



Representation on behalf of Mr T Khan, Mr S Kelly and Mr J Green to the Solihull Local Plan Review Draft Submission Plan 2020 (Regulation 19 Consultation) in relation to land at

15, 59 and 61 Jacobean Lane Knowle (Site 526)

DEC 2020

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Appendix 1 – Proposed Development Plan

1. INTRODUCTION

1.1 This Statement is the response of Mr T Khan, Mr S Kelly and Mr J Green, to the Solihull Local Plan Review Draft Submission Plan 2020 ("DSP"). The response explains why the plan is unsound and what modifications are necessary to make the Plan sound. It should be read alongside the submitted representation form.

1.2 The plan is considered to be unsound in relation to six areas

- Housing Need
- Duty to Co-operate
- Specialist Housing
- BFLR
- Windfall
- Deficiencies with allocated sites

1.3 We consider the main modifications to make the plan sound are;

- Increase in Housing figures of between 1,036 and 1,248 dpa
- Reduction in windfall allocations from 200 dpa to 150 dpa
- Reduction in BFLR allocations by 29 – from 77 to 48
- Allocation of sites specifically for specialist housing
- Deletion of Policy BL1 Land west of Dickens Heath
- Deletion of Policy BL2 Land south of Dog Kennel Lane
- Deletion of Policy BC6 Lavender Hall Farm Balsall Common
- Deletion of SO2 Moat Lane Solihull
- Deletion of SLP Site19 Riddings Hill/Hallmeadow Road

And the addition of a new housing allocation:

- Land at 15.59 and 61 Jacobean Lane Knowle (Site 526);

together with the

- Modification to the Green Belt boundary to the north of Jacobean Lane.

1.4 The following previously submitted documents should be read alongside these reps;

- Sept 2017
- March 2019

2. WHY THE PLAN IS NOT SOUND

Housing Provision

2.1 We are aware that Barton Willmore ('BW'), on behalf of various developers, have carried out a Housing Need Report in response to the DSP. The report focuses on the calculation of Solihull's housing need in the DSP 2020-2036 and also considers the unmet housing need in the wider Greater Birmingham and Black Country Housing Market Area (GBBC HMA) study 2020.

2.2 It is understood the conclusions drawn from the report are:

(i) The minimum need for Solihull (807 dpa) will need to be increased to account for expected job growth from the UK Central Hub and the 'acute' need for affordable housing in the Borough and that between 1,036 and 1,248 dpa are required to support the UK Central Hub scenario;

(ii) The deficit in unmet housing need from Birmingham City being delivered by HMA Local Plans amounts to a minimum of between 11,294 and 13,101 dwellings up to 2031, a significant increase from the 2,597 dwellings concluded by the 2020 Position Statement. This increases when the unmet need from the Black

Country is considered and additional unmet need will be created post 2031.

- 2.3 The DSP indicates a contribution of 2,015 dwellings towards Birmingham's identified shortfall of 37,900 to 2031. This is the difference Solihull Council has identified between their identified supply and the local housing need. However, the recent Greater Birmingham Black Country Housing Market Area ("GBBC HMA") study, agreed by the 14 HMA authorities, to update the position relating to the housing shortfall identified in the GL Hearn Strategic Growth Study from 2018 ("SGS"), claims the total Birmingham shortfall has diminished to 2,597 dwellings. This appears somewhat a surprising figure considering the SGS minimum shortfall was identified as 28,000 dwellings in 2018 and is considered to be a highly optimistic prediction.
- 2.4 In its conclusions the GBBC HMA study does state that the scale of the post 2031 shortfall is not yet known and the shortfall for the whole of the combined authorities HMA post 2031 cannot yet be calculated.
- 2.5 It follows that, for the reasons summarised here the DSP is clearly unsound by reference to all of the tests set out in paragraph 35 of the NPPF.

Duty to Co-operate

- 2.6 With this uncertainty and wide variation in figures and even accepting that Solihull is confirming that a contribution will be made to the shortfall there appears to be no confirming documentary evidence that Solihull's figures have been agreed by the HMA authorities and

that Solihull has met its duty to cooperate either in its evidence base or confirmed within the DSP. In the absence of a Statement of Common Ground there is no real commitment to resolving the shortfall within the GBBC HMA.

Specialist Housing

- 2.7 The DSP fails to set out the current or future need for specialist housing for older people, in the form of either care beds or extra care units required. Whilst policy H4E requires sites of over 300 units to provide specialist housing or care bed spaces in accordance with the Council's most up to date statement of need on older persons accommodation, there is no mechanism for delivery.
- 2.8 We are aware of work carried out by Pinders in relation to Housing Need for the elderly. The conclusion of the report is there is a compelling need for both care bed spaces and extra care units now, which increases over the next 10 years. Depending on larger sites to deliver specialist housing for the elderly will not address the current need and is likely to only exacerbate the need going forward, due to lead in times and build out rates, as well as the complex land ownership issues involved.
- 2.9 We support providing a choice of housing for all, however consider delivery of housing for the elderly is a specialist area. As such it is considered the Council should ensure that suitable sites are allocated to meet such need across a wide choice of appropriate locations rather than relying on larger sites to provide a mix that includes such provision. These additional sites should be in addition to the allocations and numbers already identified within the DSP.

BFLR

- 2.10 The DSP relies on the BFLR to help make up the overall numbers in the plan, equating to 77. Of the 15 sites identified in the 5YHLS report to Cabinet Member for Climate Change in July 2020 report, 12 are within the Green Belt. The Council have only completed Part 1 of the BFLR and so any Green Belt sites coming forward could only be delivered under 145(g) of the NPPF. Para 145(g), whilst allowing for redevelopment, does so on the basis there is no additional impact on the openness of the Green Belt. As the Council does not have Part 2 of the register in place there is no mechanism to deliver the numbers allocated by the BFLR. Only one site has come forward so far, with an application for 49 extra care apartments (the site was not in GB). Therefore 29 units identified need to be discounted.

Windfall

- 2.11 A total allowance of 600 windfall units is included within the DSP. The Council advises that this includes 200 dpa for years 3-5, in order to avoid double counting with extant permissions. It is clear that historically there has been a high level of windfall completions. It is unclear however from the Windfall analysis at Appendix H of the 5YHLS position July 2020, whether the windfall allowance relates to both small and large sites, nor is it clear whether this includes garden land. It is however believed the windfall allowance includes an allowance from both large site windfalls and garden land.
- 2.12 There appears to be no compelling evidence (as sought by NPPF Para 70) that this is a reliable source of supply. The Council simply relies upon past trends only. In terms of garden land, the Council by their own admission in the adopted Local Plan note that Solihull have been resisting 'garden land' development since 2003. There is no specific

policy in the DSP to resist garden land development but equally there is no compelling evidence that it will come forward either.

- 2.13 Based on the evidence we do not accept 600 as a realistic windfall allowance. In the absence of any evidence to the contrary, we consider the tried and tested number set out in the adopted Local Plan, of 150 dpa, should be used.

Deficiencies with Allocated Sites

- 2.14 In considering the soundness of the DSP we have reviewed the draft allocations. Many issues have been identified, including some by the Council, which suggest that delivery within the Plan cannot be guaranteed or that sites should not have been allocated in the first place.
- 2.15 The deficiencies in the housing allocations are particularly noticeable within Balsall Common but are common throughout the allocations.
- 2.16 Solihull, by their own admission, at Paragraph 541 of the DSP highlight concerns that relate to some of the proposed housing allocations at Balsall Common and raise doubts over the potential for these sites to be considered achievable or deliverable within the Plan period. The paragraph states:

"Some of the sites, in particular Barratt's Farm, have multiple and potential complex land assembly issues. It is important that sites such as this are considered in a comprehensive manner to avoid piecemeal developments occurring. This needn't necessarily preclude

a phased approach where one parcel of land or part of a site may be available for development in advance of another, but this should be in accordance with an approach agreed by the Council and all relevant landowners/development promoters. This will include joint responsibility for the provision of infrastructure, and this latter point will also be relevant to other sites around the village which also need to ensure they contribute towards the provision of the required infrastructure”.

- 2.17 These concerns were also highlighted by the Council in the previous draft Solihull Local Plan Supplementary Consultation January 2019. Paragraph 101 stated;

“Before being finally included in the Plan it will be necessary for the varied land interests to demonstrate they can work collaboratively and comprehensively together”.

- 2.18 Apart from some brief references within the SLP Concept Masterplan 2020, no evidence has been provided to demonstrate that these complex issues have been addressed. The complexities of such sites and the need to work collaboratively and comprehensively together raises serious concerns in terms of deliverability within the Plan period.

- 2.19 In raising justifiable concerns about the delivery of allocated sites or parts of allocated sites within the plan period and deficiencies in the housing provision figures for each site, this will have implications for the trajectory and the phasing within the Plan and consequently on the required 5 year housing land supply.

- 2.20 Concerns highlighted about various sites in Balsall Common and elsewhere in the Local Plan area should be addressed by increasing

the land supply in the form of additional allocations within the Plan to ensure that housing needs are met.

Balsall Common Settlement

Policy BC1 Barratts Farm Balsall Common

- 2.21 The above comments regarding multiple and complex land assembly issues (*the Council's own words*) are particularly relevant to BC1. We question if the issues can be resolved and if the housing numbers can come forward within the Plan period. This has implications for the delivery of the Balsall Common Bypass, which is one of the infrastructure requirements of policy BC1 and would be dependent on contributions from all landowners/developers.
- 2.22 In addition, there is no certainty over the provision of either HS2 and the Balsall Common bypass in terms of construction or completion dates. This is particularly relevant to HS2, where commencement and completion dates keep moving further into the future. Whilst the master plan advises the bypass is a requirement there is no evidence in relation to viability, it has not been costed and there is no evidence to demonstrate it can be delivered by the quantum of development proposed.
- 2.23 This issue has knock on consequences for and raises doubts over the provision of a firm eastern Green Belt boundary to the site. The Council acknowledged within the earlier site assessment document (January 2019) that without either the bypass or HS2, it would result in an indefensible Green Belt boundary. This becomes even more pertinent with the site being partly within a highly performing broad area within the Council's Green Belt Assessment.

- 2.24 The DSP does not make clear whether the line of HS2 or the West Coast Mainline is to become the revised Green Belt boundary to the east of BC1. Both are identified as fulfilling that role within the DSP. At paragraphs 537 the West Coast Main line is heralded as the “logical” revised Green Belt boundary, however paragraph 545 refers to the line of HS2 as the “strong defensible Green Belt boundary”.
- 2.25 I do not consider there is sufficient evidence to conclude this site is available, deliverable and achievable.

BC4 Pheasant Oak Farm

- 2.26 The previous comments regarding multiple ownership and complex land assembly issues are equally relevant to this proposed allocation.
- 2.27 The site is also acknowledged within the Council’s most recent site assessment document (October 2020) as:
- a) “..... part high (*highest*) performing parcel in the Green Belt Assessment and would result in an indefensible Green Belt boundary to the east.
 - b) “Site has a low level of accessibility.....” and
 - c) “Could be considered subject to provision of clear firm Green Belt boundaries”.
 - d) “Development should preferably be on land that is more highly accessible, and/or performs least well in Green Belt terms and/or provides strong defensible boundaries”.
- 2.28 These factors weigh heavily against the site as a draft allocation.
- 2.29 There appears to be no policy or proposal for the building of this section of the bypass adjacent to BC4, between Waste Lane and

Kenilworth Road. It must be assumed this section would not to be built within the Plan period up to 2036 and there is no certainty over its provision at any stage. This adds further doubt over the provision of a firm eastern Green Belt boundary to BC4.

2.30 There is no consistency between the DSP and the SLP Concept Masterplans over the precise location of the Revised Green Belt boundary in relation to BC4. The DSP proposes the eastern boundary of the site (paragraph 560) as the defensible boundary, whilst the Masterplan proposes the alignment of the bypass (page 32). Similarly there is no consistency with the alignment of the bypass, which differs between that shown on the illustrative concept Masterplan (page 32) and the Draft Submission Proposals Policies Map.

2.31 The negative site assessment in relation to Green Belt performance, accessibility and lack of defensible GB boundary calls into serious question this allocation. The added uncertainty in relation to the location and deliverability of the bypass, together with the ownership issues result in a site that cannot be considered to be available, achievable and deliverable.

Policy BC5 Trevellion Stud

2.32 The previous comments regarding multi ownership and complex land assembly issues are also relevant to this proposed allocation. Firm and defensible Green Belt boundaries would only be created when considered in a comprehensive manner, which cannot be assured.

2.33 The site is also identified as having high visual sensitivity in the Landscape Character Assessment and from an assessment on site it

is clearly evident that the land extends significantly out into open countryside, impacting considerably on the openness of the Green Belt at this point and contrary to one of the five purposes of the Green Belt, to assist in safeguarding the countryside from encroachment.

Policy BC6 Lavender Hall Farm

2.34 BC6 is a later addition to the housing allocation list. It is not clear and obvious why this site was regarded as suitable for allocation within the DSP.

2.35 This view is premised on the basis of:

- An assessment on site,
- The site assessment document,
- The sites relationship with the village,
- Its position to the east of the West Coast Mainline and,
- Being in open countryside.

2.36 Viewed on site and on plan the site is completely divorced from the existing settlement, having no contextual link or appropriate setting to suggest the site makes an appropriate and sensible addition to the village. This sets an inappropriate precedent for any future planned village expansion.

2.37 The site lies within the highest performing Green Belt Parcel and the landscape character assessment identifies that the site has medium visual sensitivity. The Council's site assessment also states that development should preferably be on land that is more highly accessible, and/or performs least well in Green Belt terms and/or

provides strong defensible boundaries. The allocation contradicts the Councils own assessment criteria.

- 2.38 The site is predominantly brownfield but access is very constrained. Gaining access to the site from the west would be immediately after crossing a very narrow and unsuitable single lane railway bridge. No evidence has been provided to demonstrate that highway safety would not be compromised as a result of this allocation.
- 2.39 The site already lies adjacent the West Coast Mainline and if HS2 is built the site would be positioned in a narrow belt between two highly used railway lines, thereby creating an unsuitable residential development given the environment that would result from noise, vibration and visual sensitivity.
- 2.40 The site would also lie outside the proposed firm and defensible Green Belt boundary suggested by the Council i.e. the West Coast Mainline, east of Balsall Common, contrary to the purposes of defining a firm and defensible Green Belt boundary and contrary to the principles of Policy BC1 Barrett's Farm i.e. allocating land than would not breach the proposed new GB boundary.
- 2.41 It becomes even more difficult to understand why this site has been proposed for allocation considering the text within the DSP at Paragraph 537. This provides precise detail on the amended Green Belt boundary to the east of Balsall Common and which includes the strong and defensible West Coast mainline. The document states:

"The Green Belt boundary around Balsall Common will need to be amended to accommodate the level of growth proposed for the settlement. To provide a logical strong and defensible new eastern boundary it is proposed to use the West Coast Main ⁴⁵ line as the new boundary from where the Kenilworth Road crosses the line to the

north of the settlement to the point the HS2 line crosses the existing railway just south of Station Road”.

2.42 The reference note ⁴⁵, added to this paragraph and explained in the small print at the bottom of the page appear to be solely to justify the breaching of what otherwise would be a firm and defensible Green Belt boundary and to allow the allocation of Lavender Hall Farm.

2.43 It makes no logical sense to identify an extremely firm and defensible Green Belt boundary to mark the eastern most boundary of Balsall Common and then breach that boundary in endeavouring to justify allocating a further site (BC6) and create a weaker Green Belt boundary around that site.

2.44 The note reads:

“⁴⁵. With the exception of that part of the line adjacent to Lavender Hall Farm. At this point the Green Belt boundary would extend north-eastward beyond the railway line so that the DLP Site 21 (R/O Lavender Hall Farm) can be included as an allocation.”

2.45 In view of the above comments the site at Lavender Hall Farm should not be allocated and Policy BC6 and the justification deleted from the Plan.

SLP Site19 Riddings Hill/Hallmeadow Road

2.46 The site was allocated in the adopted Local Plan 2013 and as far as it can be ascertained, there has been no movement on bringing the site forward for development and as such raises doubts over its future delivery and within the proposed Plan period. It has not been

demonstrated that this site is available, achievable and deliverable. Its continued inclusion as an allocation in the DSP is unsound.

Blythe

Policy BL1 West of Dickens Heath

- 2.47 The DSP confirms the distinct nature of the villages in Blythe set within and separated by attractive countryside and Green Belt giving the villages a sense of remoteness. In particular Dickens Heath is described as a modern multi award winning village guided by an architect led masterplan. It goes on to say that significant new development at Dickens Heath will add vibrancy and vitality whilst retaining the intrinsic character of a distinctive village separated by open countryside.
- 2.48 The proposed allocation does not conform to the above statement. Development here would result in the coalescence of Dickens Heath with Whitlocks End and Majors Green. This is identified in the Green Belt Assessment scoring and the site assessment document. The landscape character assessment also highlights the site as highly visually sensitive.
- 2.49 The intrinsic character of the village would be lost through an ill-thought out addition to the west of the village, having no relationship with the original concept or masterplan. This is an insensitive treatment for an award winning settlement.
- 2.50 This is particularly emphasised by the illustrative masterplan which makes no reference to how it would complement or enhance the village of Dickens Heath and even goes on to say that "*Further work*

is needed to identify links from the new development to Dickens Heath Village Centre". In other words no thought has been given to this process and appears somewhat of an afterthought.

- 2.51 BL1 has previously been dismissed as an allocation at a number of Public Local Inquiries over many years since the Solihull Local Plan has been reviewed and the concept of Dickens Heath new village emerged in the early 1990s.
- 2.52 Former Site 13 (Solihull Draft Local Plan 2016, which included Three Maypoles Farm) was deallocated as the Council considered it would impact on Dickens Heath and it was really important to keep a gap between any urban extension and Dickens Heath. The impact of BL1 would be considerably more devastating and the perceived coalescence with Dickens Heath, Whitlocks End and Majors Green would be the result.
- 2.53 In endeavouring to overcome issues of coalescence with Majors Green and Whitlocks End, master planning of the site has continually reduced the development areas but the latest reduction in developable area has not reduced the site capacity. Irrespective of what the Site Assessment commentary suggests there is the perception of coalescence.
- 2.54 Of concern throughout the Local Plan review process has been the relocation of the sports pitches which has been identified at previous consultation stages. There has been no identified sites local or otherwise for the necessary relocation of these sports pitches, which must be of increasing concern and specifically highlighted by the Council in the Draft submission at point 5 of Policy BL1 which states:

"To support sustainable development within the area the site should be promoted on a comprehensive basis supporting the positively planned relocation of the existing sports facilities south of Tythebarn

Lane to alternative locations within the surrounding area. Until such times as these facilities are appropriately located or robust plans have been confirmed to secure a timely relocation that would prevent the closure of any associated clubs (either for a short period of time or permanently) development of the site would not be supported”.

- 2.55 This is again highlighted within the justification at paragraph 605 referring to the 3 Football clubs involved and the problems of relocating within the site because of the impact on local wildlife sites. This situation has not been addressed at any point in the Local Plan review process and should have been resolved before the site was allocated within the DSP. This calls the delivery of the site into question either at all or within the plan period.
- 2.56 Even though traffic impact assessments have been carried out, there is concern for the impact of development on the highway system, particularly the route to Shirley on narrow and winding roads and junctions.
- 2.57 There has been no contextual thought in the process of proposing site BL1 as an allocation. The site cannot be considered available, achievable and deliverable and should be deleted from the plan.

BL2 South of Dog Kennel Lane

- 2.58 Whilst accepting the Councils Strategy of urban expansion this site raises concerns over compliance with government policy and the Council’s own methodology and site selection process which includes using planning judgement to refine selection. Concern is raised about the proposed allocation on Green Belt grounds and Landscape Character assessment concerns.

- 2.59 Government policy states that *".....the essential characteristics of Green Belts are their openness and their permanence."* The land to the south of Shirley, opposite Dog Kennel Lane clearly exhibits such openness, which is further enhanced by the land gently sloping towards Cheswick Green and clearly demonstrated when viewed from Dog Kennel Lane looking south towards Cheswick Green. This is further confirmed by the Council's site selection assessment which also identifies the site as lying within a landscape character area of high sensitivity. Development here would extend built development out into open countryside
- 2.60 Government policy also states at Paragraph 139: *"When defining Green Belt boundaries plans should: (f) Define boundaries clearly using physical features that are readily recognisable and likely to be permanent"*. In the DSP 2020 the proposed approach to Blythe states at Paragraph 600: *"Given that the opportunities to develop on previously developed land in Blythe are extremely limited, Green Belt release will be required and a redefined Green Belt boundary will need to be established. In accordance with national planning policy, such boundaries should be defined clearly, using physical features that are readily recognisable and likely to be permanent"*. The document then goes on to say at paragraph 609: *"Site BL 2 is within a parcel of moderately performing Green Belt, and given the existing field structure, does not have a clear contiguous defensible Green Belt boundary to the south. To address this the detailed design of the resulting development will be expected to utilise internal estate roads to form the new Green Belt boundary. This will be achieved by an estate road being provided on the southern (outer) edge of the development"*.
- 2.61 Paragraphs 600 and 609 provide conflicting statements and constructing a new road to form the Green Belt boundary does not conform to Government policy. This being the case and given that

the existing field structure between Dog Kennel Lane and Cheswick Green does not provide a clear contiguous defensible Green Belt boundary for new development, it cannot be demonstrated how coalescence with Cheswick Green would be avoided. In developing out into open countryside there would be a substantial and detrimental impact on landscape character.

2.62 For the above reasons Site BL2 should be deleted from the Plan

Hampton in Arden

Policy HA1 Meriden Road Hampton in Arden

2.63 Land to the west of this site was allocated for housing in the adopted Local Plan on condition that the former ammunition depot was reclaimed for open space or if not available, an alternative development solution delivering open space was forthcoming. This situation still exists and so calls into question the allocation of HA1. Whilst a planning application on land to the west was submitted in Oct 2019 it has made little progress. The combination of both allocations appears to have resulted in an overall reduction in POS. POS for the previously allocated site has now been pushed into the Green Belt, causing further encroachment and urbanisation.

2.64 There is no evidence in relation to viability of the site and how this may be affected by any potential contamination issues as a consequence of the former use of the site.

2.65 The site cannot be said to be available, achievable and deliverable and should be removed from the plan.

Hockley Heath

Policy HH1 Land to the south of School Road Hockley Heath

- 2.66 It is agreed that Hockley Heath should be a settlement where limited and proportionate expansion is accepted and supported. New development will assist with the future viability and vitality of Hockley Heath provided development is proportionate to the settlement and in the right location.
- 2.67 In respect of development being proportionate to the settlement Paragraph 669 states that the Green Belt boundary around Hockley Heath will need to be amended to accommodate the level of growth proposed for the settlement.
- 2.68 Within the revised Green Belt boundary are two distinct additional areas that have been included. Firstly, the housing allocation at the south side of School Road HH1. Secondly, a substantial area of land to the north side of School Road, which comprises a run of low density housing, with long back gardens and two sites on School Road specifically highlighted at paragraph 671 of the DSP and not identified as an allocation within the Plan.
- 2.69 These properties on the north side of School Road, part of the built up area of the settlement, are currently in the Green Belt and would as a consequence of the Plan, be within the revised settlement boundary. The removal of this land to the north of School Lane comprising residential properties would conform to the Council's intention to address anomalies in Green Belt boundaries across the Borough (Paragraph 420 of the DSP).
- 2.70 Paragraph 671 clearly gives the "green light" for development of the two sites and by the fact that the run of low density properties would

be outside the Green Belt and within the settlement boundary the “green light” has also been given for potential redevelopment of these properties at a higher density.

- 2.71 The potential development of the two areas either side of School Lane would therefore appear to fulfil the Councils criteria for limited and proportionate expansion.
- 2.72 Reference to policy within Hockley Heath will be referred to again in modifications requested for Knowle/Bentley Heath/Dorridge settlement later in this representation.

Solihull Town centre and Mature Suburbs

Policy SO2 Moat Lane Depot

- 2.73 Moat Lane Depot was first identified as a housing allocation in the Solihull Local Plan 2006. Concerns over relocation of the current uses on the site and the timing of such a relocation have remained an ongoing issue and concern ever since.
- 2.74 No site has been identified for the relocation of the depot or referred to in the DSP, which merely states that the site is expected to become available during the Plan period. There are also particular issues which need to be resolved regarding flood risk, contamination and the removal/relocation of the telecommunications mast before the site can be redeveloped.
- 2.75 The site cannot be said to be available, achievable and deliverable and should be deleted from the plan.

Solihull Town Centre

- 2.76 Solihull Town Centre was identified as a location for housing development totalling 950 dwellings in the adopted Plan. Identified locations within the town centre and subsequent Masterplans have yet to come to fruition.
- 2.77 The Draft Submission again refers to the Town Centre as a location to provide for 861 dwellings within the Plan period. From the conclusions which can be drawn from the adopted Plan and the experience and complexities of town centre redevelopment, particularly the specific sites identified within the Plan, it is considered that the housing figure is over ambitious and unachievable within the Plan period.
- 2.78 To ensure the delivery of the appropriate number of dwellings within the Plan period the above concerns highlighted on specific sites should be addressed by additional allocations within the Plan.

3.0 MODIFICATIONS TO MAKE THE PLAN SOUND

- 3.1 Increase in Housing figures of between 1,036 and 1,248 dpa
- 3.2 Reduction in windfall allocations from 200 dpa to 150 dpa
- 3.3 Reduction in BFLR allocations by 29 – from 77 to 48.
- 3.4 Allocation of specific sites for specialist housing in addition to the current allocations.
- 3.5 Deletion of Policy BC 6 Housing allocation Lavender Hall Farm Balsall Common and the accompanying justification paragraphs 570 – 574.
- 3.6 Deletion of site BL1 Land west of Dickens Heath and the justification paragraphs 603 – 608.
- 3.7 Deletion of Site BL2 South of Dog Kennel Lane and the justification paragraphs 609 – 611.
- 3.8 Deletion of Site SO2 Moat Lane Solihull and the justification paragraphs 810 -811.
- 3.9 Deletion of SLP Site19 Riddings Hill/Hallmeadow Road 544
- 3.10 Addition of a new housing allocation at 15. 59 and 61 Jacobean Lane, Knowle and the revision of the GB boundary to the north of Jacobean Lane.

Reasons why 15, 59, 61 Jacobean Lane Knowle (Site 526 former Sites 68 & 324) should be included as an allocation and removed from the Green Belt within the Solihull Local Plan Draft Submission

- 3.11 There is clearly some uncertainty with the allocated sites, which supports the allocation of an additional site in respect of which there is no such uncertainty.
- 3.12 This representation should be read in conjunction with the previous representations to the Solihull Draft Local Plan Review 2016 (site ref 68 & 324) and SDLP Supplementary Consultation 2019 (site ref 68 & 324), which outline in detail the quality the site exhibits in respect of its suitability as an allocation within the Solihull Local Plan, as well as the detail behind the request to remove the site from the Green Belt.
- 3.13 15, 59 & 61 Jacobean Lane, Knowle ("the Site"), (now recorded as Site 526 within the latest site assessment document 2020,) lies within existing residential development at the northern end of Knowle village, to the north side of Jacobean Lane. The Site is accessed directly off Jacobean Lane at two points. To the north of the residential development are a number of sports pitches beyond which is the M42 Motorway. To the east of the site is agricultural land and the Grand Union Canal. The site is approximately 200 metres to the east of the A4141 Warwick Road, the main road and public transport corridor into Knowle Village Centre and Solihull. The village centre, with its full range of services and facilities, is just over 1km from the site. Having two wide frontages onto Jacobean Lane including from no.15, provides for easy alternative access arrangements into the site (see site 526 in the site Assessment Socument 2020).
- 3.14 The site lies within the Green Belt, immediately to the north of the village inset area, the boundary of which runs along Jacobean Lane. The residential development to the north of the lane, is clearly part of and relates well to the village in terms of its character, layout and context and is not in an area of sporadic housing more related to the surrounding countryside.

- 3.15 The “L” shaped 2.68 acre brownfield site comprises 3 residential properties with large extensive gardens. The boundaries particularly that to the north, consist of boundary fencing with substantial tree and hedgerow planting, providing firm and defensible Green Belt boundaries. Being already part of the residential built up development of Knowle village, there is no issue of coalescence with neighbouring settlements or impact on the openness of the Green Belt does not arise. Development here would not bring residential development any closer to the next adjacent settlement of Solihull.
- 3.16 It is unfortunate that the Site did not appear in full the until the latest Site Assessment document 2020, which we believe impacted on the assessment responses in the early Local Plan Review process and in the Site Assessment document 2019. For clarity the full site comprises the full curtilage of 15 Jacobean Lane as well as the full curtilages of 59 and 61 Jacobean Lane. Access via No15 is considerably closer to Warwick Road than the access identified in the Site Assessment document 2019, which was from land fronting 59 & 61 Jacobean Lane.
- 3.17 It is disappointing and mystifying why the commentary in the Site Assessment document (526) does not confirm that the land is currently residential development and equestrian paddock (brownfield) and is clearly part of and relates well to the village in terms of its character, layout and context. This is particularly relevant when considering sites against the purposes of the Green Belt.
- 3.18 In favour of this site is its strong and defensible Green Belt boundary, the excellent access arrangement along Jacobean Lane at either or both frontages and the particularly compelling argument that the site is brownfield. The site is compact, is clearly part of the Knowle settlement and not the open countryside, even though it is within

the Green Belt albeit immediately adjacent to the Green Belt Inset Boundary.

- 3.19 The Green Belt boundary around the Knowle/Dorridge/Bentley Heath Inset area is generally consistent being denoted by rear garden boundaries, comprising screen walls and fences as well as substantial hedgerows and trees. The boundary of the Site (526) is similarly identified by fencing and substantial trees and hedgerows, consistent with the existing village inset and Green Belt boundary.
- 3.20 In the Council's Green Belt Assessment the Site, which is within refined parcel RP35, land to the north of Jacobean Lane, performs moderately low against the purposes of the Green. The only one purpose of the Green Belt where the parcel is higher performing is *"to prevent neighbouring towns from merging"*. We refute this claim as the site is already residential and brownfield and so development would not come any closer to the to the nearest town than it does at present. It should be noted that the nearest town is Solihull and the two areas are separated by rugby pitches and football pitches and an 8 lane motorway. It is therefore hard to see how this purpose is compromised.
- 3.21 Accessibility is excellent, the Site being in close proximity to the main Public Transport route the A4141 between Solihull and Knowle, the two closest town centres and having bus stops at the end of Jacobean Lane no more than 200m from the Site access.
- 3.22 The site is brownfield, in three ownerships, with the landowners in full agreement on bringing the Site forward together (reaffirmed by the instruction of Donna Savage Planning to represent all three), is marketable and is readily available to come forward within the first 5 years of the Plan period.

- 3.23 As the site has not been identified as a proposed allocation within the DSP it is necessary to question the main reasons for its apparent failure and justify the reasons for requesting the Site to be brought forward as a housing allocation and/or the Sites removal from the Green Belt through a change to the Green Belt boundary
- 3.24 Looking specifically at the commentary within the Site Assessments document 2020, the reasons for the Site not being included as a proposed allocation would appear to be Green Belt and accessibility. However both have misrepresented the Site.
- 3.25 In terms of accessibility, the 2019 Site Assessment commentary acknowledges that accessibility may be improved if a new access onto Jacobean Lane was established. This was addressed in previous reps and access is available from 15 Jacobean Lane and the Site as submitted has a frontage and access onto Jacobean Lane much closer to the A4141 Warwick Road, the main road into Knowle (150m as opposed to 450m). Notwithstanding the fact that the original score is considered to be too low, particularly in view of the frequency of bus service and proximity of the bus stop on Warwick Road, this submission would elicit a higher score in each category and in total even though the commentary refers to a bus service reduced in frequency). The bus stop is in located on Warwick Road, immediately adjacent to the junction with Jacobean Lane.
- 3.26 As well as requesting that the site should be allocated within the Plan as a housing site, it is also requested that the Site be removed from the Green Belt. This is on the basis of paragraph 361 of the 2016 Draft Local Plan (now paragraph 420 of the DSP) and the view that removing the land from the Green Belt would provide the opportunity for improved redevelopment opportunities on brownfield land, which would also assist the Council in the supply of housing over the Plan period.

- 3.27 The reasons why the Green Belt boundary should be relocated to the north of the Site 526 have been stated in the two previous consultation responses in 2017 and 2019 however it is considered important in this instance to restate some of those points, together with further comments as a response to the DSP.
- 3.28 With both national policy and local draft policy in mind the following points would support the amendments to the Green Belt boundary at Jacobean Lane:-
- 3.29 The well-established and mature residential properties to the immediate north of Jacobean Lane, which front onto Jacobean Lane are undisputedly in the Green Belt but are also undisputedly within the settlement of Knowle. The properties to the south of Jacobean Lane and which also front onto Jacobean Lane are not in the Green Belt, but within the Knowle/Dorridge/Bentley Heath Inset Area.
- 3.30 Properties on both sides of Jacobean Lane are distinctly similar and urban in character, layout and design. The properties to the north of Jacobean Lane, which contain the Site, clearly form part of the main urban fabric of Knowle, as do the properties to the south. They are not isolated from the village or sporadic in nature but clearly concentrated development with frontages onto Jacobean Lane or Warwick Road and are clearly more related to the village than the open countryside.
- 3.31 It would be difficult to make any sort of distinction between the two sides of the road or understand why the north side of Jacobean Lane was originally omitted from the inset area. However, to the north and north east of these properties and the Site, there is a clear and distinctive change of character, with a substantial area of open space and open countryside beyond, comprising sports pitches to the north and agricultural land to the east. To the north of the sports pitches

is the 8 Lane M42 motorway, a major and permanent barrier between Solihull and Knowle.

- 3.32 This distinct change of character between built development and open space/countryside would be the more logical break between Green Belt and non-Green Belt and the edge of the village inset area. This has been a common feature of where the Green Belt boundary has been set in all settlements in Solihull MBC area, inset within the Green Belt.
- 3.33 National Green Belt Policy refers to the fundamental aim of the Green Belt being to prevent urban sprawl by keeping land permanently open, with the essential characteristics being their openness and permanence. The land north of Jacobean Lane comprises two storey residential development and could not be regarded as exhibiting openness. Similarly in respect of national policy the site could not be regarded as fulfilling the purposes of the Green Belt to any significant or modest degree.
- 3.34 The Council's Green Belt Assessment of refined parcel 35 (RP35) within which the Site, is located confirms this having a combined score of only 5 out of 12. For example and in particular, it does not assist in safeguarding the countryside from encroachment (score 1 out of a maximum 3): Even purpose 2 "to prevent neighbouring towns from merging", where RP35 scores poorly (the scoring has been disputed in previous) does not strictly apply as the land is existing residential property (brownfield) and as such does not bring the two neighbouring settlements any closer together. The site would not erode the important gap between Solihull and Knowle and should be corrected in the commentary. The site already comprises built development/residential development, an extremely pertinent point and one which should be corrected in the Site Assessment.

- 3.35 It must also be pointed out again, as in the original submission (Ref 68 & 324) the Site, which is within refined parcel RP35 of the Green Belt Assessment document (land to the north of Jacobean Lane) would perform moderately low against the purposes of the Green Belt having a combined score of 5. This is lower than or equal to most of the parcels where the DSP allocated housing sites are located. The only one of the five purposes of the Green Belt where the parcel is higher performing is “to prevent neighbouring towns from merging”. As previously stated there are sport pitches and an 8 land motorway between the land north of Jacobean Lane and the nearest town of Solihull.
- 3.36 It appears particularly inconsistent and unexplained, why for this particular purpose of the Green Belt, all the remaining parcels of land between Solihull and Knowle, of which there are 9 and which are of similar character, are moderately performing with one immediately adjoining parcel 35 being lower performing. This particular assessment is therefore challenged for its accuracy and consistency. In any eventuality, the scoring for this purpose of the Green Belt for RP35 is no different to some allocations in the DSP particularly those adjoining south of Shirley and east of Balsall Common, which has not hindered their inclusion within the DSP.
- 3.37 The other two criteria, checking the unrestricted sprawl of large built up areas and preserving the setting and special character of historic towns score 1 and 0 respectively.
- 3.38 Again, in national policy, boundaries should only be altered in exceptional circumstances and at a Local Plan review stage. This Local Plan review is therefore the correct time to request such an amendment to the Green Belt boundary. The exceptional circumstances are related to the requirement to meet the local housing needs of Solihull and part of the wider HMA need. Inevitably

removing the site from the Green Belt relaxes the stringent policy controls and would allow a more positive attitude to housing development. It would provide the opportunity for smaller site development and redevelopment, in keeping with the village character, and therefore boost the windfall contribution to the housing shortage, both market and affordable, within Solihull.

3.39 In terms of Green Belt boundaries and their permanence, in accordance with national policy, Jacobean Lane, and the rear and side boundaries of the residential properties which comprise fencing and substantial hedgerows and trees, provide a firm, defensible and permanent boundary. Beyond such boundary is the open sports pitches to the north and open countryside to the east. Jacobean Lane itself would form the firm and defensible eastern boundary.

3.40 A direct comparison can be drawn with the land north of School Road Hockley Heath and highlighted above at paragraphs 268-271 where land has been removed from the Green Belt but not as a consequence of an allocation. This alteration, in the opinion of the Council, conforms to paragraph 420 of the DSP to *"...address anomalies in Green Belt boundaries across the Borough and taking into account an assessment of submissions made during the preparation of the plan...."*

3.41 The revised Green Belt boundary to the School Road site of fencing, hedgerows, trees and in some areas open land would appear to be acceptable to the Council as a firm and defensible Green Belt boundary. The commentary in the site assessment for Jacobean Lane that it would be *"difficult to create a new strong and defensible boundary to define the extent of land to be removed from the Green Belt without opening up the surrounding land to the north to development"* should therefore be removed.

- 3.42 The issue of a lack of a strong defensible boundary Green Belt boundary did not hinder the Council in allocating sites within the DSP at Dog Kennel Lane Shirley (BL2) and Hampton Road Knowle (KL1).
- 3.43 Looking around the whole of the Knowle/Dorridge/Bentley Heath Inset Area, the Green Belt boundary is defined mainly by rear garden boundary fencing, hedgerow and trees with open land beyond. This consistency would be maintained with this proposal and it is only where linear residential development spreads well out into the countryside that this does not apply. In those cases a logical line has to be drawn where openness plays a considerable role in the landscape.
- 3.44 This site does not have an open character and therefore does not contribute to the openness of the Green Belt. If considered necessary, its character can be protected in other ways, in accordance with national policy paragraph 140 and it should be removed from the Green Belt.
- 3.45 Paragraph 378 of the SLP Draft Supplementary Consultation 2019 supports the proposal, in referring to those settlements and areas identified for potential removal from the Green Belt, as not having an open character that makes a contribution to the openness of the Green Belt. The issue of openness is of course a fundamental point of national policy.
- 3.46 In referring back to the site at School Road Hockley Heath, the land being taken out of the Green Belt would include a number of low density properties, with very long rear gardens and small areas of open land to the rear along with two small sites on School Road and referenced in the DSP at paragraph 671 (both submissions to the Plan, Sites 49 & 328). The land currently in the Green Belt would now be within the revised settlement boundary. It has always has been part of the urban fabric of Hockley Heath.

- 3.47 This undoubtedly draws strong similarities with the site at Jacobean Lane, where the Green belt boundary is requested to be redrawn to include built development which is clearly part of the urban fabric of the village and addressing an anomaly in Green belt boundaries, taking into account submissions made during the preparation of the Plan.
- 3.48 For the above reasons it is submitted that the land to the North of Jacobean lane at 15, 59 & 61 Jacobean Lane (Site 526) should be included as an allocation and land comprising the built development to the north of Jacobean Lane should be removed from the Green Belt. The Green Belt boundary should be amended accordingly and thereby addressing this long standing anomaly in accordance with paragraph 420 of the DSP 2020.
- 3.49 A plan showing how the site could be developed is attached as **Appendix 1.**