



Solihull MBC Local Plan Publication Stage Representation Form

Ref:

(For
official
use only)

Name of the Local Plan to which this representation relates:

Regulation 19

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)
<i>*If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.</i>		
Title	<input type="text"/>	<input type="text" value="Mr"/>
First Name	<input type="text"/>	<input type="text" value="Michael"/>
Last Name	<input type="text"/>	<input type="text" value="Robson"/>
Job Title (where relevant)	<input type="text"/>	<input type="text"/>
Organisation (where relevant)	<input type="text" value="Kler Group Ltd c/o agent"/>	<input type="text" value="Cerda Planning Ltd"/>
Address Line 1	<input type="text"/>	<input type="text" value="5-7 High Street"/>
Line 2	<input type="text"/>	<input type="text" value="Sutton Coldfield"/>
Line 3	<input type="text"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text" value="B72 1XH"/>
Telephone Number	<input type="text"/>	<input type="text"/>
E-mail Address (where relevant)	<input type="text"/>	<input type="text" value="[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="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 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.

Criteria 1 sets out that in accordance with paragraph 138 of the NPPF, planning permission will not be granted for development of sites removed from the Green Belt unless and until appropriate compensatory improvements to environmental quality and accessibility of remaining Green Belt is incorporated into a Section 106 Agreement.

This approach creates a significant disconnect and inconsistency which runs to the heart of the Local Plan Review. The policy obligation is placed upon the plan making stage to "set out ways in which the impact of removing land from the Green Belt can be offset". The plan doesn't do this but instead wrongly seeks to place the burden upon individual applicants – this needs to be revisited and a strategic approach taken as to how the terms of paragraph 138 can be addressed. Policy P17A wrongly abrogates this responsibility which is placed by Government at the plan making not the decision taking stage.

The Local Plan Review requires the delivery of 938 houses per annum, and the Council recognise that in order to deliver this level of housing, Green Belt release is required. The Council have undertaken work in the form of evidence base to support the Local Plan Review and justify both the need for Green Belt release in principle and the chosen strategy in terms of specific sites to be removed from the Green Belt.

Criteria 1 to Policy P17A seeks to undermine the in principle approach to Green Belt by, in effect, withdrawing the in principle support for land being removed from the Green Belt through the positive allocations of land set out within the Local Plan Review and sets out that unless compensatory provision is included within Section 106

Agreements for those sites, the principle of Green Belt release and thus the delivery of much needed open market and affordable housing cannot take place.

Put another way, the Local Plan Review effectively allocates housing sites currently within the Green Belt which is then undermined by the provisions of Policy P17A which removes the in principle support for such sites.

We consider that the Council have already demonstrated exceptional circumstances for Green Belt release in coming to the conclusion they have reached in terms of the development strategy and the specific sites that have been chosen to be removed from the Green Belt and brought forward as positive allocations of land. Policies within the Local Plan Review should not be imposed which effectively revisits all of the work undertaken.

As a further, self contained comment in relation to Policy P17A, there is reference to Green Infrastructure Opportunities Mapping at 3 (iii) however we can find no such mapping to refer to in these representations.

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 consider that Policy P17A is not required and simply undermines the overarching objectives and requirements of the Local Plan Review.

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:

We raise serious issues which go to the heart of soundness. We consider that our submissions are best reviewed orally, along with other participants who will no doubt be making similar representations, to best assist the Inspector(s) in coming to a view as to whether the Local Plan Review should proceed to adoption, modified or not.

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