



Solihull MBC Local Plan
Publication Stage Representation
Form

Ref:
(For official use only)

Name of the Local Plan to which this representation relates:

[Empty box for Local Plan name]

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: Miss
First Name: Jessica
Last Name: Graham
Job Title: Associate Planner
Organisation: St Philips
Address Line 1: C/O Agent
Address Line 2:
Address Line 3:
Address Line 4:
Post Code:
Telephone Number:
E-mail Address:
[Redacted area]

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 checked="" 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 checked="" 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.

Policy P4E requires major residential development sites to be built to Category M4(2) building regulations and at least 5% of dwellings to be wheelchair user friendly. The Planning Practice Guidance (PPG) states that Councils have the option to “*set additional technical requirements exceeding the minimum standards required by Building Regulations in respect of access*” where there is a justified need for this requirement (Reference ID: 56-002-20160519). The National Planning Policy Framework (NPPF) also requires all policies to underpinned by relevant and up to date evidence which should be adequate, proportionate and focussed on supporting and justifying planning policies (paragraph 31). The PPG (Reference ID: 56-005-20150327 to 56-011-20150327) sets out the evidence necessary to justifying a policy requirement for optional standards which includes:

- the likely future need;
- the size, location, type and quality of dwellings needed;
- the accessibility and adaptability of the existing stock;
- variations in needs across different housing tenures: and
- viability.

The Council’s Housing and Economic Development Needs Assessment (HEDNA) includes information on the proportion of older people in the Borough but there is no evidence on the accessibility and adaptability of the existing housing stock which could be adapted to meet the needs of the older population.

The PPG does not state what level of requirement should be required within Local Plan policies. It is considered that in requiring all new dwellings to be built to the Category M4(2) standards, it will result in larger dwellings and in turn less dwellings being delivered on sites. The NPPF is clear that planning policies should support development that makes efficient use

of land (Paragraph 122). Furthermore, as a Green Belt authority with limited brownfield redevelopment opportunities (Housing Land Supply table on page 69 of the consultation document) and part of a Housing Market Area with a shortfall in housing (NPPF Paragraph 123), the Council should be making the most efficient use of land on the Green Belt sites proposed to be released in order to avoid significant Green Belt release in future Local Plan Reviews. We therefore consider that the requirement to build all dwellings to Category M4(2) standards will be not be consistent with national planning policy, making Policy P4E unsound.

In addition to the above, the PPG is clear that *“Local Plan policies should also take into account site specific factors such as vulnerability to flooding, site topography, and other circumstances which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable. Where step-free access is not viable, neither of the Optional Requirements in Part M should be applied”* (Reference ID: 56-008-20160519) [Savills emphasis]. Policy P4E includes 4 criteria (Point 5) for how the policy will be applied flexibly which relate to: viability; the need to achieve a successful development; and whether the standards would prejudice the realisation of other planning objectives. However, none of the criteria make reference to the suitability of a site to accommodate accessible dwellings, for example their topography or local demographic. We consider that the policy should be amended to accord with the PPG guidance.

Policy P4E also requires developments of 300+ dwellings to provide specialist housing or care bedspaces. By taking this approach it is clear there is a disconnection between the Council's housing strategy and the health and well-being of the various communities with differing specialist and health requirements across the Borough. Although the policy does not state how many dwellings or care bedspaces should be provided as part of the development, the viability appraisal has assumed that 0.5ha of land on each site will be delivered and has concluded that this will improve viability on the site as the land can be sold to a specialist provider. We consider that this requirement is ambiguous and not shaped by effective engagement between the Council, developers and specialist care providers (NPPF paragraph 16) for the following three reasons. Firstly, we have not identified any evidence which demonstrates or justifies how the Council has chosen the 300 dwellings threshold. Secondly, Point 6 of Policy P4E lists criteria where applications for specialist housing will be supported, for example, the site needs to be accessible to shops and services and the specialist housing needs to meet specialist building regulations. It is not clear whether this criteria will also be used to determine whether the 300+dwelling sites are actually suitable locations for specialist housing or care bedspaces. Finally, it is unclear whether all specialist and senior living providers will be interested in sites as small as 0.5ha and whether it is appropriate for specialist sites to be dispersed around the borough rather than provision being met on a few specifically allocated sites in suitable and accessible locations. Providers of open market housing and specialist / senior living accommodation are usually different. Therefore, it is not as simple as seeking these specialist requirements to be provided as part of the larger allocations. Careful consideration of the demographic and health needs of each community need to be assessed and understood to enable appropriate sites to be identified that will meet the specialist and elderly care accommodation needs that is required for each community.

We consider that the requirement for 300+ dwellings sites to deliver specialist housing or care bedspaces should be removed from this policy and instead specific and suitable sites which accord with Point 6 of Policy P4E should be allocated within the plan to deliver this provision.

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 requirement for all dwellings to be built to Category M4(2) standards should be removed and any proposed requirement should be based on an appropriate assessment of need (including a review of the existing housing stock).

The criteria listed under Point 5 of Policy P4E should be amended to state “*Site specific factors which may make step-free access unsuitable or unviable*”. For example not every site identified is flat and able to accommodate level access in a uniform matter.

The requirement for 300+ dwellings to deliver specialist housing or care bedspaces should be removed from this policy and specific sites for specialist and senior living should be allocated to deliver this specialist provision. This will ensure that the requirements of Point 6 are met.

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 provide oral evidence and engage in the Examination discussions on this matter.

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:

Savills on behalf of St Philips

Date:

09/12/20