



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 – Draft
Submission Plan
Proposed Allocation Site HH1
Land South of School Road
Hockley Heath

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	Mr and M/s	
First Name	David Jennifer	
Last Name	Sheppard Pearson	
Job Title (where relevant)		
Organisation (where relevant)		
Address Line 1		
Line 2		
Line 3		
Line 4		
Post Code		
Telephone Number		

E-mail Address
(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" 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.

We comment on the proposed allocation of HH1 in the Draft Submission Plan and on the content of a letter sent to us dated 30th October 2020 and refer to the various sub-headings in that letter. The letter has been sent to properties located within or adjacent to proposed allocations. We have knowledge of HH1 over many years living directly to the south with clear views across HH1 in all seasons.

1. 'Test of Soundness'

A) 'Positively prepared'

It is not known what local agreements exist with other authorities but it seems unlikely that either Warwick or Stratford Councils would require any unmet need to be accommodated in Green Belt land within Solihull. HH1 is on the border of Solihull Borough and there seems to be no published information of input, if any, from adjoining councils. It is also apparent that there has been no liaison with the Canal and River Trust the national body responsible for waterways. The report published by the Trust in May 2018 'Assessing the Wellbeing Impacts of Waterways Usage in England and Wales' stresses the importance of the canal adjoining HH1.

Both the Ecological Assessment of December 2019 and the Archaeological Assessment for Additional Sites 2020 highlight the unique features of HH1 and the need to carry out additional assessments before considering any change of use of HH1. The recommendations in the assessments have been ignored in the suggestion that HH1 is removed from the Green Belt.

B) 'Justified'

The proposed inclusion of any part of HH1 is not an appropriate strategy when it involves the removal of an area of Green Belt which provides a natural barrier at the edge of the settlement. It is NOT JUSTIFIED because:

- (i) HH1 is of historical value as evidenced by the assessments, having been used as agricultural land since medieval times with ancient trees and hedgerows
- (ii) HH1 is part of a larger area of historic landscape close to ancient woodland formerly being part of the Forest of Arden. HH1 is unique in the area – no other part of the Green Belt within Hockley Heath has the qualities of HH1.
- (iii) Inclusion and subsequent development will destroy forever the flora and fauna. Many species of birds including owls and woodpeckers frequent HH1 as well as muntjac deer, foxes, bats and butterflies. Once it is gone it is gone forever.
- (iv) The removal of any part of HH1 from the Green Belt is against the latest government guidelines and against the policy of the council.
- (v) Any development on HH1 would not conserve and enhance the setting of the canal towpath. The tranquillity of the towpath at present is due to HH1 not being developed.
- (vi) The canal towpath provides an undisturbed green space accessible to village residents and to many from further afield. Particularly during the Covid 19 crisis there have been many comments from the walkers, runners, cyclists and canal users about the peaceful and rural nature of the already much used facility. Development of HH1 will destroy the serene nature of the much used asset.
- (vii) The proposed Green Belt enhancements would not begin to compensate for the harm that would be caused to the canal towpath environment by development. The suggestion of access improvements to the wider Green Belt beyond the site boundary is also a nonsense – the only remaining Green Belt would be a narrow strip of land to the north and south of Spring Lane to the south of the canal.
- (viii) The suggested provision of 0.6ha of public open space on a 6 ha. site would not counteract the harm that would be caused by development.
- (ix) HH1 has only been included in the proposed allocation due to promotion from the land owners and their agents. There was no justification for the inclusion of HH1 prior to pressure being applied and there is no justification now.
- (x) The air pollution – light pollution – loss of wildlife habitat – loss of natural environment – harm to physical and mental wellbeing – that would be caused by development are NOT JUSTIFIED

C) 'Effective'

Although it may be that the proposed development could be delivered over the plan period this would be to the detriment of the area. The proposed development will adversely affect the inadequate roads in particular School Road itself and Sadlers Well Lane. Limited consideration seems to have been given to Sadlers Well Lane, a single-track road with a narrow canal bridge which would become 'a rat run'. As Sadlers Well Lane is beyond the Solihull boundary has there been any consideration of the effect of increased traffic on the rural lane?

D) 'Consistent with National Policy'

The National Policy provides that 'before concluding that exceptional

circumstances exist to justify changes to Green Belt boundaries the strategic policy-making authority should be able to demonstrate that it has fully examined fully all other reasonable options for meeting its identified need for development’.

The council have not established that exceptional circumstances exist to justify the removal of HH1, which adjoins the heritage asset of the Stratford-upon-Avon canal, from the Green Belt.

2. ‘Legal Compliance’

- (i) The council has during the process of community involvement failed to pay heed to the almost unanimous condemnation by all those consulted, including the residents and the Parish council, of the proposal to remove HH1 from the Green Belt.
- (ii) No clear evidence has been produced of the authority engaging constructively, actively and on an ongoing basis with neighbouring authorities and certain other bodies over strategic matters affecting HH1 during the preparation of the plan.

(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.

That HH1 is NOT removed from the Green Belt and is NOT allocated for around 90 dwellings owing to the failure to comply with national and local policies, and the failure to correctly assess HH1 as a site of considerable value and importance which precludes development.

(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:

To ensure that the distinct and unique qualities of HH1 are understood by the inspector and that the only logical conclusion is that HH1 is not removed from the Green Belt.

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:

12/12/20