



Solihull MBC Local Plan
Publication Stage Representation
Form

Ref:
(For official use only)

Name of the Local Plan to which this representation relates:

Solihull Local Plan Review

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*
2. Agent's Details (if applicable)
Title: Mr, First Name: Jack, Last Name: Sharpe, Job Title: (where relevant), Organisation: Kier Living Ltd, Address Line 1: (where relevant), Line 2: (where relevant), Line 3: (where relevant), Line 4: (where relevant), Post Code: (where relevant), Telephone Number: (where relevant), E-mail Address: (where relevant)
Mr., Hywel, James, Principal Planner, Nexus Planning, 5th Floor, Thames Tower, Station Road, Reading, RG1 1LX, [Redacted], [Redacted]

Part B – Please use a separate sheet for each representation

Name or Organisation:

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

Paragraph Policy Policies Map

4. Do you consider the Local Plan is :

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

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.

Please see the accompanying representations.

(Continue on a separate sheet /expand box if necessary)

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.

Please see the accompanying representations.

(Continue on a separate sheet /expand box if necessary)

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

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

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

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

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

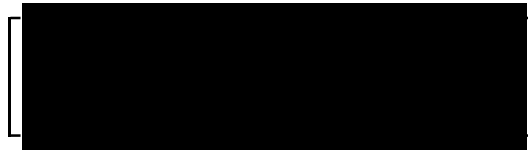
Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

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

Please see the accompanying representations

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

9. Signature:



Date:

14/12/20

Representations to the Solihull Local Plan Review Regulation 19 Consultation: Paragraph 222

December 2020

1. These representations have been prepared by Nexus Planning on behalf of Kier Living Ltd in response to the Solihull Local Plan Review ("the Emerging Plan") Regulation 19 Consultation in relation to its promotion of land between Chelmsley Lane and Coleshill Road ("the Site").
2. The Site is referred to as 'Land at the Rear of 74 - 108 Coleshill Heath Road' within the Solihull Strategic Housing and Employment Land Availability Assessment 2016 ("SHELAA") (site ref. 193) and is owned by Kier Living. The Site has been promoted through the Call for Sites process (with submissions made in January 2018 and April 2020), through the initial Regulation 18 consultation on a draft of the Emerging Plan in January 2017 and the supplementary Regulation 18 consultation on Site Assessments in March 2019 (previous submissions are included at Appendix 1).
3. These representations consider the Emerging Plan's housing supply, which is set out at paragraph 222.

Buffer above the minimum housing requirement

4. The Emerging Plan's housing supply is formed of the following elements:
 - Sites with planning permission (started and not started);
 - Sites identified in land availability assessments;
 - Sites identified in the brownfield register;
 - Town centre sites;
 - Solihull Local Plan (2013) allocations without planning permission at 1st April 2020;
 - Windfall housing supply (2022-2036);
 - UK Central Hub Area to 2036;
 - Allocated sites to 2036.

5. The overall housing supply from these elements is 15,017, taking into account a 10% reduction in relation to the sites with planning permission that haven't started, sites identified in the land availability assessments, sites in the brownfield land register and Solihull Local Plan (2013) allocations without planning permission (-293 dwellings).
6. Paragraph 228 of the Emerging Plan identifies the minimum housing requirement to be 15,017. Notwithstanding the soundness issues raised with this figure in our representations to paragraph 228, the supply only provides a buffer in relation to some elements of the housing supply. The total buffer (taking into account the 10% reduction mentioned earlier) above the minimum housing requirement is only 1.9%, providing insufficient flexibility. This conflicts with paragraph 11 of the Framework which requires local plans to be flexible to adapt to rapid change, for example non-implementation of sites, the failure of some of the site allocations to deliver their maximum capacities or the assumed delivery from windfall sites not to be met in full. This would result in the Emerging Plan being unable to meet its minimum housing requirement contrary to paragraphs 35a and 59 of the Framework.
7. This is particularly problematic given the issues associated with the delivery of certain site allocations (see our representations to paragraph 226 – summary later in these representations).
8. By way of comparison:
 - i. the recently adopted Rugby Local Plan (June 2019) has a 17.5% buffer of housing supply above the minimum housing requirement (which includes unmet needs); and
 - ii. the Nuneaton and Bedworth Local Plan was adopted in June 2019 with a 5.5% housing supply buffer above the minimum requirement. Paragraph 193 of the Inspector's report states that this buffer is only "*very modest*", but was considered acceptable (albeit cautiously).
9. As such, the Emerging Plan's housing supply buffer is significantly too small, providing insufficient flexibility to ensure that the Emerging Plan can adapt to rapid change and a lack of robustness to ultimately ensure that identified housing need are met. Accordingly, the plan fails to be positively prepared in advancing a strategy that is unlikely to meet, as a minimum, the housing requirement.

Windfall allowance

10. Windfall developments are expected to deliver 200 dwellings per annum ("dpa") from 2022-2036, and this amounts to 18% of the Emerging Plan's housing supply. Whilst windfall delivery rates within the Borough have been consistently high for the past 20 years, windfall sites are a finite resource and the high delivery of windfall developments in recent years will have diminished the supply of sites.
11. This is particularly relevant in Solihull Borough given its Green Belt constraints, with paragraph 137a of the Framework stipulating that brownfield land must be maximised before releasing Green Belt land. Given that the Emerging Plan is releasing a number of sites from the Green Belt it is reasonable to assume that it has included any meaningful brownfield land in the brownfield land register, which

forms a separate element of the housing supply to the windfall allowance. Given the Framework's restrictions, no windfall contributions can come from Green Belt land.

12. It is therefore uncertain whether the past rates of windfall delivery can be sustained up to 2036, and therefore whether the Emerging Plan is effective in-line with paragraph 35 of the Framework.
13. Furthermore, paragraph 70 of the Framework is clear that any allowance for windfall sites within an anticipated supply must be justified by compelling evidence. This should be based on the strategic land availability assessment and expected future trends, as well as historic delivery rates. Paragraph 223 of the Emerging Plan outlines that the windfall allowance is based purely on historic trends, and this approach is therefore inconsistent with paragraph 70 of the Framework.
14. The assumed annual windfall development rates are required to be met in full during the period 2022-2036 in order for the Emerging Plan to meet its minimum housing requirement given the lack of flexibility in the housing supply, see earlier in these representations.
15. Paragraph 35 of the Framework is clear that local plans must be positively prepared and, as a minimum, meet their identified need. We have significant doubts regarding the Emerging Plan's ability to comply with this requirement given that a significant proportion of the housing supply, which has next to no flexibility, is assumed windfall deliveries.

Allocated sites

16. Our representations to paragraph 226 consider the developability of the allocated sites in detail. In summary, a number of the sites are heavily constrained and the Council's reliance on a small number of large sites to make up a significant portion of its housing supply raises doubts regarding the ability to meet the housing requirement in full given there are often delivery issues with sites of such considerable scale due to infrastructure requirements, complex landownerships etc.
17. Further, the Lichfields Start to Finish assessment concludes that sites of more than 500 dwellings take on average 5 to 8.3 years from the date that an outline application is registered. The Council's latest Local Development Scheme (January 2020) indicated that it projected to adopt the Emerging Plan in spring/summer 2021, however this was based on the current consultation taking place in summer 2020 and submission of the Emerging Plan in autumn 2020. This was an ambitious target in any case, and with the delays that have occurred it is reasonable to assume that the Emerging Plan will not be adopted until spring 2022 at the earliest. Factoring in another 12 months to prepare a planning application for a development of more than 500 dwellings, sites of this scale may not begin delivering until 2031, five years from the end of the Emerging Plan period.
18. The maximum build-out rates for large development sites are identified by the Lichfields assessment to be as follows:

- 500-999 dwellings – circa 150 dpa;
- 1,000-1,499 dwellings – circa 175dpa;
- 1,500-1,999 – circa 210dpa; and
- 2,000+ dwellings – circa 290dpa.

19. Therefore, even based on the most ambitious build-out rates, there will be insufficient time to fully build-out a number of the allocated sites before the end of the Emerging Plan period. Our representations to Paragraph 226 highlight our concerns regarding a number of the allocated sites in this respect.

Summary

20. The Emerging Plan's housing supply is not sufficiently flexible to respond to rapid change, and this is particularly problematic given the significant reliance on assumed windfall deliveries and a small number of substantial site allocations. As such, the Emerging Plan is unsound in accordance with paragraph 35 of the Framework.

Recommended changes

21. The following changes are required in order for the Emerging Plan to be found sound:

- An increased buffer above the minimum housing requirement must be provided;
- A more realistic windfall delivery rate should be assumed, having regard to fact that the supply will have diminished based on recent high delivery rates;
- Additional housing allocations are required, including smaller sites such as the Site, to boost the supply and offer better resilience.

Appendix 1

Call for Sites proposals form

Strategic Housing and Economic Land Availability Assessment (SHELAA)

The Council has put out a 'Call for Sites' as part the Local Plan Review.

The submitted sites inform the Council's land availability assessment for housing and economic development uses, or SHELAA, over the plan period. National policy recommends assessing different types of land as part of the same exercise, so that sites may be allocated for the most appropriate use.

The final SHELAA needs to assess not only the suitability of sites put forward, but also the likelihood of them coming forward (are they available and achievable?). However, even if land is identified as having potential in the SHELAA, this does not confirm that it will be allocated for development.

Guidance on submitting information

Please complete the following form as fully as possible to put forward sites that you think Solihull Council should consider for development. This is a fresh 'call for sites', so please re-submit any sites that have been considered in the past.

In completing the form:

- Use a separate form for each site
- Enclose an Ordnance Survey map at scale 1:1250 (or 1:2500 map for larger sites), clearly showing the boundaries of the site
- Submit sites that are likely to become available for development or redevelopment in the next 15-20 years

Council contact details

All completed forms should be sent, either by post or email, to the following address:

Email: psp@solihull.gov.uk

Post: Policy & Spatial Planning
Solihull MBC
Council House
Manor Square
Solihull
B91 3QB

If you have any further queries please contact Spatial Planning on 0121 704 8000 or email psp@solihull.gov.uk.

Data protection

How we will use your personal information

The information you provide will be used by the Council to help prepare the Strategic Housing and Economic Land Availability Assessment (SHELAA) for the Local Plan Review. Information will be shared with other Council employees or agencies who may be involved with the process. Additionally, your personal details may be shared with other Solihull MBC departments and partner organisations to ensure our records are kept accurate and to keep you informed of future consultation documents. Please note that the Council is obliged to make the site information available as part of the evidence base. The forthcoming Housing & Planning Bill may require the Council to make information about potential sites and ownership available in a public register. Should you have any further queries please contact Policy and Spatial Planning on 0121 704 8000 or email psp@solihull.gov.uk.

Contact Details

Your name & address:

Name	Hywel James
Organisation	Nexus Planning
Address	5th Floor Thames Tower Station Road Reading RG1 1LX
Telephone no.	[REDACTED]
Email address	[REDACTED]
Your Status (please tick all that apply)	The Landowner <input type="checkbox"/> A planning consultant <input checked="" type="checkbox"/> A Developer <input type="checkbox"/> A Land agent <input type="checkbox"/> A Registered Social Landlord <input type="checkbox"/> Other (please specify)

If you are representing another person, their name & address:

Name	Jack Sharpe
Organisation	Kier Living Ltd
Address	C/o Agent
Telephone no.	C/o Agent
Email address	C/o Agent

If you are not the landowner, or the site is in multiple ownership, then please submit the name, address and contact details of the land owner/s:

Kier Living Ltd own the site

Does the owner of the site know you are proposing the site?

Yes No

Site Details

Site Name	Land at the rear of 74 - 108 Coleshill Heath Road		
Address	Land at the rear of 74 - 108 Coleshill Heath Road, Marston Green		
Post code	N/A		
Grid Reference (if known)	Easting	417427	Northings 285596
Estimated Area (ha)	1.4ha	Developable Area (ha)	1.4ha
Current land use	Undeveloped land		
Number and type of buildings on-site	None		
Adjacent land use(s)	Residential to the north and west, medical centre to the south		
Previous planning history	N/A		
Preferred future use of the site (please tick all that apply)	Housing <input checked="" type="checkbox"/> Specialist housing <input type="checkbox"/> Broad location <input type="checkbox"/> Office (B1) <input type="checkbox"/> Industry (B2) <input type="checkbox"/> Storage/Distribution (B8) <input type="checkbox"/> Leisure <input type="checkbox"/> Retail <input type="checkbox"/> Community facilities <input type="checkbox"/> Other (please specify)		
Please attach a map (preferably at 1:1250 scale) outlining the precise boundaries of the whole site and the part that may be suitable for development (if this is less than the whole). Without this mapped information we are unable to register the site.			

Availability

<p>When would you anticipate the site being available for development to start?</p>	<p>Short-term (by April 2023) <input checked="" type="checkbox"/> Medium term (by April 2028) <input type="checkbox"/> Long-term (by April 2033) <input type="checkbox"/> After April 2033 <input type="checkbox"/></p>
<p>When would you anticipate development being completed on-site?</p>	<p>Short-term (by April 2023) <input checked="" type="checkbox"/> Medium term (by April 2028) <input type="checkbox"/> Long-term (by April 2033) <input type="checkbox"/> After April 2033 <input type="checkbox"/></p>
<p>Is there any market interest in the site?</p>	<p>Yes, Kier Living Ltd, a renowned housebuilder, own the site and intend to deliver housing</p>
<p>Is there a current planning application on the site?</p>	<p>No</p>
<p>Are there any legal constraints on the site that may impede development?</p>	<p>Restrictive covenants <input type="checkbox"/> Ransom strips <input type="checkbox"/> Other (please specify) <u>None</u>..... </p>

Achievability

Potential capacity for housing development	
What type of dwellings could be provided? (tick all that apply)	Houses <input checked="" type="checkbox"/> Apartments <input type="checkbox"/> Bungalows <input type="checkbox"/> Communal <input type="checkbox"/> Supported housing (e.g. for elderly) <input type="checkbox"/> Mixed <input type="checkbox"/> Other (please specify)
How many dwellings do you think could be provided?	Houses <input type="text" value="30"/> Apartments <input type="checkbox"/> Bungalows <input type="checkbox"/> Communal <input type="checkbox"/> Supported housing (e.g. for elderly) <input type="checkbox"/> Mixed <input type="checkbox"/>
Is there scope for self-build and/or custom build?	No
What percentage affordable housing could be provided?	40% (current policy compliant) <input checked="" type="checkbox"/> 100% <input type="checkbox"/> Other (please specify)
What is the housing demand in the area?	Strong <input checked="" type="checkbox"/> Medium <input type="checkbox"/> Weak <input type="checkbox"/>
What effect would site preparation/remediation costs have on the site's deliverability?	Positive <input type="checkbox"/> Neutral <input checked="" type="checkbox"/> Negative <input type="checkbox"/> Please give details..... Please see accompanying letter and enclosures
Are there any other feasibility/viability issues?	No

Achievability contd...

Potential capacity for economic development	
What type of employment land could be provided? (tick all that apply)	Office/R&D (B1) <input type="checkbox"/> Industrial (B2) <input type="checkbox"/> Storage/Distribution (B8) <input type="checkbox"/> Mixed <input type="checkbox"/>
How many units could be provided? (answer all that apply)	Office/R&D (B1) <input type="checkbox"/> Industrial (B2) <input type="checkbox"/> Storage/Distribution (B8) <input type="checkbox"/> Mixed <input type="checkbox"/>
What floorspace could be provided?sqm
What other development types could be provided?	Retail <input type="checkbox"/> Leisure <input type="checkbox"/> Tourism <input type="checkbox"/> Community Facilities <input type="checkbox"/> Other (please specify)
What floorspace could be provided?sqm
What is the demand for the preferred use in the area?	Strong <input type="checkbox"/> Medium <input type="checkbox"/> Weak <input type="checkbox"/>
What effect would site preparation/remediation costs have on the site's deliverability?	Positive <input type="checkbox"/> Neutral <input type="checkbox"/> Negative <input type="checkbox"/> Please give details
Are there any other feasibility/viability issues?	

Planning Department

Solihull Metropolitan Borough Council
Council House
Manor Square
Solihull
West Midlands
B91 3QB

Reading

5th Floor
Thames Tower
Station Road
Reading
RG1 1LX

nexusplanning.co.uk

31st March 2020

Our ref: 32267

Dear Sir / Madam,

Land Availability 'Call for Sites' – Land at the rear of 74 - 108 Coleshill Heath Road

On behalf of our client, Kier Living Ltd, we write in response to Solihull Metropolitan Borough Council's ("SMBC") Call for Sites consultation with respect to land at the rear of 74 - 108 Coleshill Heath Road, Marston Green ("the Site"). A location plan is provided at **Enclosure 1**. The Site measures 1.4ha and is being promoted to deliver 30 dwellings.

The Site and additional land to the south has previously been considered within SMBC's Strategic Housing and Economic Land Availability Assessment 2016 ("SHELAA") as site ref. 193. It was also considered as site ref. 341 within SMBC's Draft Local Plan Supplementary Consultation: Site Assessments document (January 2019) ("Site Assessments document"), where it is referred to as: 'Land between 70 & 84 Chelmsley Road'.

On behalf of Kier Living Ltd, we have submitted representations relating to the Site in response to SMBC's Call for Sites consultation in January 2018, and in response to SMBC's emerging Local Plan Review Regulation 18 consultation in March 2019. We have also met with SMBC planning policy officers in April 2019 to discuss the Site. The previous submissions made on behalf of Kier Living Ltd are included at **Enclosure 2**.

This submission, on behalf of a renowned housebuilder that delivered the adjacent site, demonstrates that the Site is available for residential development comprising 30 dwellings with adequate areas of open space. Kier Living Ltd intend to deliver the Site in full within two years of the adoption of the SMBC Local Plan review.

The previously submitted representations (**Enclosure 2**) demonstrate that the development of the Site for housing would meet the exceptions to restricting the development of sites designated as open space, as outlined within Policy P20 of the adopted Solihull Local Plan (2013), and that the Site makes, at most, a negligible contribution towards the purposes of the Green Belt as set out within the National Planning Policy

[London](#)

[Birmingham](#)

[Manchester](#)

[Reading](#)

SMBC Call for Sites submission (March 2020) continued

Framework ("NPPF"). The previous submissions also identify that the Site is suitable to accommodate a residential development in all other respects.

Following the submission of the abovementioned representations, planning permission was granted for the development of a medical centre to the south of the Site (planning permission ref. PL/2018/02763/PPFL). We outlined the implication of this within a letter addressed to the Maurice Barlow dated 26th April 2019 (**Enclosure 3**); however, in summary, when implemented this planning permission will significantly alter the visual appearance of the Site from Coleshill Road and will set a precedent of built development up to the eastern boundary of the Site which will considerably change the development pattern in the immediate area. The Site now comprises an undeveloped and inaccessible land parcel between existing residential developments to the north and west, a medical centre to the south and a linear park to the east. Its development would therefore comprise a logical rounding off of the development form in the locality.

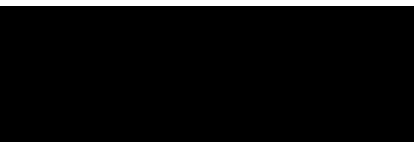
As such, the reasons for disregarding the Site within the January 2019 Site Assessments document are no longer justified and it should be reappraised as when using SMBC's own assessment methodology, the Site is suitable for residential development.

Kier Living Ltd consider that the delivery of a residential development on the Site, consistent with the Local Plan policy requirements, would be viable and are actively promoting it for residential purposes.

As such, the development of the Site for housing is deliverable in accordance with the definition outlined in the Glossary of the NPPF.

Please don't hesitate to contact me should you have any queries.

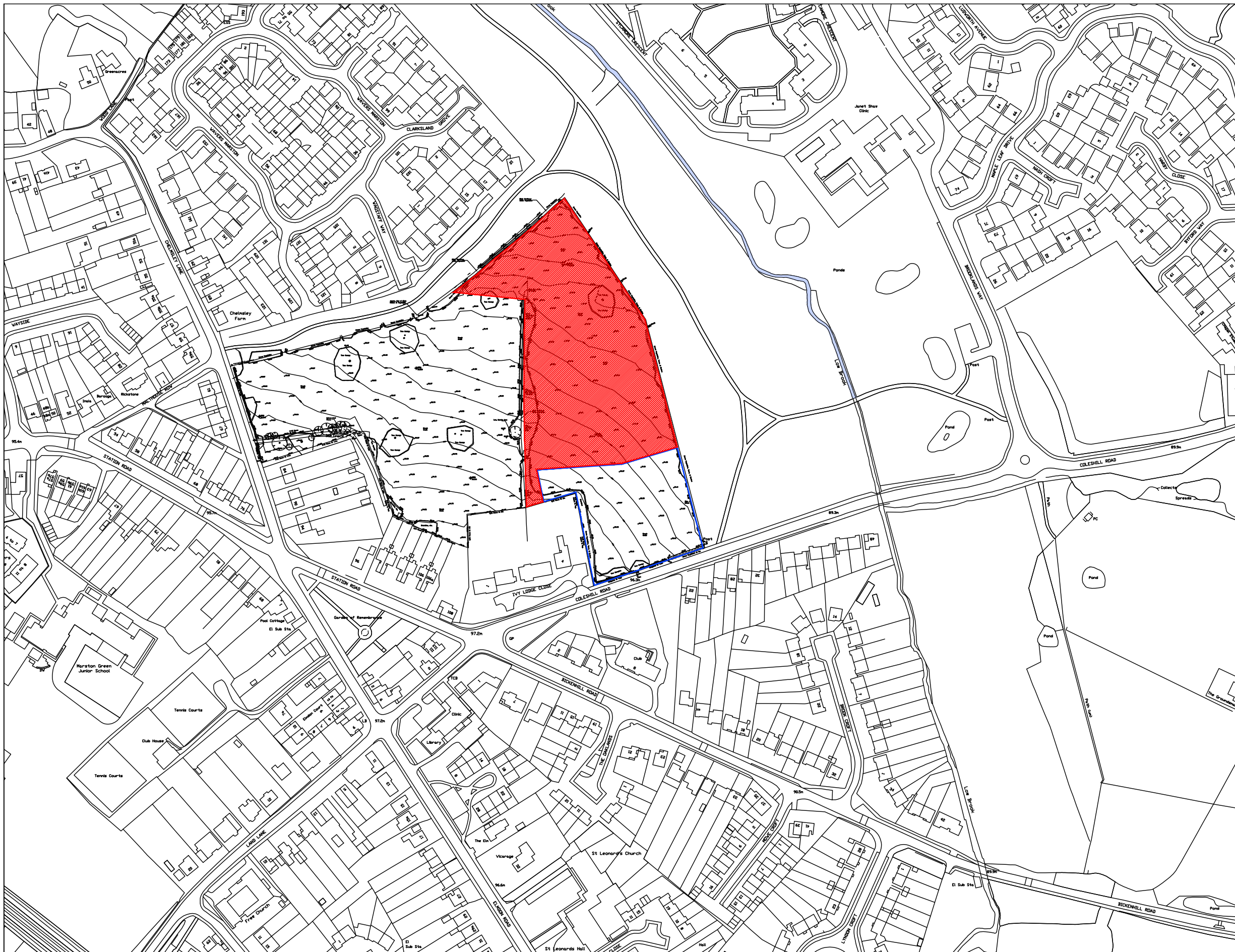
Yours sincerely





Hywel James
Principal Planner

- Enc. 1) Site location plan
 2) Previous representation submitted on behalf of Kier Living Ltd
 3) Letter to Maurice Barlow dated 26th April 2019

Enclosure 1: Site Location Plan



KEY

-  Site Boundary
3.4 acres / 1.4 hectares
-  Medical Centre Planning
Application Boundary (Ref:
PL/2018/02763/PPFL)

REV	NOTES	DATE	BY/CHK

DO NOT SCALE

Phase 2 Site Boundary
Coleshill Road, Marston Green



Kier Living Ltd
Tungsten Building
Central Boulevard
Blythe Valley Park B90 8AU
Tel: 0121 713 6300 Fax: 0121 713 6539
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DRAWING NO.	7017-002
SCALE	1:1250 @ A3
FLOOR AREA	-
DATE	30.04.2018
DRAWN	ME
CHECK	-

Enclosure 2: Previously Submitted Representations to the Solihull Local Plan Review

Representations to the Solihull Local Plan Review - Regulation 18 Consultation

March 2019

These representations have been prepared by Nexus Planning on behalf of Kier Living Ltd in response to the Solihull Local Plan Review (“the Emerging Plan”) Regulation 18 Consultation. This is the second Regulation 18 consultation held with respect to the Emerging Plan, with a Draft Local Plan (November 2016) subject to consultation between December 2016 and January 2017. The current consultation relates to the Draft Local Plan Supplementary Consultation Document (January 2019) (“Supplementary Consultation Document”).

Kier Living own the majority of ‘Land at the Rear of 74 - 108 Coleshill Heath Road’, as it is referred to within the Solihull Strategic Housing and Employment Land Availability Assessment 2016 (“SHELAA”) (site ref. 193). This site has been promoted through the Call for Sites process (with a submission made in January 2018) and through the initial Regulation 18 consultation. The southern portion of the SHELAA site (see land within the blue line on the plan provided at appendix 1) has been sold and a planning application is currently pending for a medical centre (application ref. PL/2018/02763/PPFL) on this land. Kier Living own the remainder of the SHELAA site, which is the subject of these representations (land within the ownership of Kier Living is hereafter referred to as “the Site” and is illustrated in red by the plan at appendix 1).

Background

Overview

The Site, along with land to the south, is designated as a Green Space Site within the Solihull Local Plan (December 2013) and within the Draft Local Plan Review Proposal Map (November 2016) (appendix 2). In addition to the Green Space Site allocation, the Site is also designated as Green Belt. As shown on the Local Plan Proposal Map (November 2011) (appendix 3) the Site was one of two Green Space Site allocations within the Borough, the other, to the east of Hampton-in-Arden, has been removed from the Local Plan Review Proposal Map (2016). In summary, the Site constitutes the only Green Space Site designation in the Emerging Plan.

Green Space

The Green Space Site designation at Chelmsley Lane originates from the 1997 Unitary Development Plan (UDP) (see appendix 4) where it is referred to as Public Open Space, and was designated as open space in conjunction with land safeguarded for residential development immediately adjacent to the west and in association with the nearby hospital redevelopment proposal. This designation was brought forward within the 2006 UDP where the proposals map classifies the Site as open space in association with the adjacent safeguarded land to the west and hospital land to the east (see appendix 5). Its policy justification was to assist in the satisfactory delivery of the appropriate open space requirements associated with the then allocated sites.

However, during the development of the surrounding area, the Site was not secured through respective planning applications and subsequently transferred to private ownership. Its extant and emerging policy status as open space cannot be secured for public access and its amenity value can only therefore be represented as a visual amenity. Further, due to the contained nature of the Site and its boundary delineation comprising established hedge and tree planting, this function is also limited. Its continued protection within an open space policy must therefore be questioned as the Borough Council has no current mechanism to deliver the open space or part of the open space into public control / value unless through agreement with the landowner – Kier Living.

As shown within the 1997 and 2006 UDP, the land immediately to the west of the Site has been allocated for residential development. This is reinforced by the adopted Solihull Local Plan (2013), which allocates the adjacent site for 80 dwellings (Site 9). Planning permission (ref PL/2017/01434/PPFL) was granted in December 2017 for 68 dwellings, notably less than is allocated. The approved development is now almost completed.

Policy P20 of the Solihull Local Plan (2013) relates to open space in Solihull. The policy states that the *“loss of existing facilities through development will not be permitted where they are of value by the local community for recreation, visual amenity, nature conservation or make an important contribution to the quality of the environment or network of green infrastructure, unless:*

- i. It can be demonstrated that the open space is clearly surplus to requirements; or*
- ii. The need or benefit of the development clearly outweighs the loss.”*

As detailed above, the Site is not relied upon as open space to accommodate surrounding residential development, including the adjoining site that is near completion.

The Site is in private ownership. It is not accessible to the public, and is contained (with no Local Planning Authority ability to restrict further containment through additional landscaping / screening). The ability of the site now or in the future to contribute towards visual amenity is therefore negated. Its loss would therefore not adversely impact the supply of open space in Solihull Borough, and would clearly be outweighed by the benefits of residential development.

Accordingly, the Site meets the exceptions to restricting development of sites designated as open space outlined within Policy P20 of the adopted Solihull Local Plan (2013).

Supplementary Consultation Document Evidence Base

The Supplementary Consultation Document is supported by a suite of evidence base documents. The Site is considered within these documents as follows:

Green Belt Assessment (July 2016)

The Site is considered within the context of a wider land parcel (Parcel RP05). Within this report, each land parcel is assessed against the first four purposes of the Green Belt (as identified at NPPF Paragraph 134). Each parcel is given a score of 0-3, with 0 not considered to be performing against the purposes of the Green Belt and 3 considered to be 'higher performing' against the purposes of the Green Belt. While the report scores the wider land parcels against the purposes of including land within the Green Belt it does not provide justification behind the result, which we have added below.

Purpose 1: To check the unrestricted sprawl of large built up areas

Within the Assessment the Site is scored 2 against purpose 1.

Whilst development of the wider parcel assessed may impact on this purpose, the Site forms a very small area within the overall parcel. Furthermore, it is contained by built development / urban influences on three of its four boundaries. Its development would not compromise the overall Green Belt 'gap' in this location and development of this specific site would not compromise significantly the objective of safeguarding against urban sprawl. Development of the Site will not form a continuous urban form across this entire parcel, but instead would form a clear formal boundary of the Green Belt with the development to the north and south. The majority of the parcel assessed forms the linear park in public ownership secured through the aforementioned planning applications. Notwithstanding our view that the Site per se does not contribute towards 'purpose 1', the precedent of Green Belt erosion in this area means that the development of the Site would not result in the unrestricted sprawl of Marston Green.

Purpose 2: To prevent neighbouring towns merging into one another

Within the Assessment the Site is scored 0 against purpose 2.

As demonstrated through the assessment, the Site does not contribute towards this purpose.

Purpose 3: To assist in safeguarding the countryside from encroachment

Within the Assessment the Site is scored 0 against purpose 3.

As demonstrated through the assessment the Site does not contribute towards this purpose.

Purpose 4: To preserve the setting and special character of the historic towns

Within the Assessment the Site is scored 0 against purpose 4.

As demonstrated through the assessment the Site does not contribute towards this purpose.

Purpose 5: To assist in urban regeneration, by encouraging the recycling of derelict and other urban land

This purpose was not considered as part of the Green Belt review.

Green Belt summary

In summary, the Council's most up-to date evidence base on Green Belt within this location confirms that the land parcel within which the Site is located only contributes towards one of the Green Belt purposes. As set out above, the Site forms a very small part of this assessment area and its scale, specific characteristics in terms of existing urban containment, and impact, if developed, on urban sprawl is very limited. In Green Belt terms the Site, therefore, makes a negligible contribution towards the purposes of the Green Belt.

SHELAA (November 2016)

This document considers the Site as site ref. 193. It concludes that the Site performs well against the suitability and availability criteria, but indicates that there would be some achievability constraints, namely due to reservations regarding delivery in the first five years. To clarify, as detailed below, Kier Living are eager to deliver the Site as soon as possible, and would be capable of doing so within the first five years of the Emerging Plan period; specifically now the adjacent site, allocated in the extant Local Plan, is now nearing completion.

The SHELAA also demonstrates that the Council is relying on the delivery of a number of dwellings between years 1-5 on various large scale allocations (as identified by the Site Assessment (January 2019) evidence base document). The following of which are particularly pertinent:

- Land at Hampton Lane, Solihull - 400 dwellings;
- Arden Triangle - 400 dwellings.

Sustainability Appraisal: Interim Report (January 2019)

The Site is considered as part of site ref. 341 within the Interim Sustainability Appraisal. The appraisal demonstrates that the Site scores well against the majority of the criteria assessed, with only one mildly-negative score (location of the site within the least deprived 60% of the Borough, therefore its development would only make a minimal contribution towards the reduction of social exclusion and disparities).

Further, the vast majority of sites considered within the Sustainability Appraisal achieve a mildly-negative score against this criterion and score worse against others than site ref. 341, including sites that are proposed to be allocated (e.g. South of Kenilworth Road (SHELAA site ref. 110), which is allocated as part of Arden Triangle).

Site Assessment (January 2019)

Considered as site ref. 341, the Site is concluded to perform poorly in Green Belt terms, has a high level of accessibility, and is located within an area of medium landscape sensitivity. It is therefore concluded to be suitable for development. However, it was not taken forward as an allocation as the Council considered that its development would narrow the gap between Marston Green and Chelmsley Wood (although this conflicts with the conclusions of the Green Belt Assessment and any logical conclusion drawn from detailed site assessment – specifically relating to existing landscape containment).

Deliverability

Against the definition for deliverability provided within the National Planning Policy Framework (“NPPF”), and as set out in greater detail within the three criteria outlined within National Planning Practice Guidance (“PPG”) paragraph ref. ID 3-018-20140306 (and detailed further within paragraphs 019 - 021 of the same PPG note), the Site performs as follows:

Suitable

As detailed above, the Site does not currently function as open space and is not relied upon as such by any existing development. Further, the Site meets the exceptions to restricting development of sites designated as Green Space Sites outlined within Policy P20 of the adopted Solihull Local Plan (2013).

It is also evident from above that the Site scores poorly in Green Belt terms in accordance with the Council’s own assessment. Further, the Site’s eastern boundary provides an opportunity to continue and complete the existing urban pattern here and form a strong and logical Green Belt boundary adjacent to the existing linear park that is in public ownership along the Low Brook corridor.

Subject to the Site’s removal from the Green Belt, there are no environmental constraints that would restrict its development. The Interim Sustainability Appraisal and Site Availability demonstrate this, and also conclude that the Site is located in a highly sustainable location for development. The Site’s sustainability will be enhanced further should planning permission be granted for the medical centre on land to the south.

The Site has capacity to accommodate up to 50 dwellings with adequate areas of open space in-line with the Solihull Green Space Strategy Review 2014. Access can be obtained through the almost complete Kier Living residential development to the west.

Available

The Site is owned and has been actively promoted by Kier Living, a nationally renowned housebuilder that delivered the adjoining site. There are no ransom strips or covenants that would complicate delivery, and Kier Living intend to deliver the Site themselves.

Achievable

Kier Living, a reputable national housebuilder, owning and promoting the Site demonstrates that the 50 dwellings proposed would deliver a viable development. The viability of the development is emphasised by Kier Living's existing ownership of the Site.

Summary

In light of the above, it is clear that the Site is deliverable in accordance with the relevant paragraphs of the PPG, and would be able to be fully delivered within a five year period. Delivering up to 50 dwellings on the Site will off-set the shortfall of 12 dwellings on the adjoining site against the number allocated within the adopted Solihull Local Plan (2013).

Open space would be provided on-site that would add to the current offer in the locality. Kier Living are also committed to providing a policy compliant affordable housing mix, which would make a valuable contribution to the objective outlined at paragraph 308 of the Supplementary Consultation Document. Further, the Site could be configured so that the built form provides enhanced overlooking of the linear park along the Low Brook.

Need for the Site

Although the Council believes that it has allocated sufficient sites to meet its identified housing need over the Emerging Plan period (plus a small proportion of Birmingham City's unmet needs), we consider that Solihull should accommodate a larger portion of Birmingham City's unmet needs than it is currently providing for and make a more significant contribution to the West Midlands Combined Authority's regional housing requirement (identified by the West Midlands Housing Package). Further, we have strong reservations with respect to the deliverability of some of the large-scale strategic allocations within the timescales outlined within the SHELAA housing trajectory. These matters are explored below.

Birmingham City's unmet needs and the West Midlands Housing Package

The Birmingham Development Plan 2031 makes provision for 51,100 additional homes over the plan period (2011-2031), which equates to 2,555 dwellings per annum. This represents a shortfall of 37,900 homes against the objectively assessed needs ("OAN") at the time of producing the plan (89,000 over the 20 year plan period). In accordance with the Government's standard method for calculating housing need, Birmingham City's annual housing requirement is 3,577 dwellings, which over a 20 year plan period equates to a need for 71,540 additional dwellings. Against this requirement, the housing provision within the Birmingham Development Plan results in a shortfall of 20,440 homes. Although the shortfall is less when applying the standard method housing requirement than the OAN at the time of producing the plan, it remains significant.

The Emerging Plan makes a commitment to accommodate 2,000 dwellings from the housing market area (HMA) shortfall (as set out within the Draft Local Plan Review 2016 Consultation Document - paragraph 211).

We acknowledge that the Supplementary Consultation Document (paragraph 51) states that the Council does not wish for views on this to be provided as part of the current consultation. However, the housing need matter is a fundamental part of the plan-making process, and it is essential to have regard to this in considering the proposed allocations.

Table 7 of the Greater Birmingham HMA Strategic Growth Study (February 2018) demonstrates that provision of only 10,130 is being made by authorities within the HMA to accommodate unmet needs (which also include minor shortfalls in Cannock Chase and Tamworth).

Solihull Metropolitan Borough shares a boundary with Birmingham City, and benefits from good public transport and road connections into the city. It is therefore well-situated to help meet the adjoining authority's housing needs. Further, an analysis of 2011 Census Data (Nomis) demonstrates that 887 people (net) migrated from Birmingham City to Solihull Borough between 2001 and 2011. Considering this in a HMA context, Solihull Borough has accommodated 28% of net migration from Birmingham City.

As identified above, Birmingham City's unmet needs are 37,900 (in accordance with the OAN the Birmingham Development Plan is based on) and 20,440 (in accordance with the standard method) homes over its plan period. In light of the above migration statistics, it is reasonable to assert that the Emerging Plan should seek to accommodate 10,612 (OAN) or 5,723 (standard method) of the unmet needs within the HMA (28%). As such, the current provision of 2,000 is disproportionate when considered against migration flows.

Furthermore, the West Midlands Housing Package was agreed with the Government in March 2018. This requires at least 215,000 new homes to be delivered across the region by 2030/31. Proportionately to the standard method requirements within the HMA, Solihull Borough's contribution to this requirement would be 15,050 (7%) by 2030/31 (1,254dpa from a base date of 2018/19).

Therefore, Solihull's actual housing need is more complex than simply applying the standard method figure, and is likely to be significantly higher than the Emerging Plan is currently providing for. Accordingly, additional housing allocations will be required to meet this need.

Delivery of large-scale strategic allocations

Given that we are informed by the Council that the Emerging Plan is reliant on the housing trajectory as set out in the SHELAA (2016), we reserve the right to comment on an updated housing trajectory once made available. Nevertheless, the SHELAA housing trajectory demonstrates that the Council is relying on a number of large-scale strategic allocations to deliver dwellings early in the Emerging Plan period to meet its short term needs. Of particular note are the following draft allocations:

Arden Triangle (Site 9)

Arden Triangle is a greenfield Green Belt site located to the east of Knowle. This site is allocated within the Supplementary Consultation Document to have capacity for 600 dwellings, although the SHELAA considers it to have capacity for 1,162 homes. It comprises a combination of nine separate sites promoted, presumably, by separate landowners/ developers. There is no indication within the

Supplementary Consultation Document or evidence base that the landowners/ developers have agreed to work together or formed a development consortium.

Moreover, the SHELAA Appraisal identifies that 50% of this site is constrained by contaminated land/ landfill site. It is unclear whether this can be remediated in a timely manner to deliver development on this site within the first five years of the Emerging Plan period.

An added complication with this site is the need to either retain or relocate Arden Academy. The Council has produced a Draft Concept Masterplans document for the sites it is seeking to allocate within the Emerging Plan. For Arden Triangle (Site 9) two illustrative concept masterplans have been produced, one demonstrating the school located in its current location, and the other showing the school relocated within this site.

The Supplementary Consultation Document makes reference to the need to decide whether the school will be relocated or not. This is a key issue that will need to be addressed before this allocation is delivered.

As is common practice on allocations of this scale where there are various land ownerships (and particularly in-light of matters relating to the existing school), the Council should include a requirement within any policy relating to this allocation for a site-wide masterplan and/ or development brief to be approved by the Council prior to the submission of any planning application. This will ensure that this site is delivered in a comprehensive manner. Unless there is an agreement in place for all landowners/ developers to work together at an early stage it is highly unlikely that the 400 units being relied upon within the first five years of the Emerging Plan period will be delivered in accordance with the trajectory.

Land at Hampton Lane (Site 16)

Land at Hampton Lane is situated to the east of Solihull within the Green Belt. This site is currently identified to have a capacity of 600 dwellings within the Supplementary Consultation Document, however this may increase depending on the findings of a heritage assessment relating to a Grade II listed building sited within the boundary.

As with the Arden Triangle site, land at Hampton Lane has been formed from five separate sites submitted by, presumably, separate landowners/ developers. Therefore, all landowners/ developers would need to work collaboratively to deliver this site.

In addition to the heritage constraints, this site is subject to significant areas that contain notable wildlife habitats and a number of significant trees.

In-line with our conclusions on the Arden Triangle, we consider that approval of a site-wide masterplan and/ or development brief will be required prior to the submission of any future planning application(s) to ensure that this site is delivered in a comprehensive manner. Unless there is an agreement in place for all landowners/ developers to work together at an early stage it is highly unlikely that the 400 units being relied upon within the first five years of the Emerging Plan period will be delivered in accordance with the trajectory.

Summary

Notwithstanding the above conclusions that the actual housing need for Solihull Borough is likely to be significantly higher than the Emerging Plan is currently providing for, the ambitious trajectories for these two sites mean that there is a high risk that a significant proportion of the identified housing requirements for the first five years of the Emerging Plan will not be met. Accordingly, the Council should seek to identify smaller sites that it is certain can come forward within the first five years of the Emerging Plan period to meet the short-term requirement.

Conclusion

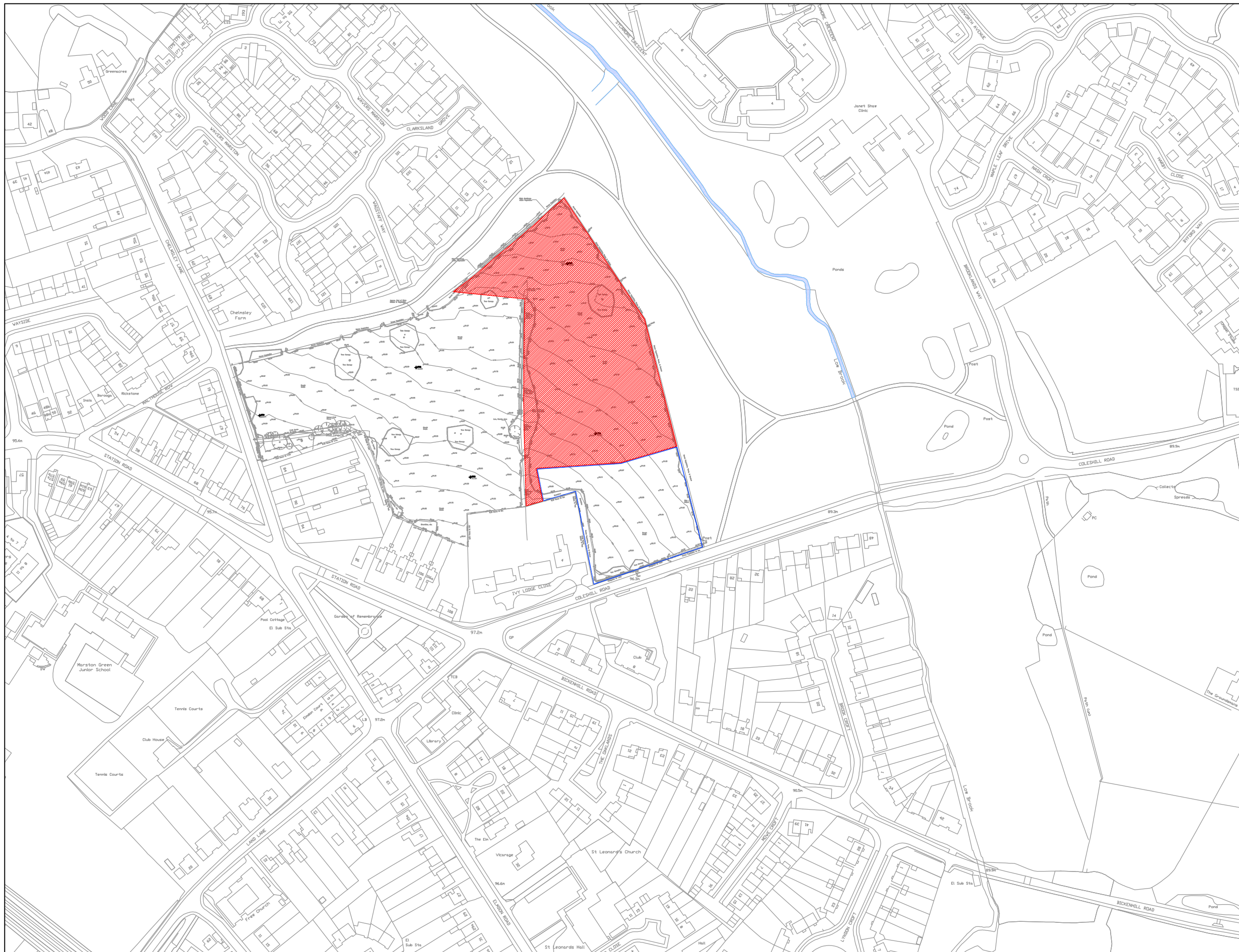
The Site meets the exceptions to the restriction of development on land designated as open space, as set out at Policy P20 of the adopted local plan. It also performs poorly in Green Belt terms, making a negligible contribution towards the purposes of the designation. These representations demonstrate that the Site is deliverable, and is capable of coming forward within the first five years of the Emerging Plan process, if released from the Green Belt.

The Emerging Plan's contribution to meeting Birmingham City's unmet needs is considered to be significantly less than demographic statistics indicate, and it should seek to increase its housing requirement to make a proportionate contribution towards the West Midlands Combined Authority's housing need.



Given the uncertainty regarding the short-term delivery of dwellings on some of the draft large-scale strategic allocations (as are being relied upon by the most up-to-date housing trajectory), the Emerging Plan should seek to allocate more small-scale sites to reduce the reliance of early delivery from large-scale strategic housing allocations to meet the necessary housing requirement, particularly over the first five years of the Emerging Plan period.

In light of the above, the Site should be released from the Green Belt and included as a draft housing allocation within the Emerging Plan.

Appendix 1: Location Plan



KEY

-  Site Boundary
-  Medical Centre Planning Application Boundary (Ref: PL/2018/02763/PPFL)

REV	NOTES	DATE	BY/CHK

DO NOT SCALE

Phase 2 Site Boundary
Coleshill Road, Marston Green



Kier Living Ltd
Tungsten Building
Central Boulevard
Blythe Valley Park B90 8AU
Tel: 0121 713 6300 Fax: 0121 713 6539
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DRAWING NO.	7017-002
SCALE	1:1250 @ A3
FLOOR AREA	-
DATE	30.04.2018
DRAWN	ME
CHECK	

Appendix 2: Draft Local Plan Review Proposal Map (November 2016)

Draft Local Plan Review Proposals Map

November 2016

Retained Allocations from SLP 2013

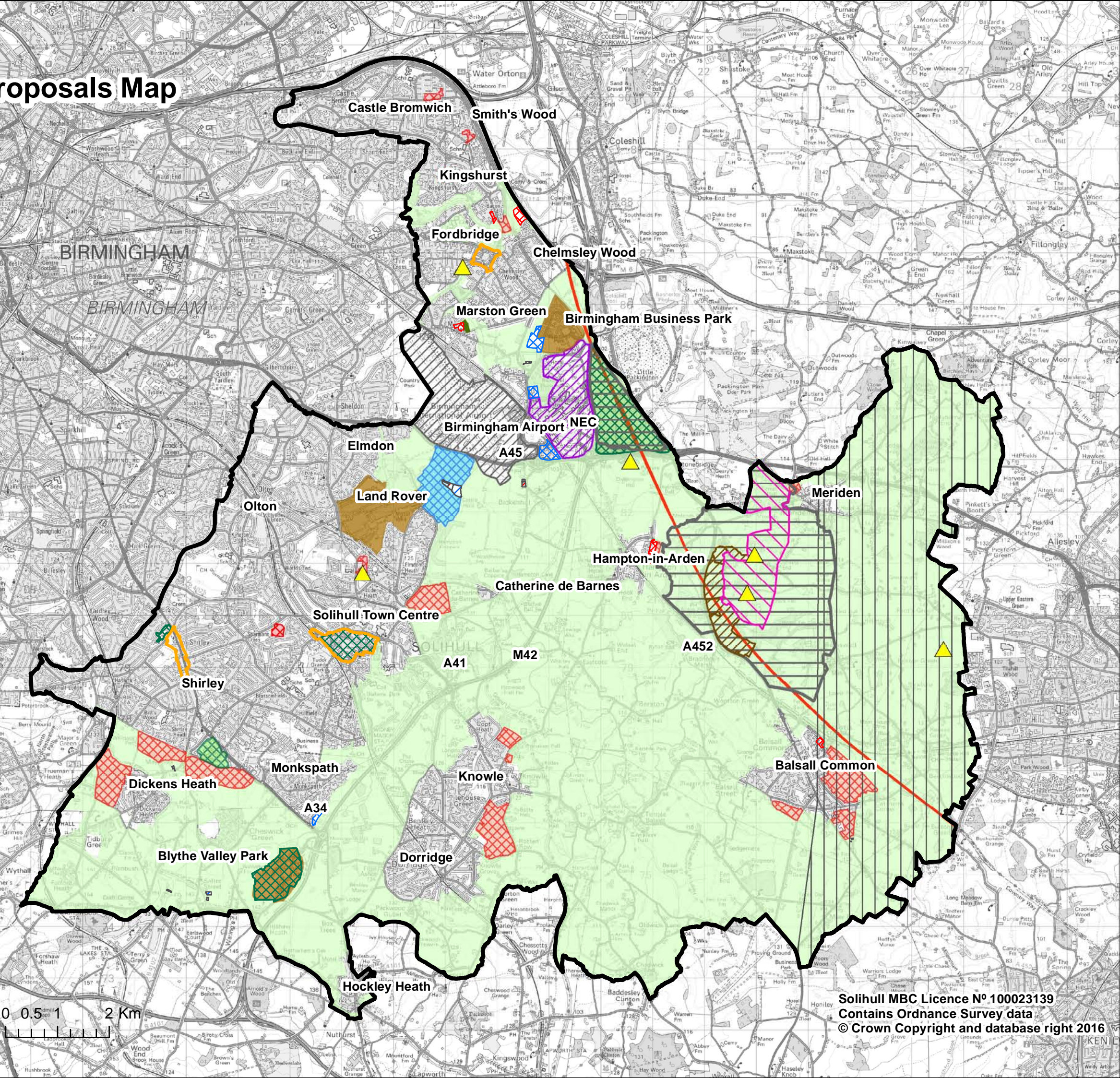
- Solihull Borough Boundary
- Green Belt
- SLP Allocated Housing Sites
- SLP Allocated Employment Sites
- SLP Allocated Mixed Use Sites
- Gypsy & Traveller Safeguarded Sites
- Gypsy & Traveller Adopted Sites
- Town Centres
- BVP, BBP & Jaguar Land Rover
- NEC
- Birmingham Airport
- Strategic Waste Management Sites
- Area of Search for Waste Management Facilities
- Preferred Area Minerals Sites
- Mineral Safeguarding Area / Area of Search
- Mineral Safeguarding Area for Coal
- Green Space Sites

Draft Local Plan Review Proposed Allocations

- Preferred Options Housing
- Preferred Options Mixed
- Preferred Options Employment

Other Proposals

- Proposed HS2 Line










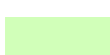


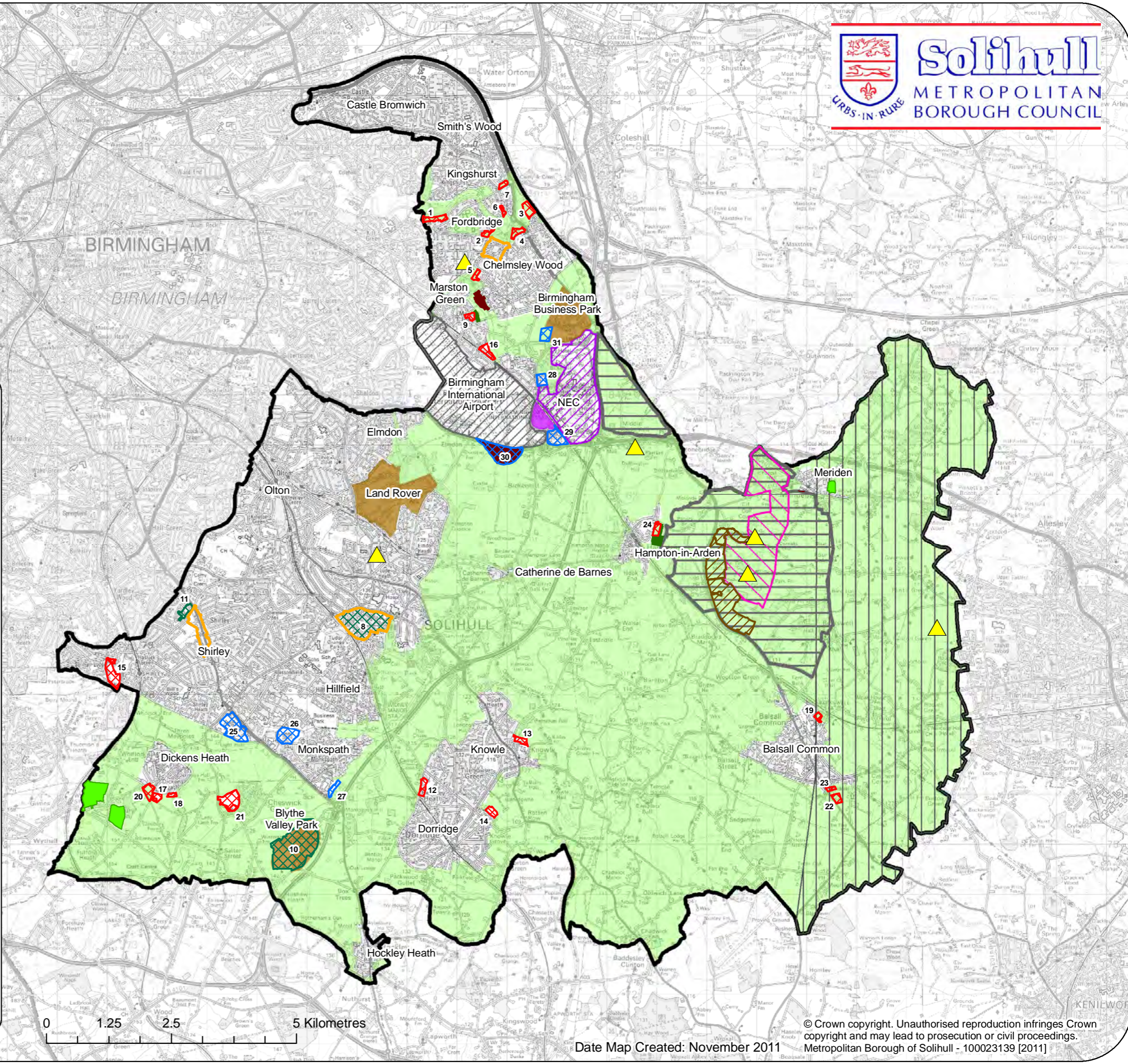
Note: Extent of proposed Preferred Options allocations is not fixed, nor is all land within them to be developed.



**Appendix 3: Local Plan Proposal Map
(November 2011)**

Local Plan Proposals Map

-  Solihull Borough Boundary
-  Proposed Employment Sites
-  Proposed Housing Sites
-  Proposed Mixed Use Sites
-  Proposed Minerals Sites
-  Town Centres
-  Land to be removed from Green Belt
-  Land to be added to Green Belt
-  Green Space Sites
-  BVP, BBP & Jaguar Land Rover
-  NEC
-  Transport Interchange Airport/NEC
-  Birmingham Airport
-  Mineral Safeguarding Area / Area of Search
-  Minerals Safeguarding Area for Coal
-  Area for Waste Management Facilities
-  Strategic Waste Management Sites
-  Green Belt



Date Map Created: November 2011

Appendix 4: 1997 Unitary Development Plan

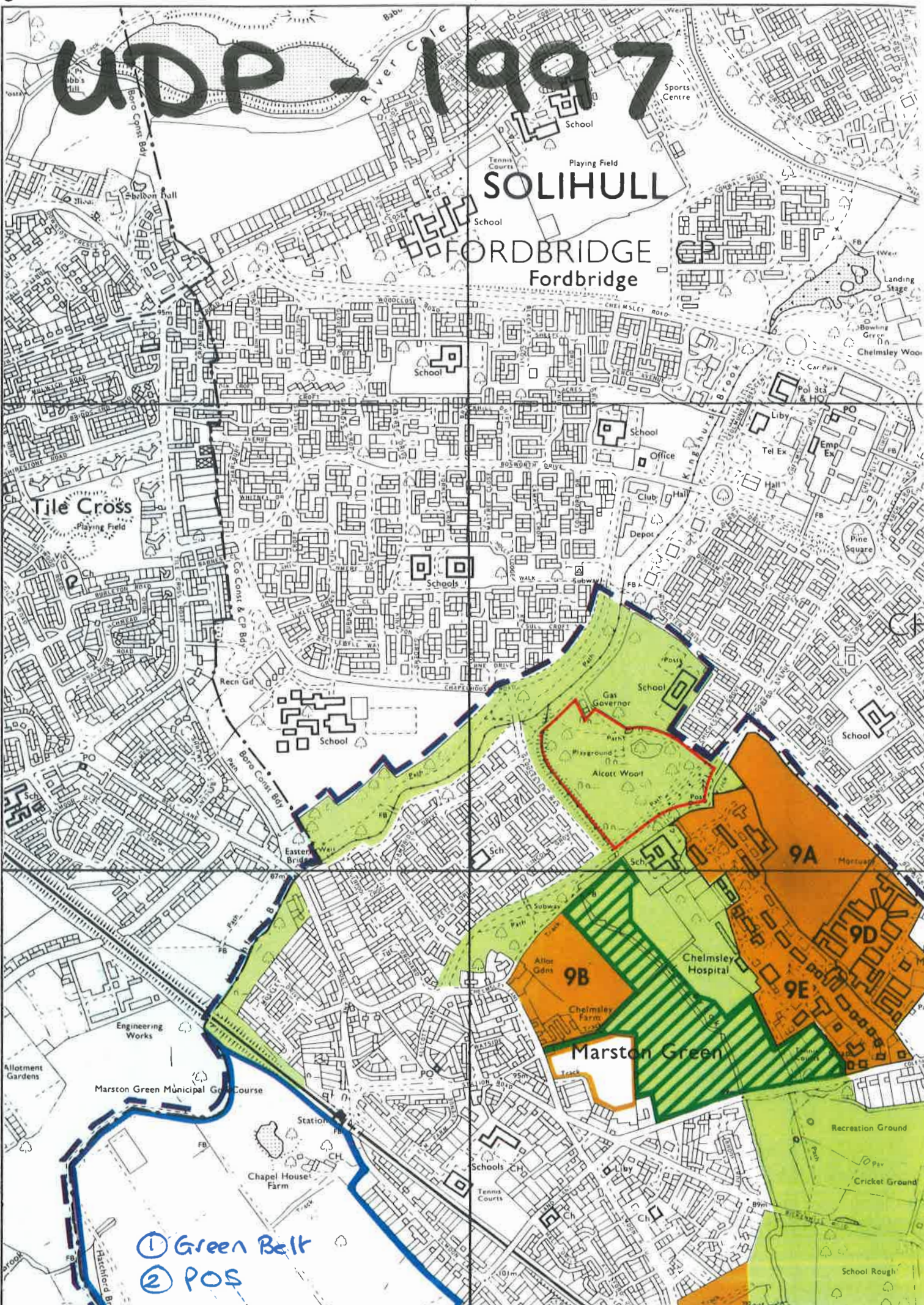
UDP - 1997

SOLIHULL

FORDBRIDGE Fordbridge

87

6

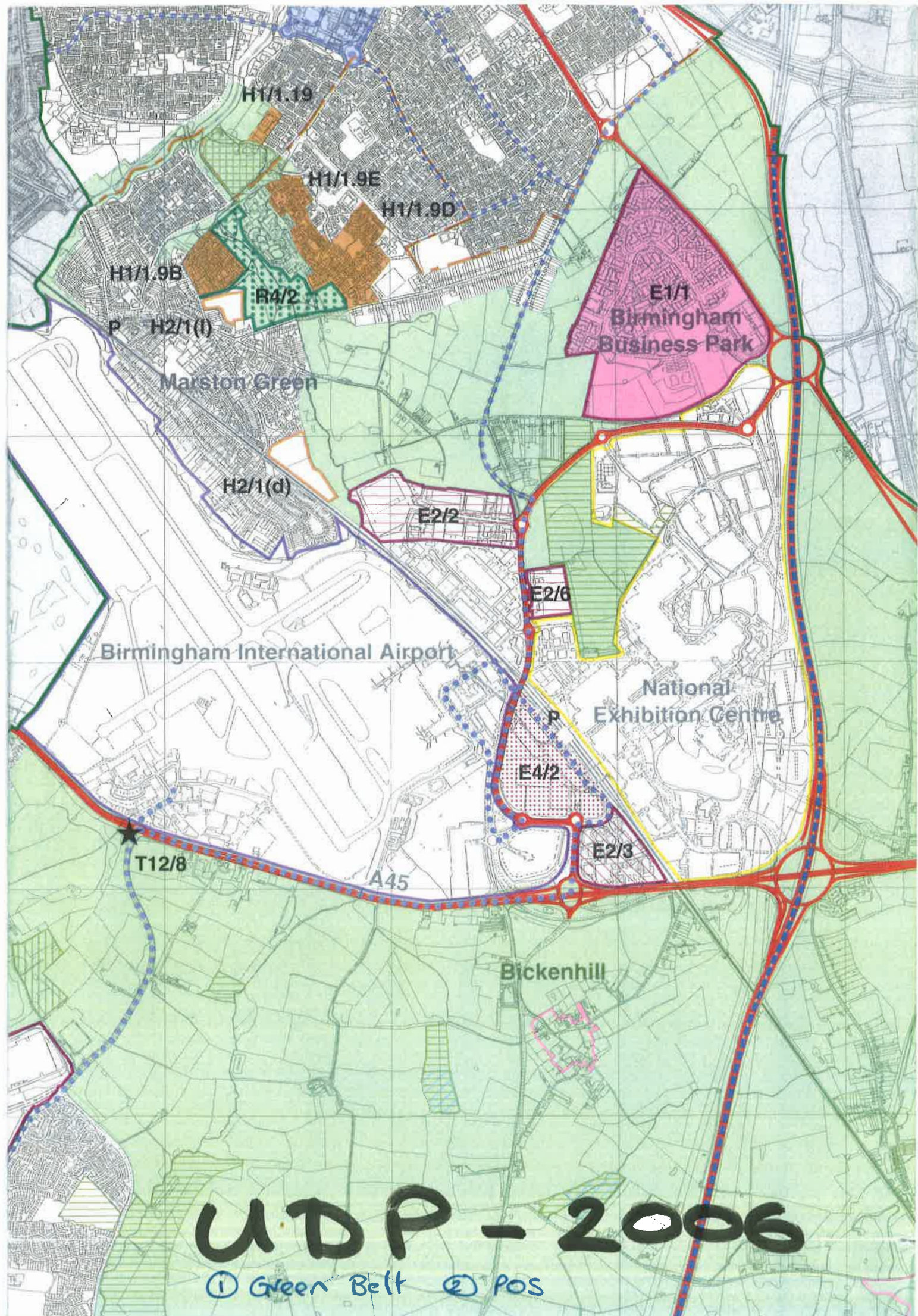


Tile Cross
Playing Field

Marston Green Municipal Golf Course

① Green Belt
② POS

Appendix 5: 2006 Unitary Development Plan



UDP - 2006

① Green Belt ② POS

Enclosure 3: Planning Letter (April 2019) addressed to Maurice Barlow

Planning Department

Solihull Council
Council House
Manor Square
Solihull
West Midlands
B91 3QB

Thames Valley
5th Floor,
Thames Tower,
Reading, RG1 1LX

nexusplanning.co.uk

26th April 2019

Ref: 32267-P2

Attn: Maurice Barlow

Dear Maurice

Additional information to support representation to the Solihull Local Plan Review – Regulation 18 Consultation in relation to Site Ref. 341 Land between 70 & 84 Chelmsley Road.

On behalf of our clients, Kier Living Ltd, we write to submit updated information to support representations to the Solihull Local Plan Review Regulation 18 consultation which ran from the end of January 2019 – 15th March 2019. The representations relate to the site known as Land between 70 & 84 Chelmsley Road, site reference 341 within the Draft Local Plan Supplementary Consultation: Site Assessments (“the Site”).

Following the end of the consultation period in March 2019 several elements of the Site have changed which impact upon the representations made and the subsequent assessment of the Site. This letter formally sets out the changes which should be taken into consideration when the representations to the Solihull Local Plan Review Regulation 18 Consultation are considered.

As referenced within our representations submitted during the consultation period, the southern portion of the Site was subject to a planning application (reference: PL/2018/02763/PPFL) for a medical centre. This has subsequently been approved and will result in a two and three storey building fronting Coleshill Road. This planning permission, when implemented, will significantly alter the visual impact of the Site from Coleshill Road; in effect urbanising current glimpsed views of open space.

The granting of permission PL/2018/02763/PPFL sets a precedent of built development up to the eastern boundary of the Site. The Site Assessment (January 2019) identified that the Site was not taken forward for development as the Council considered that the development would narrow the gap between Marston Green and Chelmsley Wood. The granting of permission for the medical centre establishes that development up to the eastern boundary of the Site is acceptable and consequently the dismissal of the Site due to this factor

Insert letter title continued

should be disregarded. Furthermore, the development of the medical centre in addition to the Site would establish a clearly defined development boundary that extends to the residential area to the north.

The Site has capacity to accommodate up to 30 dwellings with adequate areas of open space. As previously set out, access to the Site can be obtained through the almost complete Kier Living residential development to the west.

Overall the granting of planning permission PL/2018/02763/PPFL changes the impact of development of the Site and consequently any further assessment of the Site should have regard to this permission.

I trust that this updated information in relation to Site reference 341 Land between Chelmsley Lane and Coleshill Road Marston Green is acceptable. If you require any further information or wish to undertake a site visit please do let me know.

Yours sincerely



Natasha Bullen
Planner