



Solihull MBC Local Plan Publication Stage Representation Form

Ref:

(For official use only)

Name of the Local Plan to which this representation relates:

Solihull Draft Submission Plan

Please return to psp@solihull.gov.uk or Policy and Engagement, Solihull MBC, Solihull, B91 3QB BY Monday 14th December 23:59

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This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

2. Agent's Details (if applicable)

Title	<input type="text"/>	Mr
First Name	<input type="text"/>	Joseph
Last Name	<input type="text"/>	Cramphorn
Job Title (where relevant)	<input type="text"/>	Senior Planner
Organisation (where relevant)	Hampton Road Developments Ltd.	Savills UK
Address Line 1	c/o Agent	55 Colmore Row
Line 2	<input type="text"/>	<input type="text"/>
Line 3	<input type="text"/>	<input type="text"/>
Line 4	<input type="text"/>	Birmingham
Post Code	<input type="text"/>	B3 2AA
Telephone Number	<input type="text"/>	<input type="text"/>
E-mail Address	<input type="text"/>	<input type="text"/>

(where relevant)

Part B – Please use a separate sheet for each representation

Name or Organisation: Hampton Road Developments

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

Paragraph Policy Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

The planning practice guidance states at Paragraph: 002 Reference ID: 64-002-20190722, that the following could be considered as examples of compensatory improvements:

- new or enhanced green infrastructure;
- woodland planting;
- landscape and visual enhancements (beyond those needed to mitigate the immediate impacts of the proposal);
- improvements to biodiversity, habitat connectivity and natural capital;
- new or enhanced walking and cycle routes; and
- Improved access to new, enhanced or existing recreational and playing field provision.

Criterion 2 of the policy states that:

“Where compensatory improvements have been identified as part of the concept masterplans included as part of the Local Plan, that such improvements are included in the development proposals.”

The planning practice guidance states that compensatory improvements to environmental quality and accessibility of remaining Green Belt will be incorporated into a Section 106 agreement. The NPPF (paragraph 138) does not specifically state that Green Belt compensation has to be sought through S106 contributions. The PPG states that compensation can be secured through CIL or conditions and the S106 can be used to set out the long-term maintenance of sites (Reference ID: 64-002-20190722). As Solihull is a CIL charging authority, we consider that the Council should also set out Green Belt compensation projects which can be paid for through CIL. The PPG states that when setting out policies for compensatory im-

improvements, they may be “informed by supporting evidence of landscape, biodiversity or recreational needs and opportunities including those set out in local strategies, and could for instance include: new or enhanced green infrastructure; woodland planting; landscape and visual enhancements (beyond those needed to mitigate the immediate impacts of the proposal); improvements to biodiversity, habitat connectivity and natural capital; new or enhanced walking and cycle routes; and improved access to new, enhanced or existing recreational and playing field provision” (Reference ID: 64-002-20190722). As local communities receive a percentage of the CIL contribution this could enable the local communities to identify the projects that they would like compensation to fund.

In terms of Green Belt compensation, there may be circumstances where the Green Belt compensation cannot be provided effectively on site or it could significantly reduce the net developable area of the proposed allocation. Where these circumstances exist, the Council should have an effective strategy in place that enables off site contributions to be made to Green Belt mitigation in other locations e.g. through the identification of donor sites. It is not clear from item 4 of this policy where the Council will be using section 106 funds to make compensatory improvements.

Additionally, the Council has not provided any indication of how the level of compensation will be determined. We request that a formula or calculation be provided in order to determine the level of contribution that may be provided to allow developers to plan for this requirement on top of the other contributions / requirements being sought in the Local Plan Review.

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

We request that the Council amend Policy P17A to refer to the use of CIL as well as S106 agreements to set out the Green Belt compensation projects. We also seek confirmation from the Council as to the level of compensation that will be requested for sites removed from the Green Belt.

This policy should make reference to land which the Council has identified as “donor sites” for compensatory improvements to be made via section 106 contributions secured by the Council for off-site contributions. This would make the policy more effective and justified. This change would also assist in making policy P10, in respect of biodiversity net gain more effective and justified.

We consider that this policy is unduly onerous and should be amended to allow for flexibility in the application of concept plans. As set out above there are a range of compensatory improvements that could be provided. The concept plans included within this Local Plan should not be relied upon to provide such detailed information because the Council’s evidence base is considered to be high level, whereas the evidence prepared on behalf of the landowners is more detailed. In particular the Council’s heritage advice is strongly objected to. HRD have had two separate opinions on the report prepared by David Burton Pye which concludes that the concerns and restrictions raised in respect of Grimshaw Hall are both inaccurate and unnecessarily restrictive. During the preparation of the local plan significant landscape and heritage detail was provided to the council to justify the proposals being promoted by HRD and it was requested that this detail be considered further at the planning application stage.

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

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

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To provide oral evidence and engage in the Examination discussions on this matter.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

9. Signature:

[Redacted Signature]

Date:

14/12/20