



# Solihull MBC Local Plan Publication Stage Representation Form

Ref:  
  
(For official use only)

Name of the Local Plan to which this representation relates:

Please return to [psp@solihull.gov.uk](mailto:psp@solihull.gov.uk) or Policy and Engagement, Solihull MBC, Solihull, B91 3QB BY Monday 14<sup>th</sup> December 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)
<i>*If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.</i>		
Title	Miss	Miss
First Name	Zoe	Zoe
Last Name	Curnow	Simmonds
Job Title (where relevant)	Strategic Land & Planning Manager	
Organisation (where relevant)	Taylor Wimpey	Lichfields
Address Line 1	c/o agent	3 <sup>rd</sup> Floor
Line 2		15 St Paul's Street
Line 3		Leeds
Line 4		
Post Code		LS2 1JG
Telephone Number	c/o agent	
E-mail Address	c/o agent	

(where relevant)

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

Name or Organisation:

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

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is :

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

Please tick as appropriate

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

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

The allocation of the land south of Dog Kennel Lane (Policy BL2) for release from the Green Belt and its development to deliver approximately 1,000 new homes is supported by Taylor Wimpey. The site is in a sustainable and accessible location and the Council have adopted an appropriate strategy in identifying it for development.

However, there are a number of changes required to be made to the policy in order for it to be found sound as per the four National Planning Policy Framework (NPPF) tests (paragraph 35). Principally, it is considered at present to fail the 'justified' test and not based on an appropriate strategy.

A number of matters are raised below which demonstrate how the Policy has not been drafted on a justified (sound) basis, along with a number of suggestions on how the policy can be amended to make it 'sound'.

### Part 1

The policy states that the site is allocated for 1,000 dwellings. However, elsewhere in the Local Plan the number of dwellings to be delivered on strategic allocated sites is stated as a 'capacity'. In order to ensure the effective optimisation of site's and delivery the required number of dwellings to meet SMBC's housing requirement, all strategic housing allocations should be stated as a 'minimum (unless mitigating factors determine otherwise)'.

### Part 2

It is not clear how the requirement of 8.2 hectares of public open space has been derived and why it is necessary to define a specific amount of public open space in the policy. This is not a sound, appropriate strategy and should instead refer directly to draft Policy P20 which requires a Part 7 for new housing developments to provide or contribute towards new open spaces (or improvement to existing provision) in line with the minimum standard of 3.57ha per 1,000 population. By taking this approach the amount of public open space provided would be calculated at the time an application comes forward and would directly relate to the number of dwellings delivered on the site, the mix of houses and, consequently, a more accurate population yield.

With regards to part v which relates to the retention of hedgerows and trees along Dog Kennel Lane, this policy is accepted in principle, but it should be amended to allow for their removal where 'necessary'. This will be necessary to provide the relevant vehicle access, including visibility splays. An amendment to this policy to allow this is suggested below.

### **Part 5**

In principle, it would be agreeable to Taylor Wimpey if the Concept Masterplans formed the starting point for future planning applications for the site. However, as set out in the representations submitted in relation paragraphs 242/243 and the Concept Masterplan for this site, a number of amendments would be required to ensure it has been prepared in accordance with national policy (e.g. establishing the Green Belt boundary) and the evidence prepared on behalf of SMBC and Taylor Wimpey's appointed consultants (note concerns relating to the SMBC heritage and ecology evidence base).

This representation should be read in conjunction with those submitted by Taylor Wimpey in relation to the Proposals Map and the Concept Masterplans.

(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.

The following changes are required to be made to the policy to allow for sufficient flexibility and deliverability:

#### **Part 1**

The site is allocated for **a minimum** of 1,000 dwellings (unless mitigating factors determine otherwise).

#### **Part 2**

ii. ~~Provision of 8.2ha of~~ Public open space and a range of play areas for children and young people **should be provided in accordance with Policy P20.**

v. Trees and hedgerows along Dog Kennel Lane should be retained, **where possible**, to protect the character of the highway.

#### **Part 5**

*The Concept Masterplan document should be read alongside this policy. Whilst The Concept Masterplans are **indicative only and** may be subject to change in light of further work that may need to be carried out at the planning application stage. **Future development proposals should adhere to the design principles and overall objectives set out in the Concept Masterplan***

**document for site BL2. Justification should be provided where there is a significant departure from the principles/objectives.** ~~any significant departure from the principles outlined for Site 12 BL2 will need to be justified and demonstrate that the overall objectives for the site and its wider context are not compromised~~

(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:

Taylor Wimpey are the majority landowners for the land forming site BL2 so all matters concerning this policy are relevant and it is important that they are appropriately represented.

**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:

14/12/2020