).
5. Amend and reduce the Windfall number and allocate Site 127 to (part) make up for the reduction.
6. Allocate Site 127 to comply with NPPF requirement of 10% Small Sites.
7. Delete the G&T site from the Land Availability Register and/or do not include it in assessing the land available for the purposes of housing for the Local Plan. Allocate Site 127 instead.
8. Remove Blythe House from counting towards the Housing number. Site 127 could be allocated instead/as an alternative.
9. Consider whether Policy KN1 and KN2 are deliverable and, even if so, re-assess the housing capacity of the Sites to comply with the relevant Policies.
10. If Policy KN1 and KN2 are not deliverable, they should be deleted along with the 2 properties on Warwick Road.

11. List the amendments proposed to the Green Belt Boundary to accommodate for anomalies as set out in (Policy P17) and also in this exercise remove Site 127 from Green Belt so as it would be available for housing (subject to normal planning).
12. Amend the Site Selection criteria to comply with NPPF Para 138.

In summary, Site 127 should be allocated in accordance with the Site Selection Criteria either as an addition to current allocations or to be available as part of the solution to deliverable Housing Need in place of any of the reduced housing availability as a result of any of the Modifications in 3-10 above.

Representations on Solihull Council's Submission Draft Local Plan 2020 on behalf of Mr Williams

Policy P5 - Provision of Land for Housing (Concept Masterplans)

Summary

Concept masterplans are discussed in the justification to Policy P5. However, they are not addressed within the policy itself. Given their importance, key provisions should be included within the strategic policy. The provisions also need to be strengthened so as to give confidence to the public and a clear steer to developers. The status of the concept masterplans as part of the Local Plan needs to be confirmed.

Representations

Concept masterplans are discussed under the justification for Policy P5 - Provision of Land for Housing (at Paras 242 and 243). However, unlike all other matters in the justification, they are not mentioned within the policy itself. Their formal role and status are uncertain. The Plan is lacking in clarity (NPFF Paras 16 d) and 35).

The concept masterplans are central to the delivery of housing development under the Solihull Local Plan 2020. Each of the allocated housing sites has a concept masterplan. The development of some 5,270 dwellings is dependent upon their provisions. As such, it is important that their contribution in meeting the Borough's housing requirement is recognised in the policy; also, for local communities to be confident that what is shown in the concept masterplans is broadly what will be delivered and will not be subject to material change.

As written, the status of the concept masterplans within the Local Plan is uncertain and ambiguous. There is reference to the Concept Masterplan document being read alongside the allocation policies; (for example, see Policy KN1 7) but the text does not confirm that the concept masterplans are part of the Plan itself. We understand that the concept masterplans are intended to be part of the Draft Submission Plan, however, the matter needs to be clear from a reading of the Plan.

A further point of concern is the permanence of the concept masterplans. The allocation policies allow for departure from the concept masterplan principles by indicating that any significant departure would need to be justified and applications demonstrate that the overall objectives for the site and its wider area are not compromised (see, for example, Policy KN1 7).

However, all important development principles should be a matter of policy. The Plan should not relegate to the concept masterplans the identification of the principles with which the development should be consistent. All important matters should be set out in policy and tested through the examination process. Later material changes would not be acceptable and would undermine public confidence.

For further clarity, amended policy should refer to the essential matters to be included within concept masterplans including key principles. Although referred to in the text (Paras 242 and 243 and Policy P4C) (and in the allocation policies with regard to principles – see for example, Policy KN1 7), fundamental requirements should be determined by the strategic policy. Thus, for example, all key development principles relating to the development of sites Policies KN1 - Hampton Road, Knowle and

KN2: South of Knowle (Arden Triangle) should be set out in those policies and demonstrated within the respective concept masterplans.

Changes necessary to ensure consistency with national policy, introduce clarity and avoid ambiguity are set out below. Consequential changes to the allocation policies are dealt with in other representations, notably to Policies KN1, KN2 and their respective Concept Masterplans.

Modifications

Policy P5 - additional paragraph (Para 7)

Concept Masterplans

7. Development on allocated housing sites shall be carried out in accordance with the related concept masterplan and the principles set out in the housing allocation policies. The content shall be as prescribed in the Local Plan (Insert location of Concept Masterplans)

Para 242 - addition to text:

242 - The Council has prepared a concept masterplan for each site to ensure confidence on capacity and deliverability. These form part of the Local Plan and are to be found in X.8 Concept masterplans include details on:

Representations on Solihull Council's Submission Draft Local Plan 2020 on behalf of Mr Williams

Concept masterplans general and specific

Concept Masterplans, General Matters

Summary

It should be made clear that the concept masterplans are an integral part of the Local Plan and that adherence to key principles will be required; also, that only minor changes are envisaged in the future.

Representations

See also our representations on Policy P5 - Concept Masterplans.

In addition to containing detailed masterplans, the volume "Solihull Local Plan Concept Masterplans", October 2020 has general material in the form of an Executive Summary, Introduction and Methodology. These representations relate to that part of the volume.

Executive Summary

The Executive Summary to the volume of concept masterplans states that the masterplans have been published "alongside" the Local Plan Draft Submission. This is ambiguous and lacking in clarity.(NPFF para 16d).

The concept masterplans should be part of the Draft Submission Plan and this made clear in the Executive Summary. The Executive Summary continues by saying that the masterplans are "illustrative" and "subject to change". This phrase is also used elsewhere in the text. However, as part of the Local Plan, the concept masterplans are subject to the presumption in favour of the development plan. They cannot be subject to material change outside the examination process.

The public would expect to have confidence this is a document that has been tested and adopted after a thorough examination process. Essential matters and key principles of development should be clearly stated requirements and distinguished from any material that might be illustrative. In this way, the concept masterplans will give a clear steer to developers and confidence to the public.

Introduction

Reference to "illustrative" masterplans is repeated in the Introduction. Related modifications will be necessary, as evidenced above.

Methodology

There is a reference to "illustrative" masterplans in the Methodology section. This will need correction, as indicated above.

Stage 5 of the methodology states that some emerging plans were shared on an informal basis with Parish Councils and Neighbourhood Forums. We understand that the KDBH Forum has not, however,

had an opportunity beyond the formal consultations to actively contribute to developing the concept masterplans as now proposed, despite repeated requests. Indeed, the Hampton Road concept masterplan is markedly different to earlier versions.

The definition of densities differs from that in the table at para 240 of the Local Plan. The Local Plan table indicates housing densities of 30-35 dph for limited extensions to villages (into which category the Hampton Road site falls); and 30-40 for larger expansion of villages (into which category the Land South of Knowle site falls). The indicative mixed density for both is 40-50 dph. These are not aligned with the low (under 30), medium (30-40) and high (40+) of the Concept Masterplan documents. The Local Plan and accompanying Concept Masterplan documents are unclear. Modification is required to provide clarity.

Modifications

Executive Summary

The Local Plan supplementary housing allocations document seeks to provide over 5,300 dwellings on new sites to be allocated for development. [This volume of concept masterplans has been published alongside the Local Plan Submission Draft – delete]. The Council's analysis and requirements are set out in this volume of concept masterplans which forms an integral part of the Local Plan. (Mod 1)

This study has tested the capacity of sites for housing delivery. The [illustrative – delete] concept masterplans were developed, with consideration of planning policy and best practice guidance. They are subject to minor change as further infrastructure survey work will need to be carried out at the application stage. However, developers will be required to adhere to the key principles.

Introduction

The Masterplan approach is born out of the Council's ambition to accommodate growth with placemaking providing the central theme. The [illustrative-delete] concept masterplans are therefore intended to demonstrate how sites could be brought forward for development in a form which both seek to respond to the Borough's needs and safeguards the long term desirability of Solihull Borough as a place to live and work.

Each concept masterplan sets out at a broad level how the sites ought to be developed and the likely housing capacity. The concept plans have been developed in collaboration with the site owners and/or promoters.

Once allocated in the Local Plan all sites will need to be brought forward in a manner which reflects both national and local plan policies. This will require additional survey work which is current at the time of application. This may result some minor changes to the [illustrative – delete] masterplans.

Methodology

These stages are reflected in the methodology outlined, however due to the complexity of the sites and the need to engage and involve stakeholders throughout the process, the stages are more iterative reflecting the level of review of the [illustrative – delete] masterplans.

Clarify and align the terminology relating to densities in paragraph 240 of the Local Plan and the Concept Masterplan methodology.

Representations on Solihull Council's Submission Draft Local Plan 2020 on behalf of Mr Williams

KN1 - Hampton Road, Knowle Concept Masterplan

Summary

The new Green Belt boundary on the northern part of the site should be formed by retention and strengthening of the existing hedgerow. The outer limit of residential development on that part of the site should be pulled back so as to avoid breaching the ridgeline that crosses the site. This could be compensated for by higher density development on the other (football club) site, but only in the form of a care village or retirement complex. Other modifications are needed to make the document succinct and to include or amplify details relating to the objective / aim of the development, phasing and delivery, household types and other key principles.

Representations

Savills Architects Site Proposal

Interpretation of the concept masterplan for Hampton Road, Knowle is confused by inclusion of "Savills Architects Site Proposal". This proposal has been superseded by the "SMBC Illustrative Concept Masterplan: KN1: Hampton Road". However, the inclusion throws into question the role and status of the Council's proposals. Additionally, the superfluous addition does not contribute to a succinct Local Plan.¹ For the avoidance of doubt, the Forum would strongly oppose the Savills proposal. The Savills Architects Site Proposal should be deleted.

Objective / Aim

Para 242 of the draft Submission Plan identifies matters that will be included in concept masterplans. First is "*A clear objective / aim for what is intended to be achieved in the overall development*". In this regard, the fundamental aim of the Hampton Road allocation is to build a new sports pavilion and pitches for Knowle Football Club, facilities that could be used by the public. This would be funded by new housing. However, this is not stated in the Plan.

The club would vacate the existing premises and pitch on the smaller southern site and develop new facilities on the larger northern site. There would be new housing on the western part of the northern site and on the southern site. The southern site could be developed as a care village or retirement complex.

Inclusion of the objective / aim is an important matter. As well as meeting a requirement of Para 242, it is part of the justification for the selection and allocation of this site. In addition, certain safeguards are necessary in meeting the objective / aim. As such, a statement of the objective / aim should be included at the start of the description of the Council's proposals.

Different Land Uses / Proposals

A second matter identified under Para 242 is reference to different land uses / proposals. Whilst the concept masterplan includes a general reference to housing, and to the proposed sports provision, the possibility of a care village or retirement complex on the existing site of Knowle Football Club is not

mentioned. It will be important to mention this option and to be cognisant of the possible effects on the overall density of development.

As regards the sports provision, the concept masterplan shows a cricket pitch. We understand that the existing Knowle Cricket Club has no intention of relocating. It is not clear if this is a proposed new facility, bearing in mind that the Council has identified the Knowle Dorridge and Bentley Heath area as a search area for a new sports hub. Clarity is required, as such a proposal would have an impact on the scale of associated facilities such as car parking and floodlighting. It would also have implications for scheme viability if Council funding is envisaged.

Phasing and Delivery

A third matter identified in Para 242 is the necessity for a clear phasing and delivery programme. This is absent from the current document. However, the replacement sports facilities will be needed before the existing use is lost. In addition, and in cross-funding the relocation of the sports facilities, early provision of housing on the northern side of the site will be necessary, together with a mechanism to ensure that the pitches are established before an appropriate percentage of the houses are occupied.

Household Types

Policy P4C of the Plan (Meeting Housing Needs - Market Housing) indicates that concept masterplans will include details of the likely required profile of household types. This is missing from the Hampton Road concept masterplan. In including this information, attention should also be drawn to the Neighbourhood Plan provisions with regard to housing mix (Policy H3) and affordable housing (Policy H2).

Other Key Principles

In specifying and amplifying key principles, other modifications to the concept masterplan are necessary:

- to ensure that harmful visual impacts as a result of engineering works to create the housing and playing fields are minimised;
- to secure retention of the public footpath along its current alignment;
- to clearly identify the vehicular site access, including the proposed access and car parking area to the sports facilities;
- to refer to necessary highway improvements and regard for safety and the character and appearance of the Knowle Conservation Area;
- to protect trees on the site in accordance with the Tree Preservation Orders; and
- to avoid significant harm to Grimshaw Hall

Extent, Location and Density of Development

There remains the matter of the extent, location and density of development to be carried out at the site, as depicted in the Council's concept masterplan and described in the accompanying text. In this regard, the site has been the subject of a landscape and visual appraisal carried out on behalf of the KDBH Neighbourhood Forum. We understand that the consultants advised that the site, which is crossed by a ridgeline, forms part of the rural setting of Knowle. The ridgeline and highpoint, in conjunction with existing mature boundary hedgerows and trees, form a natural landscape limit to any development. The consultants identified the second mature hedgerow as defining the extent of housing on the site.

In marked contrast, the housing shown on the Council's concept masterplan would breach the ridgeline and extend beyond the second hedgerow. Moreover, a road with street lighting and a sports pavilion would be located at this sensitive and prominent high point. Both would have an unacceptable and detrimental impact on the visual setting of Knowle. In the circumstances, no development should take place on the highpoints or along the ridgeline. This necessitates revisions to the north easterly extent of development as currently shown.

Contours should be added to the plan to highlight the topographical constraints. However, the extent of the proposed housing development will need to be reduced. By way of compensation, and in the event of development by a suitable care village or retirement complex, the southern part of the site could be shown for higher density housing. Nevertheless, modification of the proposed layout will be necessary.

The concept masterplan indicates the new road (across the ridgeline) would form the new Green Belt boundary. We object to this because of its visual impact, referred to above, and also because it is not a defined feature and could be subject to a revised position. In this regard the Council's proposals fail to meet national policy (NPPF para 139).

Our preferred Green Belt boundary would be the second hedgerow crossing the site, as advised by the KDBH landscape consultants. However, if this is not acceptable for viability reasons, the red line housing site boundary (as shown on the site analysis and landscape assessment plans) should remain, but the new Green Belt boundary should be defined by the retained existing third hedgerow just to the north of the red line boundary. This hedgerow is well defined but should be strengthened by additional planting between this hedgerow and the red line site boundary.

The highest housing density on the site should be restricted to 30-35 dph, consistent with the indicative densities for small extensions to villages as set out in the Local Plan table at para 240. This would also better reflect the character of the surrounding area and reflect Neighbourhood Plan policy H1 and D1 on density. A higher density may be appropriate for a purpose-built scheme for the elderly. The medium density in the key should be amended accordingly.

Modifications

1. Delete "Savills Architects Site Proposal" - plan and text.
2. Add a new paragraph at the start of the text on the page headed "SMBC Illustrative Concept Masterplan: KN1: Hampton Road": The objective / aim of the proposals is to build a new sports pavilion and pitches for Knowle Football Club, facilities that could be used by the public. This would be funded by new housing. The site of the club's existing premises could be used as a care village or retirement complex.
3. Add a new paragraph after the above addition: The possibility exists for development of a care village or retirement complex on the southern part of the site (site of the existing football club).

4. After the above, amend the original first paragraph in respect of the new green belt boundary as follows: [a road – delete] the existing hedgerow [along-delete] just beyond the northern perimeter of the housing site will be supplemented by additional planting and will define the new green belt boundary.....
5. Insert a clear phasing and delivery strategy, including reference to a legal mechanism to ensure delivery of the community benefit.
6. Include details of the likely required profile of household types. Add: Regard should also be paid to Policy H3 of the Knowle, Dorridge and Bentley Heath (KDBH) Neighbourhood Plan. In terms of affordable housing, Policy H2 of the Neighbourhood Plan will apply.
7. At the end of the second paragraph of text relating to the “SMBC Illustrative Concept Masterplan: KN1: Hampton Road”, add the following: The public footpath crossing the site is to be retained on its current alignment.
8. After point 7, add the following: With regard to off-site highway works, safety will be a prime consideration at the junction of Arden Vale Road with Warwick Road and at the Hampton Road / High Street junction. However, traffic lights at the High Street junction will be avoided to protect the character of Knowle Conservation Area.
9. At the end of the third paragraph of text relating to the “SMBC Illustrative Concept Masterplan: KN1: Hampton Road”, amend the wording as follows: Likewise, the trees and hedgerows along Hampton Rd and across the site must be retained, and the Tree Preservation Orders respected, to ensure the character of this approach to part of Knowle is conserved.
10. Amend the final paragraph of the text relating to the “SMBC Illustrative Concept Masterplan: KN1: Hampton Road” to read: Harm to the setting of the Grade 1 listed Grimshaw Hall should be avoided. Only if harm cannot be avoided should mitigation be considered, and then it should be fully justified and demonstrated to be successful in significantly reducing harm.

Representations on Solihull Council's Submission Draft Local Plan 2020 on behalf of Mr Williams

KN2 – Arden Triangle, Knowle Concept Masterplan

Summary

To reflect the character of the area, future housing on the Arden Academy site should be no higher than medium density. In addition, and to effect a transition between built development and countryside, the housing along the southern and eastern sides of the site should be low density. Other modifications are needed to make the document succinct and to include or amplify details relating to the objective / aim of the development, phasing and delivery, household types, landscaping and highway matters.

Representations

Landscape Assessment

The Landscape Assessment plan is lacking in a number of important respects:

- It does not show all the existing school sports pitches.
- It does not show the group of mature trees on the Arden Academy frontage to Station Rd.
- It does not identify the parkland character of the Lansdowne site. KDBH Forum's landscape consultants identified Lansdowne as having its own specific landscape character constraints where any development should retain existing key landscape features and its parkland character.
- It does not indicate the slope direction across the Lansdowne and Stripes Hill land parcels.
- It does not indicate the views out towards the canal from the centre of the site.
- Although shown on the Site Analysis plan, the landscape assessment does not show the semi-improved grassland.

Also, the opportunity to link existing habitats is shown, but no opportunities are indicated as regards structural landscaping.

It will be important for the development to have full regard to the constraints and opportunities offered by the site and for key features to be illustrated on the landscape appraisal plan. In this way, they can be taken into account in a successful design and layout.

In terms of the text, the concept masterplan calls for an integrated drainage, landscape and ecological strategy to be developed for the site. However, there is no guidance on key landscape principles. Illustration of structural landscaping will be particularly important. KDBH Forum's landscape consultants advised there is a need to establish a strong green framework for the new development. This would include a substantial screen buffer to the Warwick Road frontage. Such matters should be addressed in the text.

Developer Proposals

The concept masterplan next addresses developer proposals and engagement, including earlier proposals by Capita and by the Building Design Group. These proposals have been superseded by the “SMBC Illustrative Concept Masterplan: KN2 Arden Triangle”. However, inclusion of the earlier proposals throws into question the role and status of the Council’s proposals. Additionally, the superfluous addition does not contribute to a succinct Plan. (NPFF Para 15)

The material on the pages headed “Developer Proposals and Engagement” and “BDG Illustrative Concept Masterplan” should be deleted.

Objective / Aim

Para 242 of the draft Submission Plan identifies matters that will be included in concept masterplans. First is “A clear objective / aim for what is intended to be achieved in the overall development”. In this regard, the fundamental aim of the South of Knowle allocation is to build a replacement for Arden Academy, a facility that could be used by the public. This would be funded by new housing. (See Call for sites submission Parcel 153 ‘the catalyst underlying the Arden Triangle is the desire of Arden Academy governors to vacate the existing school and relocate to another site...’). However, this is not stated in the Plan.

Inclusion of the objective / aim is an important matter. As well as meeting a requirement of Para 242, it is part of the justification for the choice and allocation of this site. In addition, certain safeguards are necessary in meeting the objective / aim. As such, a statement of the objective / aim should be included at the start of the description of the Council’s proposals.

Phasing and Delivery

A second matter identified in Para 242 is the necessity for a clear phasing and delivery programme. This is absent from the current document. However, this is particularly important given the different land ownerships and the obvious difficulties of joint working in the past. In particular, it will be important to ensure that the development does not proceed in two halves, based around the northern area and the southern area. It is essential the educational and other infrastructure benefits are provided and the community is not left with only a large housing development starting in the south and working northwards.

It will therefore be necessary for the delivery of housing to be related to satisfactory progress of delivery of the new schools. A suitable legal mechanism such as a Planning Obligation should be entered in to govern the rate of delivery of housing alongside construction of the education facilities. A phasing and delivery diagram should be part of the concept masterplan.

Household Types

Policy P4C of the Plan (Meeting Housing Needs - Market Housing) indicates that concept masterplans will include details of the likely required profile of household types. This is missing from the Arden Triangle concept masterplan. In including this information, attention should also be drawn to the Neighbourhood Plan provisions with regard to housing mix and affordable housing.

Density

In terms of density, for the area of the existing Arden Academy and its playing fields, the concept masterplan indicates high density housing at 40+ dph. This is higher than anywhere in the designated area, where the highest densities are around 38 dph, including mixed housing and flatted development. (See KDBH Neighbourhood Plan, Appendix 1).

Further, the area is not characterised by high density housing or by flats or mixed uses. In addition, it is not an area that is “highly accessible by public transport” as stated in the Draft Submission Plan (Para 239). Buses are hourly and the train station is in Dorridge. The highest density on the Arden Academy site should be “medium”.

For the remainder of the site, the concept masterplan proposes medium density housing across the centre of the site with low density housing towards Grove Road. This is partially in line with the specialist studies carried out by the KDBH Forum’s landscape consultants. However, densities should reflect the character of the area. The KDBH Forum’s landscape consultants have stressed the importance of a transition between built development and the countryside, not only in a north to south direction but also from west to east. The concept masterplan should therefore also show low density housing along the eastern side of the site. Such densities would be consistent with the densities shown on the BDG masterplan, prepared by the Council’s in-house design team.

Highway Matters

The concept masterplan states that there will be one point of access onto Grove Road. However, two are shown on the diagram. Clarification is needed. More particularly, the concept masterplan should advise on the treatment of Grove Road and its junction with Warwick Road (where local residents are concerned about safety as a consequence of additional traffic accessing the new schools). Grove Road is a road of rural standard that is not suitable for large vehicles and high volumes of traffic. Advice should be included within the document.

Modifications

Annotate the Landscape Assessment plan such that it shows all the school playing fields; the trees at the front of Arden Academy; the area of parkland character (Lansdowne site); contours across the site including towards Stripes Hill; the view from the centre of the site towards the canal; the extent of the semi-improved grassland; and structural landscaping opportunities.

Delete the two pages of the concept masterplan that show “Developer Proposals and Engagement” and “BDG Illustrative Concept Masterplan”.

Add a new paragraph at the start of the text on the page headed “SMBC Illustrative Concept Masterplan: KN2 Arden Triangle”: **“The objective / aim of the proposals is to build a new through school funded by housing. The through school would comprise a community academy, available for use by the public, and a two-form entry primary school.”**

Insert a clear phasing and delivery diagram. In addition, add: A planning obligation (or similar binding legal agreement) will be necessary to secure the objectives of the site.

Include details of the likely required profile of household types. In addition, add: “Regard should also be paid to Policy H3 of the Knowle, Dorridge and Bentley Heath (KDBH) Neighbourhood Plan. In terms of affordable housing, Policy H2 of the Neighbourhood Plan will apply.”

Amend the first paragraph on the page headed "SMBC Illustrative Concept Masterplan: KN2 Arden Triangle" so that it reads: "The density of the housing ranges from ~~[30-40+ delete]~~ 30-40 dph, reducing towards Grove Road and Warwick Road." Make consequential changes to the concept plan.

Include the following text in the third paragraph on the page headed "SMBC Illustrative Concept Masterplan: KN2 Arden Triangle": "An integrated drainage, landscape and ecological strategy should be developed for the site. This should feature a strong green framework for the development and include screen planting along the Warwick Road frontage. Public open space..."

Clarify the position regarding access onto Grove Road (one access point or two). At the end of the fourth paragraph on the page headed "SMBC Illustrative Concept Masterplan: KN2 Arden Triangle", add the following text: "Sensitive improvement of Grove Road and its junction with Warwick Road will need to be considered."

Representations on Solihull Council's Submission Draft Local Plan 2020 on behalf of Mr Williams

Schedule of Policies - P17 Countryside and Green Belt

Summary

Policy P17 is overly restrictive and unnecessarily so and in some areas it does not comply with NPPF (Para 68) and does not reflect the direction of travel in national planning aims and policies.

Representations

1. Policy - P17 Countryside and Green Belt

3 i) and ii) are too restrictive. Limited in-filling or redevelopment should not be limited to listed locations and should be permitted within the Green Belt and the definition of limited infilling is too restrictive according to NPPF paras 145 and 146.

3 iii) Disproportionate additions shall be interpreted as additions that are more than 40% of the original floorspace of the building:

- a.** For clarity, and to avoid being overly and unnecessarily restrictive (given the housing needs and NPPF) and to give effect to the purpose of national permitted development, the Policy should specify that additions under national permitted development rights are not included, affected or limited/reduced by the Policy.
- b.** In addition, development of a third floor in the loft should not count towards the 40% floorspace as it would have no impact on the openness of the Green Belt. Including any loft floorspace in the 40% is overly restrictive and is against the prevailing planning trends and future demographics. For example, there is also Government support for maximising existing housing space to address housing needs [refer to Government Planning changes and reforms in 2020].

4. In considering proposals for inappropriate development in the Green Belt, the following factors may be taken into account as very special circumstances (etc). The list is too narrow and does not comply with NPPF paras 145 and 146.

2. Justification

Para 417

The pressure on the Green Belt in Solihull has been intensified by the requirement for development emerging from housing needs (both for the Borough and wider housing market area); the lack of vacant and derelict land in the Borough; national guidance on windfall housing; and local requirements for employment land, waste management and mineral extraction. This is reflected both in the significant number of sites in the Green Belt in the SHELAA, and the paucity of sites in the urban area. These are not the only reasons. Solihull has such a significant proportion of Green Belt (@67%) with the boundary being set in the late 1990's (see page 3 Green Belt Assessment 2016, "In 1997 Solihull Metropolitan Borough Council adopted its

Unitary Development Plan (UDP) which formally delineated the Borough's Green Belt boundaries including those areas designated as interim Green Belt").

Para 420.

A small number of minor changes will be made to address anomalies in Green Belt boundaries across the Borough, taking into account an assessment of submissions made during the preparation of this Plan. These should be set out.

In addition, we submit that it is not necessary to keep Site 127 in the Green Belt in accordance NPPF para 139 b) and as such it should not be included in the Green Belt.

We submit that this minor change to the Green Belt should include a minor change to the Green Belt to remove Site 127 from the Green Belt given that a strong defensible Green Belt Boundary can be created on roads that already exists entirely around Site 127 which prevent any risk of encroachment onto the countryside and given that Dorridge Cricket Club is directly behind the roads surrounding it. (Please refer to our detailed representations in respect of Site 127).

Para 422.

The policy is not consistent with national Green Belt policy for the reasons given and the "some further guidance to help establish whether development would be inappropriate" goes further than NPPF and the intention behind national permitted development rights. The national permitted development rights apply in the Green Belt so must by definition not be considered inappropriate development by the Government. The extensions or alterations envisaged in NPPF Para 145 relate to development which would otherwise be inappropriate and must therefore be in addition to national permitted development rights.

Para 442

Is overly restrictive in light of the NPPF see the above comments and the House Extensions Guidelines SPD should be amended accordingly.

Modifications

3. 3 i) and ii) – **delete** and replace with "Limited infilling or redevelopment will be permitted in accordance with NPPF paras 145 and 146.
4. 3 iii) should be amended to, "Disproportionate additions shall be interpreted as additions that are more than 40% of the original floorspace of the building. However:
 - a. Additions in the third floor loftspace shall not count towards the additional 40% as they do not impact on the openness of the Green Belt; and
 - b. Any development under national permitted development rights will not be i) included in the calculation of the original floorspace; ii) counted towards the 40% addition; or iii) otherwise affected or restricted by this Policy."
5. 4 – The list after "In considering proposals for inappropriate development in the Green Belt, the following factors may be taken into account as very special circumstances": Add all circumstances listed in [para 145 and para 146 NPPF].

6. Para 417 - The pressure on the Green Belt in Solihull has been intensified by the requirement for development emerging from housing needs (both for the Borough and wider housing market area); the lack of vacant and derelict land in the Borough, that Solihull has significant Green Belt @67% with the boundary being set in 1997 when Solihull Metropolitan Borough Council adopted its Unitary Development Plan (UDP) which formally delineated the Borough's Green Belt boundaries including those areas designated as interim Green Belt.
7. Set out the minor modifications to the Green Belt under Para 420 and include Site 127 as a minor modification on the Green Belt boundary as it is an anomaly given the location, surrounding land uses and the self-contained nature of the site and/ the inability to of the Site to expand further into the Green Belt or be used as a precedent for other expansion (see further representations on Site 127).
8. Para 422 – **delete**.
9. Para 242 – "The NPPF advises that extensions or alterations to buildings in the Green Belt should not result is disproportionate additions to the original building. [The House Extensions Guidelines SPD provides further guidance on this issue, limiting extensions to a maximum of 40% of the original habitable floor space. This guidance applies to buildings outside settlements and established ribbons of development within the Green Belt, but includes properties on the end of ribbons of development] – delete. Most householders are able to perform a certain level of extensions without planning permission under permitted development rights (see pages 2-5), however extensions further to those detailed on pages 2-6 will require planning permission. [As well as ensuring that – delete] tThe external appearance and design of any extensions are appropriate to their surroundings [, it is the concern of the Council to ensure that extensions should not turn small houses or cottages into mansions within the Green Belt. The cumulative effect of previous extensions will be taken into account. For this reason the Council will limit extensions to any property to no more than 40% of the original habitable floor space measured externally (original being the habitable floor space when the property was built, or as it was on 1st July 1948 if built before this date) – **delete**]."
<https://www.solihull.gov.uk/Portals/0/Planning/LPR/Draft-Submission-Plan-Oct-2020.pdf>

Representations on Solihull Council's Submission Draft Local Plan 2020 on behalf of Mr Williams

Policy P10 - Biodiversity Net Gains

The Biodiversity Net Gain section of the Draft Plan (page 97), suggests there is a plan to take some action against reducing biodiversity but it is unclear and ambiguous (NPPF para 16 d) what that will be or how it will be achieved.

Footnote 41 - "The Council will take seriously any attempt to minimise the biodiversity baseline value, such as the removal of trees prior to planning application."

Modification

The statement needs clarity over what this means and how it is proposed it will be achieved to avoid uncertainty and being unsound. In the absence of this, Footnote 41 should be deleted.

Representations on Solihull Council's Submission Draft Local Plan 2020 on behalf of Mr Williams

Policy P5 - Concept Masterplans

Summary

Concept masterplans are discussed in the justification to Policy P5. However, they are not addressed within the policy itself. Given their importance, key provisions should be included within the strategic policy. The provisions also need to be strengthened so as to give confidence to the public and a clear steer to developers.

The status of the concept masterplans as part of the Local Plan needs to be confirmed.

Representations

Concept masterplans are discussed under the justification for Policy P5 - Provision of Land for Housing (at Paras 242 and 243). However, unlike all other matters in the justification, they are not mentioned within the policy itself. Their formal role and status are uncertain. The Plan is lacking in clarity (NPPF Para 16d and 35d).

The concept masterplans are central to the delivery of housing development under the Solihull Local Plan 2020. Each of the allocated housing sites has a concept masterplan. The development of some 5,270 dwellings is dependent upon their provisions. As such, it is important that their contribution in meeting the Borough's housing requirement is recognised in the policy; also, for local communities to be confident that what is shown in the concept masterplans is broadly what will be delivered and will not be subject to material change. As written, the status of the concept masterplans within the Local Plan is uncertain and ambiguous. There is reference to the Concept Masterplan document being read alongside the allocation policies; but the text does not confirm that the concept masterplans are part of the Plan itself. It is understood that concept masterplans are intended to be part of the Draft Submission Plan but this needs to be clear from a reading of the Plan.

A further point of concern is the permanence of the concept masterplans. The allocation policies allow for departure from the concept masterplan principles by indicating that any significant departure would need to be justified and applications demonstrate that the overall objectives for the site and its wider area are not compromised.

However, all important development principles should be a matter of policy. The Plan should not relegate to the concept masterplans the identification of the principles with which the development should be consistent. All important matters should be set out in policy and tested through the examination process. Later material changes would not be acceptable and would undermine public confidence.

For further clarity, amended policy should refer to the essential matters to be included within concept masterplans including key principles. Although referred to in the text (and in the allocation policies with regard to principles), fundamental requirements should be determined by the strategic policy. Thus, for example, all key development principles relating to the development of sites Policies KN1 - Hampton Road, Knowle and KN2: South of Knowle (Arden Triangle) should be set out in those policies and demonstrated within the respective concept masterplans.

Changes necessary to ensure consistency with national policy, introduce clarity and avoid ambiguity are set out below. Consequential changes to the allocation policies are dealt with in other representations, notably to Policies KN1, KN2 and their respective Concept Masterplans.

Modifications

Policy P5 - additional paragraph (Para 7)

Concept Masterplans

7. Development on allocated housing sites shall be carried out in accordance with the related concept masterplan and the principles set out in the housing allocation policies. The content shall be as prescribed in the Local Plan.

Para 242 - addition to text

242 The Council has prepared a concept masterplan for each site to ensure confidence on capacity and deliverability. These form part of the Local Plan and are to be found in X. Concept masterplans include details on: