



## **Response to Solihull Local Plan - Draft Submission Plan Consultation**

**Representation for Pheasant Oak Farm, Balsall Common (Site Ref: BC4)**

On behalf of **Barwood Development Securities Ltd**

**BARWOOD**  
LAND

## Document Control Sheet

**Project Name:** Pheasant Oak Farm, Balsall Common

**Project Ref:** 44178

**Report Title:** Response to Solihull Local Plan – Draft Submission Plan Consultation

**Doc Ref:** 4503

**Date:** December 2020

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Revision	Date	Description	Prepared	Reviewed	Approved

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**APPENDIX A:** SMBC Illustrative Concept Masterplan (with Barwood Land annotations)

**APPENDIX B:** Barwood Land Illustrative Concept Masterplan



# 1 Introduction

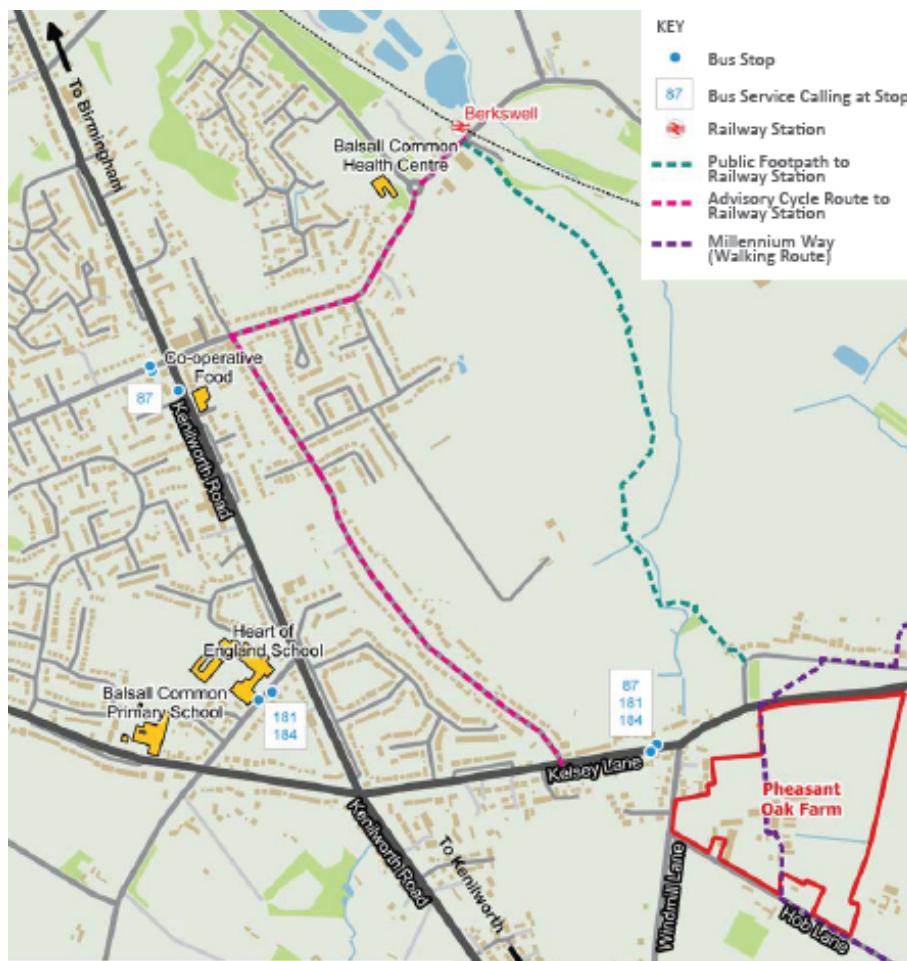
## 1.1 Purpose of this Submission

- 1.1.1 Stantec UK Ltd has been appointed by Barwood Development Securities Ltd ('Barwood Land') to submit representations to the 'Draft Submission' version of the Solihull Local Plan ('the draft Plan').
- 1.1.2 Our client controls 12.67 hectares of land at Pheasant Oak Farm, Balsall Common which is proposed to be allocated for residential development of 200 dwellings under Policy BC4 of the draft Plan. We support this allocation and we show within our representations that the site is in fact suitable to accommodate some 270 dwellings whilst fully respecting the draft Plan's environmental and design objectives for the site and its surroundings. We also submit with our representations a Vision Document describing our client's emerging design proposals for the site in more detail.
- 1.1.3 At this stage of the draft Plan, the regulations require representations to focus on whether the Council has complied with legal requirements and the soundness tests as defined in the National Planning Policy Framework ('NPPF'). The tests of 'soundness' are concerned with the following questions:
- Has the Local Plan been 'positively prepared' – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
  - Is the Local Plan 'Justified' – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.
  - Will the Local plan be 'Effective' – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.
  - Is the Local Plan 'Consistent with national policy' – the plan should enable the delivery of sustainable development in accordance with the policies in the NPPF.
- 1.1.4 Given the nature of our client's interests, we focus on providing responses to policies which relate to strategic housing development, as well as the site-specific policy which relates to the site (Policy BC4). Before we do so, we provide a brief overview of the site.

## 1.2 Pheasant Oak Farm, Balsall Common

- 1.2.1 Our client's site at Pheasant Oak Farm is at the south-eastern edge of Balsall Common, bounded by Waste Lane to the north and Hob Lane to the south. As shown on the plan at Figure 1.1 below, the site is in a sustainable location close to key services, including Berkswell rail station, a primary school, secondary school, health centre and shops. There are opportunities to further enhance accessibility with the provision of new and improved footpaths, cycle facilities and public transport connectivity.

**Figure 1.1: Site Location Plan with Local Facilities**



Source: BHB Architects (Contains Ordnance survey data (c) Crown copyright and database rights 2018)

- 1.2.2 The Vision Document shows that the site is suitable, achievable and deliverable for sustainable residential development. It also describes:
- why the site is ideal for housing, in view of its sustainable location and opportunities for environmental improvements and the creation of a defensible, long term Green Belt boundary;
  - that there are no technical or environmental constraints to its development which cannot be overcome through careful design; and
  - how Barwood Land’s concept masterplan will evolve in discussion with stakeholders and the community to ensure that the site delivers not only a high quality, distinctive development but significant social, economic and environmental benefits for Balsall Common and Solihull as a whole.

### 1.3 Structure of these Representations

- 1.3.1 These representations complement the Vision Document and set out changes which we consider are required to ensure that the draft Plan is ‘sound’ with respect to the tests set out in the NPPF.
- 1.3.2 In Section 2, we offer our observations in relation to the following draft policies contained within the emerging Local Plan:

- Policy BC4: Pheasant Oak Farm, Balsall Common
- Policy P4A: Meeting Housing Needs – Affordable Housing
- Policy P4C: Meeting Housing Needs – Market Housing
- Policy P4D: Meeting Housing Needs – Self & Custom Housebuilding
- Policy P4E: Meeting Housing Needs – Older and Disabled people
- Policy P5: Provision of Land for Housing
- Policy P9: Mitigating and Adapting to Climate Change
- Policy P15: Securing Design Quality
- Policy P17A: Green Belt Compensation

## 2 Draft Local Plan Policies

### 2.1 Introduction

2.1.1 Within this section we provide our representations in relation to relevant draft Local Plan policies. For ease of reference, we use the policy references and titles to frame our responses.

### 2.2 Policy BC4: Pheasant Oak Farm, Balsall Common

#### Concept Masterplan

- 2.2.1 At the outset, we wish to emphasise our support for the inclusion of the Pheasant Oak Farm site as a proposed allocation for residential development. As explained in the Vision Document enclosed with this submission, the site represents a deliverable development opportunity which would involve the removal of unsightly buildings and uses, replacing them with a high quality development that will help to meet identified housing needs in the area.
- 2.2.2 Paragraph 117 of the NPPF requires planning policies to make efficient use of land and set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously developed or ‘brownfield’ land. Criterion b of paragraph 118 goes on to state that planning policies should *give “substantial weight”* to the value of using suitable brownfield land within settlements for homes and other identified needs. The Pheasant Oak Farm site includes a large proportion of previously developed land and is included on the Council’s ‘Brownfield Land Register’ of previously developed sites that are potentially suitable for residential development (ref: BLR/016). The Council’s proposal to allocate the Pheasant Oak Farm site should therefore be commended given its previously developed nature. However, it is paramount that the Council makes effective use of the site.
- 2.2.3 Paragraph 123 of the NPPF emphasises the importance of planning policies avoiding homes being built at low densities, to ensure that developments make optimal use of the potential of each site, especially where there is an existing or anticipated shortage of land for meeting identified housing needs. For reasons that we explain in our response to draft Policy P5, Solihull’s housing requirements are anticipated to increase above those currently described in the draft Plan and it is therefore prudent to maximise the yield from sustainable allocated sites, especially those such as Pheasant Oak Farm which include previously developed land.
- 2.2.4 Whilst Policy BD4 proposes to allocate the site for 200 dwellings, we show below that the site can actually deliver some 270 dwellings, thereby making more effective use of the land whilst fully respecting the draft Plan’s environmental and design objectives for the site.
- 2.2.5 Simply by applying net densities within the ranges set out within its own Concept Masterplans document (30 dwellings per hectare [dph] for low density parcels and 40 dph for medium density parcels), the Council’s Illustrative Concept Masterplan for the site yields 270 dwellings at an average net density of 34.3 dph without any change to its indicative developable parcels or the substantial areas of public open space within the site (which total 3.86 ha). This is clearly shown by the annotations we have made to the Council’s Concept Masterplan, attached at Appendix A to these representations.
- 2.2.6 Barwood Land’s own Concept Masterplan forms part of the enclosed Vision Document and is also attached at Appendix B to these representations. It also demonstrates how the site can deliver 270 dwellings, the only minor differences between it and the Council’s masterplan being that the Barwood Land masterplan:



- has a wider corridor of POS along the site’s eastern boundary but instead has an additional low density development parcel fronting Waste Lane; and
- has a similarly substantial amount of public open space total of 3.9 ha of public open space within the site, meaning that the average net density proposed is marginally lower, at 34.1 dph.

2.2.7 Furthermore, both the above versions of the masterplan accord with other key design and environmental objectives, as follows:

- both protect the setting of adjoining heritage assets and the rural character of Waste Lane, Hob Lane and Windmill Lane;
- both can deliver ecological enhancements and above ground SUDs features; and
- both can facilitate easy access by walking and cycling to Berkswell rail station and other facilities.

The differences between the two masterplans highlighted above, whilst minor, underpin the need for flexibility to ensure that detailed proposals submitted at planning application stage accurately reflect technical work undertaken as site proposals evolve. This need for flexibility is confirmed by criterion 5 of Policy BD4 which states that the *“concept masterplans may be subject to change in light of further work that may need to be carried out at the planning application stage”*.

2.2.8 It is also relevant to note here that there are errors within the Council’s Concept Masterplan document for proposed allocation BC4, as follows:

- i. The proposed route of the potential relief road is incorrect on the Illustrative Concept Masterplan drawing on page 32, in that the ‘Balsall Common Relief Road Buffer Zone’ is shown significantly further to the east of the site on the Council’s published Proposed Policies Map. Council officers have assured us that the location is shown correctly on the Proposed Policies Map, therefore the route of the Relief Road should be amended on the Illustrative Concept Masterplan for the site; and
- ii. The text on page 32 incorrectly states that the *“alignment of the by-pass will provide the new green belt boundary to the east of the site”*. This incorrect text should be amended to accord with Paragraph 560 of the draft Plan which, with reference to the site’s allocation, correctly states that *“a strong and logical new Green Belt boundary will be formed along the eastern boundary of the site.”*

#### Public Open Space

2.2.9 Criterion 2 part iv of Policy BD4 sets out the need for the *“provision of a significant area of public open space forming a buffer to Waste Lane and to the Relief Road”*.

2.2.10 In this regard, Barwood Land’s masterplan for the site (attached at Appendix B) shows significant areas of public open space fronting both Waste Lane and Hob Lane. It also shows a corridor of public open space running along the eastern edge of the site, forming a substantial buffer, some 11 – 22 metres wide, adjoining the proposed Green Belt boundary. Together with other public open space between development parcels, Barwood Land’s masterplan includes a total of some 3.9 hectares of public open space, well in excess of the Council’s requirement for the site (a development of 270 dwellings requires only 2.16 ha of open space, measured pro-rata using the Council’s figure in its Concept Masterplans document of 1.6 hectares for 200 dwellings).

2.2.11 However, a large parcel of land to the east, beyond the Policy BC4 site allocation, is also proposed as public open space on page 32 of the Council’s Concept Masterplans document.

We object to this and propose it is removed, along with the words “and to the Relief Road” in part iv of criterion 2 of Policy BC4, for the following reasons:

- our client, Barwood Land, does not control this parcel of land (nor does it control any other Green Belt land within the Borough) and therefore it is not available and requiring its provision as public open space is wholly unreasonable due to the inevitably adverse impact this would have on both the viability and deliverability of developing the site;
- a specific policy requirement for compensation such as this would undermine and potentially prevent the delivery of Local Plan objectives and the considerable public benefits that redevelopment of this predominantly brownfield site would bring, including:
  - the replacement of dilapidated buildings with a mix of new homes and newly accessible public open space in keeping with the character of the area;
  - better connectivity and accessibility through improvements to the public right of way running through the site, which will encourage greater use of it and the links to the countryside beyond; and
  - significant opportunities to achieve biodiversity net gain through the creation and enhancement of habitats within the site;
- significant benefits such as those above should be fully recognised and suitable weight attributed to them before the onerous and unduly prescriptive public open space and Green Belt compensation measures are imposed within Policy BC4. As advised in Planning Practice Guidance, such measures also need to be considered in the light of land ownership and the scope of works needed for implementation, such as “new public rights of way, land remediation, natural capital enhancement or habitat creation and enhancement and their implications for deliverability” (PPG reference ID: 64-003-20190722);
- there is no evidence that the Council has engaged with landowners or interest groups in respect of the proposed public open space and compensation measures, contrary to Planning Practice Guidance (reference ID: 64-003-20190722). This proposed public open space is in fact agricultural land forming part of the Camp Farm agricultural holding adjacent to the Policy BC4 site. There is no evidence to demonstrate that the owners have been consulted or are willing for their land to become an accessible area of public open space, or that the Council has considered what impact the removal of this parcel from agricultural use would have on the viability of the remaining farm business;
- where the promoter of a site allocation has no ownership or control of other Green Belt land, as is the case with Barwood Land and site allocation BC4, criterion 4 of the draft Plan’s Policy P17A allows for a commuted sum to be paid to the Council instead, to be used for compensatory Green Belt improvements elsewhere. However, we are unable to find any evidence that the Council has as yet identified such opportunities, despite the advice in Planning Practice Guidance that policies such as BC4 criterion 4 and Policy P17A “may be informed by supporting evidence of landscape, biodiversity or recreational needs” (PPG Reference ID:64-002-2019722). Should such evidence emerge, to support a contribution being made towards a specific and deliverable compensation scheme to improve the environmental quality and accessibility of remaining Green Belt land, this should be considered at the planning application stage, where compliance with the CIL Regulations can be properly assessed. As we

state in our representations on Policy P17A, a systematic approach to Green Belt compensation on a borough wide basis and robustly evidence based is required and this should be managed by the Council, using Section 106 contributions from individual developments, to secure the optimum cumulative benefits in terms of enhancements to environmental quality and accessibility of the Green Belt; and

- as set out above, the proposed route of the potential Relief Road is shown incorrectly on page 32 of the Council's Concept Masterplan document and the route of the proposed Relief Road is in fact much further to the east of our client's site. The parcel in question marked in green to the east of the Policy BC4 site allocation (on page 32 of the Concept Masterplans document) does not therefore form a buffer to the relief road as the wording in criterion 2 part ii suggests. In the light of this error, there is no logical reason for requiring this parcel to become public open space. It does not form a buffer to anything except agricultural land and its eastern boundary actually runs through the middle of several existing fields.

#### Self and Custom Build Plots

- 2.2.12 Part vi of criterion 2 sets out the requirement for 5% of open market dwellings to be provided in the form of self and custom build plots in accordance with Policy 4D. As we explain in our response to that Policy, there is insufficient evidence of local need and demand for self and custom build plots to be delivered at the site and thus the Council should provide robust evidence of such need in order for this criterion to be considered 'sound'.
- 2.2.13 Notwithstanding this, even if there was sufficient evidence, it is not necessary for Policy BC4 to replicate this requirement, and as such, part vi of criterion 2 should be removed.

#### Likely Infrastructure Requirements

- 2.2.14 Criterion 3 sets out likely infrastructure requirements associated with the allocation of the site, including those in respect of education, green and blue infrastructure, health and sustainable movement and highways.
- 2.2.15 It is important that any infrastructure requirements which are required to support the development meet the statutory tests as set out at Regulation 122(2) of the Community Infrastructure Levy (CIL) Regulations 2010 (as amended) insofar as the infrastructure is: necessary to make the development acceptable in planning terms; directly related to the development; and, fairly and reasonably related in scale and kind to the development.
- 2.2.16 For the policy to be sound its wording should be amended to make explicit reference to supporting infrastructure only being required where the CIL tests are fully satisfied.

#### Green Belt Compensation

- 2.2.17 Criterion 4 sets out specific Green Belt enhancements to support the site. Such enhancements should be reasonable and proportionate to the extent of land being removed from the Green Belt and importantly should not jeopardise the overall delivery and viability of the proposed allocation.
- 2.2.18 We object to part i of criterion 4, which requires the "*creation of a significant corridor of public open space between the development and the Relief Road*" and we propose its removal, for the reasons already described above in paragraphs 2.2.10 and 2.2.11. For the same reasons, the words "and land to the east between the site and the Relief Road" should be deleted from the final sentence of paragraph 560 of the Plan.
- 2.2.19 We stress again here that the development of the site as Barwood Land proposes would itself include fully accessible public open space at a level far in excess of the Council's requirements and that its proposed masterplan would incorporate major enhancements to the

environmental quality of the site, a large part of which is previously developed and contains unsightly buildings and uses. In these ways, development of the site itself provides compensation for the loss of Green Belt land and together with reference to the potential for a CIL compliant Section 106 contribution to off-site Green Belt compensation, this provides a robust justification for the removal of the current unreasonable and undeliverable requirement contained in criterion 4.

- 2.2.20 In order for the policy to be sound, we propose that criterion 4 is reworded to make reference to “potential” Green Belt enhancements, thereby enabling such potential enhancements, including possible Section 106 contributions where CIL complaint, to be agreed with the LPA once a planning application for development has been submitted.
- 2.2.21 Part ii of criterion 4 refers to *“enhancement of the public right of way network, including new walking and cycling routes connecting to the wider network”*. We are not clear what the Council has in mind here, although we agree that there may be opportunities within the site to further enhance accessibility through improved footpath/cycle connectivity. However, it is important that the criterion is amended by adding the words “within the site” after the word “network”, given that any enhancements outside the site are outside our client’s control and therefore not deliverable.

### 2.3 Policy P4A: Meeting Housing Needs – Affordable Housing

- 2.3.1 Ensuring flexibility in the wording of policies is important to ensure that they can adapt to updated evidence on changing housing needs in the area over the plan-period and reflect housing supply and market signals.
- 2.3.2 When considering affordable housing policy, the Council should also take into account any updated and wider definition of affordable housing which may emerge as national policy evolves, as well as ensuring that the implications of any policy on viability are fully tested. In this regard, we are pleased to note that Policy P4A confirms that a Meeting Housing Needs Supplementary Planning Document (SPD) will be produced and periodically updated to ensure that the local affordable policy remains up to date and can respond effectively to changing circumstances.
- 2.3.3 Whilst we recognise that criteria 7 and 8 of Policy P4A set out expectations in terms of what *“should be provided”* in terms of social rented and shared ownership housing, we are pleased to note that both criteria state that the specific tenure mix *“will take into account site circumstances”*. We consider that such flexibility is critical to ensure that the Policy can be found sound as ultimately affordable housing needs will vary between different areas of the borough and may change over the plan period. It is important that any provision of affordable housing takes account of evidence of local needs and market demand defining tenure mix.
- 2.3.4 For it to be sound, a more flexible approach is needed to the wording of Policy P4A, which enables local and site specific circumstances to be reflected when defining the affordable housing mix and for this to be considered and assessed at the decision-making stage. We propose that criteria 7 and 8 of Policy P4A are either deleted or reworded as follows: *“The precise mix of social rented and shared ownership properties should take into account local requirements and take account of site-specific circumstances”*.

### 2.4 Policy P4C: Meeting Housing Needs – Market Housing

- 2.4.1 As with Policy P4A, Policy P4C also needs flexibility to ensure that it is adaptable to changing housing needs in the area over the plan-period, so it can reflect housing supply and market signals in different areas of the borough.

- 2.4.2 It is critical that the mix of market housing at any given site takes account of evidence of local needs and market demand. Whilst criterion 1 of Policy P4C suggests that there is some flexibility for housing mix depending on site specific circumstances, criterion 3 seeks to fix a very specific housing mix, using the terminology “*shall be provided*”.
- 2.4.3 To provide flexibility and enable the mix of market housing to reflect local needs and market signals, and therefore for the policy to be sound, criterion 3 should be removed or reworded as follows: “*The precise mix of market dwellings should take into account local requirements and take account of site-specific circumstances*”.
- 2.4.4 Ultimately, housing needs vary between areas of the borough and may change over the plan period. Matters in relation to the most appropriate market housing mix for a site can be considered and assessed by the LPA at the decision-making stage once a planning application for development has been submitted.

## **2.5 Policy P4D: Meeting Housing Needs – Self & Custom Housebuilding**

- 2.5.1 We accept that the Council is justified in making provision for self and custom build housing in order to comply with the Self and Custom Housebuilding Act, the Housing and Planning Act, Planning Policy Guidance and the needs identified on the self-build register.
- 2.5.2 However, having considered the justification for Policy P4D and the Council’s ‘Meeting Housing Needs Topic Paper’, we disagree that the Council has sufficiently evidenced its proposed requirement for 5% of open market dwellings on residential sites of 100 units or more to comprise self and custom build plots.
- 2.5.3 Such a policy needs to be justified with robust evidence of need in order to be found sound. Currently, there are limited details provided as to how the 5% requirement has been derived and how this figure relates to local need and demand for self and custom build plots across the borough.
- 2.5.4 This prescriptive, borough-wide requirement to provide 5% threatens the Council’s ability to meet its local housing need requirement if there is no localised need or demand for such plots and so they remain vacant, as opposed to being built out and offered to the market as part of a more traditional developer build offering.
- 2.5.5 If self or custom build plots are not built out and remain vacant for a long period, this has adverse implications for viability and other Local Plan objectives and is also harmful to the visual and residential amenity of those living in close proximity to them.
- 2.5.6 We propose that an additional criterion is added to the policy, to allow flexibility and to ensure that there is evidence of local demand before this is required as part of a planning application proposal. We also propose an additional criterion whereby if there is no firm interest in self and custom build plots on a site within 6 months of the marketing of those plots, they could then be developed for open market housing instead.
- 2.5.7 This approach will enable the provision of self and custom housebuilding if local demand exists, but also ensure that homes are delivered to the market if such demand does not materialise in practice. This will maximise the ability of the Council to deliver its overall local housing need requirement.

## **2.6 Policy P4E: Meeting Housing Needs – Older and Disabled People**

- 2.6.1 Whilst we support the principle of Policy P4E and its objective to provide a variety of homes to meet the needs of different groups in the community, we are concerned that it does not

- consider the particular locational requirements of older people and those with disabilities and special needs.
- 2.6.2 Criterion 4 of Policy P4E requires all developments of 300 dwellings or more to provide specialist housing, without consideration of their location or which operators will be providing specialist care provision.
- 2.6.3 Given their land requirements, developments of 300 dwellings and more will typically be on the edge of existing settlements, rather than in more central, urban locations which are typically in closer proximity to local services and facilities. Older persons and specialised living accommodation usually needs to be in the most sustainable and accessible locations, in close proximity to a good range of services, facilities and transport links, given that residents tend to be less mobile and more reliant on public transport. Furthermore, the larger, mainstream housebuilders which typically build developments of 300 dwellings or more also tend to have less experience or expertise in operating specialist housing or care accommodation.
- 2.6.4 Whilst criterion 4 of Policy P4E aims to ensure that homes to meet the needs of different groups are provided, there are practical difficulties with the policy and the Council has provided insufficient evidence to justify it.
- 2.6.5 In the absence of such evidence and in order to ensure that the accommodation needs of older people and those with disabilities and special needs are appropriately met, criterion 4 should be removed and the draft Plan should instead identify site allocations across the borough which are most appropriate for such accommodation (typically in more urban areas of the borough) and include appropriate wording in the relevant policies for those sites.
- 2.6.6 Alternatively, criterion 4 could be reworded as follows: *“All developments of 300 dwellings or more should include provision of specialist housing or care bedspaces if supported by evidence within an up to date Council statement of need for older person’s accommodation.”*

## 2.7 Policy P5: Provision of Land for Housing

- 2.7.1 Policy P5 establishes the requirement for the borough to deliver 15,017 additional homes in the 2020 to 2036 plan period, which equates to 938 net additional dwellings per annum ('dpa').
- 2.7.2 This requirement is around 130 dpa higher than the minimum Local Housing Need ('LHN') requirement of 807 dpa established by the Government's standard methodology, as set out in the PPG. We understand that this uplifted figure has been established to support economic aspirations and contribute to meeting unmet needs from other authorities within Greater Birmingham. Whilst we support this positive approach, it is important that the borough's housing requirement is future-proofed to meet national aspirations to increase the delivery of homes.
- 2.7.3 In August 2020, the Government published the 'Planning for the Future' White Paper proposed reforms to the planning system, such as ensuring that sufficient land is released for new homes. The document reiterates the Government's aspiration to create a housing market that can deliver at least 300,000 new homes annually. At the same time the Government published 'Changes to the Current Planning System', which includes proposed amendments to the standard method for calculating local housing needs, to better reflect the above aspiration.
- 2.7.4 Solihull's LHN requirement under the proposed revised standard method equates to 1,011 dpa, over 200 dpa higher than under the current standard method (807 dpa), excluding any uplift for economic aspirations or contributing towards meeting the unmet needs of neighbouring authorities. The proposed revised standard method requirement is also

approximately 70 dpa higher than the 938 dpa which the Council is currently planning for in the draft Plan. Provision for only 938 dpa is insufficient to accommodate the anticipated uplifted local housing need requirement for the borough.

- 2.7.5 Whilst the proposed revised standard method is under review, the current standard method, which is underpinned by the 2014-based household projections, equates to a national requirement for c.266,000 additional homes per annum. If the Government is to achieve its stated ambition to deliver at least 300,000 new homes annually, it follows that the current LHN for most local planning authorities will need to increase accordingly.
- 2.7.6 The latest Government indications indicate a likely re-balancing of the standard method such that it would increase the housing requirements of authorities in the Midlands and North of England. This further indicates that Solihull's housing requirement is likely to increase significantly beyond that which the Council is currently planning for within the draft Plan. We therefore propose that Policy P5 is amended so that it requires the borough's housing requirement and sources of supply to be reviewed as national planning policy evolves.
- 2.7.7 As we explain in our response to Policy BC4, our client's site at Pheasant Oak Farm, Balsall Common is proposed to be allocated for 200 dwellings, yet we show in our response that the site can accommodate some 270 dwellings without harm to Policy BC4 objectives. Given the likely need to find additional sources of housing supply to ensure that the borough's anticipated future housing needs can be achieved, it is important to make the most effective use of allocated sites, particularly those which include previously developed land, such as Pheasant Oak Farm, before identifying other potential site allocations. Such an approach is also consistent with NPPF section 11 which requires effective use to be made of all development land.
- 2.7.8 Whilst not part of Policy P5 itself, the 'Summary Table of Residential Allocations' included at paragraph 226 of the Plan proposes that development could come forward at the Pheasant Oak Farm site (Policy BC4) within Delivery Period II, i.e. years 5-10 of the plan period.
- 2.7.9 We object to this because there are no barriers to residential delivery at the site and no difficulties in ceasing any current on-site operations to facilitate early development. There are no agricultural tenants and the landowners are keen to invest in their businesses at a more appropriate site. As such, the site is available now and can make a meaningful contribution to the borough's housing land supply over the next 5 years. Whilst we understand local concerns about the impact of construction traffic, this is a matter for consideration at the time of a planning application and one which can be adequately controlled and managed through suitable planning conditions if necessary. We therefore request that the table at paragraph 226 is revised to show development of the site within Delivery Period I (years 0-5 of the plan period).

## **2.8 Policy P9: Mitigating and Adapting to Climate Change**

- 2.8.1 Within the 'Planning for the Future' White Paper published in Summer 2020, the Government set out its ambitions for new homes to be "zero carbon ready" by 2025, with the ability to become fully zero carbon "over time". The Government's proposed strategy in respect of increasing the energy efficiency requirements of new homes was also consulted on in late 2019 to early 2020 as part of the Future Homes Standard, which is expected to be introduced by 2025.
- 2.8.2 Whilst we generally support the Council's ambition to ensure that new developments mitigate and adapt to the impacts of climate change, it is important to recognise that the Government's emerging building sustainability policies are evolving and subject to change.

- 2.8.3 It is also critical that the Council's energy efficiency aspirations do not jeopardise the delivery of the new homes that the borough urgently needs and that that local requirements in respect of building sustainability are therefore viable and achievable in practice.
- 2.8.4 NPPF paragraphs 16b), 34 and 57 all relate to the need for Local Plans to be deliverable and have regard to viability and the PPG section in relation to 'climate change' advises that:
- “The National Planning Policy Framework expects local planning authorities when setting any local requirement for a building’s sustainability to do so in a way consistent with the government’s zero carbon buildings policy and adopt nationally described standards. Local requirements should form part of a Local Plan following engagement with appropriate partners, and will need to be based on robust and credible evidence and pay careful attention to viability”* [Paragraph Reference ID: 6-009-20150327]
- 2.8.5 Having considered the Council's 'Solihull Local Plan Viability Study', published alongside the draft Local Plan, we find that Policy P9 does not fully consider the evidence in respect of deliverability and affordability.
- 2.8.6 The Viability Study refers to a number of housing typologies across the borough which would be rendered unviable when assessing the cumulative impact of national and local standards, local policies and taking account of infrastructure and development costs.
- 2.8.7 Indeed, paragraph 113 of the Council's 'Protecting the Environment Topic Paper' states that *“the viability evidence shows that the 30% uplift is **generally viable** at 2020 land and sales values and in combination with the wider Plan policy and infrastructure requirements. The net-zero carbon target is more **challenging**...”* [**our emphasis**]. Notwithstanding any possible impacts on land and sales values as a result of the Covid-19 pandemic which are yet to be fully realised, from the tone of the language used, it appears that the Council is itself dubious as to whether the proposed standards are achievable.
- 2.8.8 To assess the viability of the building sustainability requirements as set out in Policy P9, the Local Plan Viability Study has tested Option 2 of the Future Homes Standard consultation (the Government's stated preferred option, which would result in a 31% reduction in carbon emissions compared to the current standard) with an allowance of up to £4,850 per dwelling. Despite this, Policy P9 sets targets that are not mandated by Government and far exceed the Government's direction of travel as set out in the Future Homes Standard. Thus, the actual required contributions to implement all of the Council's local standards are likely to be in excess of what has been assessed with the Local Plan Viability Study, which further hinders the ability for the policy to be fully achieved in practice.
- 2.8.9 In particular, we note that criterion 3(iv) of Policy P9 sets out the requirement for all major housing developments to deliver at least 15% of energy from renewable and/or low carbon sources for all major housing developments. This requirement appears to be in addition to criterion 3 (i) which requires all new dwellings to achieve 30% reduction in energy demand/carbon reduction improvement over and above the requirements of Building Regulations Part L (2013) at the time of commencement up to March 2025 and criterion 3(ii) which requires all new dwellings to be net zero carbon from April 2025.
- 2.8.10 The evidence base has not fully considered the additional costs for the power distribution network to accommodate all the above on development sites and this undermines the viability and achievability of implementing Policy P9 and therefore its soundness.
- 2.8.11 Furthermore, whilst the 'Planning for the Future' White Paper set out the Government's ambitions for new homes to be “zero carbon ready” by 2025, criterion 3(ii) of Policy P9 requires all new dwellings to be net zero carbon from April 2025. Whilst the White Paper



ambitions are not national policy, the Council's proposed local policy requirements are more stringent than the proposed national standards.

- 2.8.12 Paragraph 114 of the Council's 'Protecting the Environment Topic Paper' states there are precedent examples for setting local standards which are higher than the national requirements and which have been found sound at Examination. The Topic Paper then goes on to make specific reference to the London Plan, Milton Keynes and Reading Plans. The application of net zero policies in other planning authorities does not define a clear precedent for the Solihull Local Plan. The Greater London Authority London Plan is not reflective of the economic environment of Solihull and what is viable in London is not necessarily viable outside of London.
- 2.8.13 Whilst Councils such as Reading Borough Council have policies relating to offset payments allowing net zero, such policies were submitted without any form of methodology or evidence behind them on viability. As a recently adopted policy requirement (November 2019), Reading Borough Council's net zero carbon policy has also not yet been tested in terms of real-life deliverability and viability for development.
- 2.8.14 As explained in the accompanying Vision Document in respect of Pheasant Oak Farm, Barwood Land is committed to maximising the design opportunities to manage and reduce energy use and associated CO2 emissions, in accordance with the Energy Hierarchy. This requires taking a "fabric-first" approach to building design (enhancing the performance of components and materials that make up a building fabric itself, before considering the use of mechanical or electrical building services systems). Other measures that can be incorporated, which could be implemented to provide a meaningful contribution to help mitigate the effects of climate change include the provision of green infrastructure, maximising opportunities for alternatives to private car use, the use of Sustainable Drainage Systems (SuDS) and renewable energy technologies providing that they are suitable, feasible and viable options for this site.
- 2.8.15 To ensure that Policy P9 is sound, we propose that the Council's energy efficiency standards to mitigate and adapt to climate change policies are consistent with any national standards or requirements at the time of the determination of any planning applications. If the Council retains stricter local standards, it must have robust evidence to ensure that this would not impact upon overall development viability, in accordance with the requirements of the PPG – something that the Council currently fails to do. Presently Policy P9 is too prescriptive and may not be deliverable in practice and could therefore jeopardise the delivery of much needed new homes across the borough.
- 2.8.16 Criterion 3(viii) of Policy P9 requires at least one charging point for electric vehicles per dwelling. Notwithstanding that not all dwellings will necessarily be occupied by vehicle owners and not all dwellings are able to accommodate charging points (for instance, flatted homes), the policy wording does not give flexibility to allow for advances in technology as electric vehicle charging point capabilities evolve.
- 2.8.17 We propose that criterion 3(viii) is amended so that it requires electric vehicle charging infrastructure (for instance, cable and ducting) to be provided on site, which would enable all properties on the site to install charging points easily, as opposed to the provision of an actual charging point, which may not necessarily meet the specific requirements of occupiers. This also allows for flexibility to respond to evolving technology, whilst also achieving the objective of the policy to promote the use of electric vehicles.

## 2.9 Policy P15: Securing Design Quality

- 2.9.1 We recognise that the borough's high quality natural, built and historic environment is critical to its success as an attractive place to live, work and invest and therefore we support the general thrust of Policy P15, which requires new developments to be of a high design quality and positively contribute to local character.
- 2.9.2 Notwithstanding this, the numerous design principles as set out in the Policy P15 are too prescriptive and risk local distinctiveness being overlooked in favour of achieving generic design objectives which may not be appropriate to local context.
- 2.9.3 In order to be effective, design principles should reflect only what is necessary to ensure the creation of high quality spaces within individual development sites and their local context, as opposed to principles such as *"utilising innovative design solutions"* and adopting *"sustainable and low carbon construction principles"*, which may not necessarily lead to the development of well-designed places.
- 2.9.4 We propose that Policy P15 is reworded so that it sets out the Council's design "aspirations", as opposed to "expectations". This would allow for proposals submitted as part of planning applications to be appropriately assessed on their design, based on local context at the decision-making stage.
- 2.9.5 Criterion 9 refers to securing the provision of infrastructure. It is important that any infrastructure or planning obligation requirements to ensure the comprehensive delivery of sites meet the statutory tests in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 (as amended) insofar as the infrastructure is necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. A reference to the need for such compliance with the CIL Regulations should therefore be added to criterion 9.

## 2.10 P17A: Green Belt Compensation

- 2.10.1 Whilst recognising that paragraph 138 of the NPPF states that Local Plans should *"set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land"*, the Council has provided insufficient evidence to justify the compensatory improvements required by Policy P17A.
- 2.10.2 As explained in our response to Policy BC4, it is important that any Green Belt enhancements are reasonable and proportionate to the extent of land being removed from the Green Belt, have been the subject of engagement with the relevant landowner and do not jeopardise the overall delivery of the proposed allocation, as required by PPG guidance (.ID:64-002-2019722 and 64-003-2109722).
- 2.10.3 The provision of site-specific compensation on land which is outside of the control of developers of allocated sites, as is the case with Pheasant Oak Farm, risks such sites being rendered unviable and/or unachievable and therefore undeliverable.
- 2.10.4 The hierarchy within criterion 3 of Policy P17A lacks a robust evidence base and it is not clear how the policy would deliver the envisaged enhancements in practice. Reference is also made in the hierarchy to the Council's Green Infrastructure Opportunity Mapping but we have been unable to find such mapping within the Council's evidence base.
- 2.10.5 We therefore propose that Policy P17A is replaced by one based on a robust borough wide evidence base which identifies available and deliverable Green Belt land for compensatory provision and proposes a programme of implementation, managed by the Council using

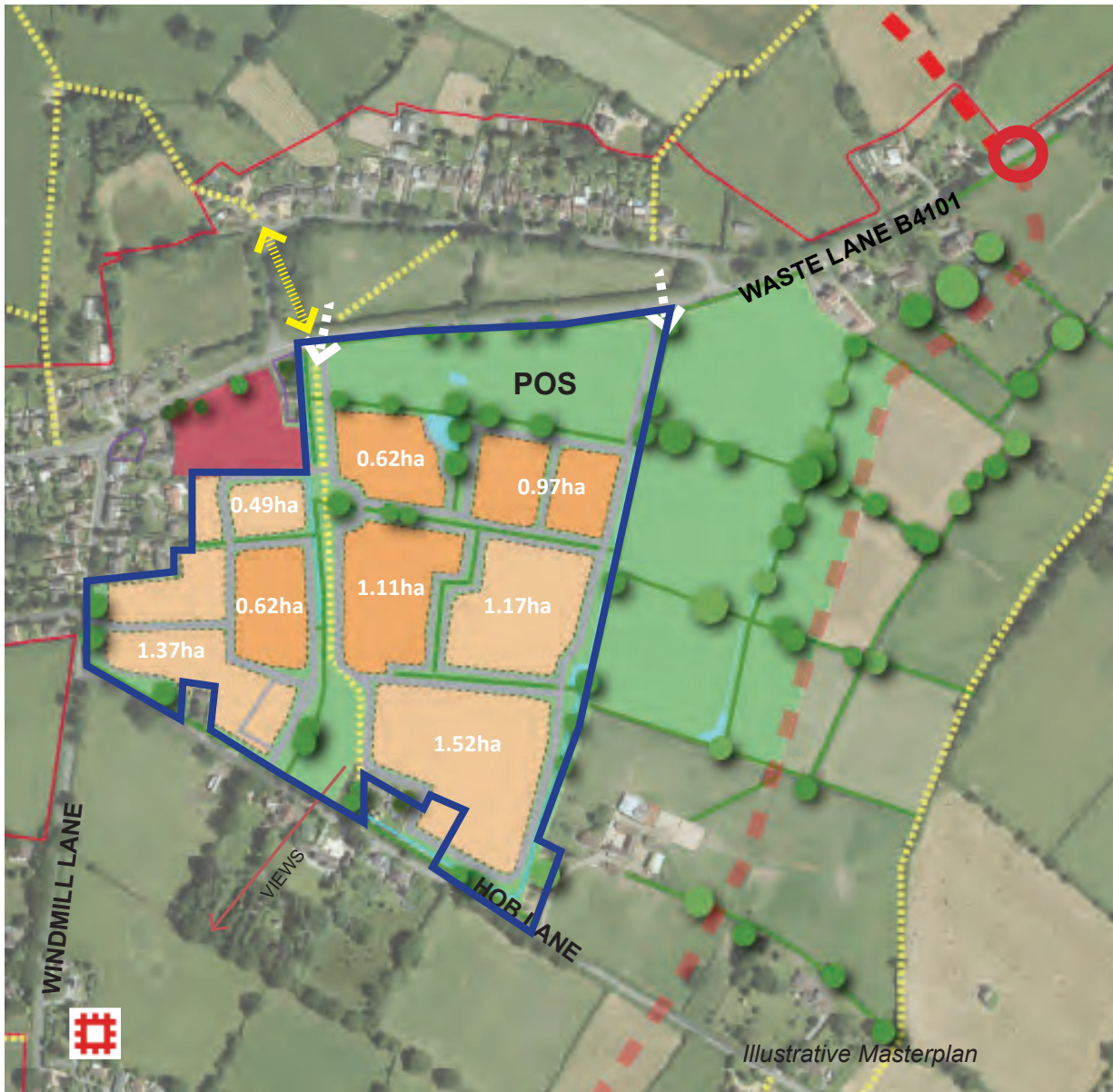
Section 106 commuted sums from individual developments, to secure the optimum cumulative enhancements to the environmental quality and accessibility of the Green Belt.



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**Appendix A    SMBC Illustrative Concept Masterplan  
(with Barwood Land annotations)**

Appendix A  
 SMBC Illustrative Concept Masterplan: BC4 Pheasant Oak Farm  
 with additional notes



Approx. Developable areas annotated in white

- Barwood Land Site Boundary
- Proposed Development area  
- medium density  
approx. 3.32ha
- Proposed Development area  
- low density  
approx. 4.55ha
- Public Open Space (within the blue line)  
approx. 3.86ha














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# **Appendix B Barwood Land Illustrative Concept Masterplan**

Appendix B  
 Barwood Land Illustrative Concept Master Plan  
 produced by BHB Architects



3444-02E Illustrative Concept Master Plan

- |   |   |   |  |
|---|---|---|--|
|  | Site Boundary   |  | Varied areas of public open space (including SuDs features) offers walking and cycling routes and areas for play |
|  | Boundaries of adjacent draft land allocation sites  |  | Retained landscape feature   |
|  | Proposed Site Access.<br>Primary Access of Waste Lane &<br>Secondary access off Hob Lane  |  | Planting to eastern boundary   |
|  | Footpath routes through site link to existing routes and routes through the adjacent Barretts Farm site to the railway station and potential new school |  | Listed Buildings   |
|  | New crossing and footpath improvements on Waste Lane, improving connection to existing pedestrian and cycle routes                                      |  | Proposed Development area - medium density approx. 3.23ha  |
|  | Existing bus stops, these could be relocated closer to the proposed site access to provide an increased level of public transport accessibility         |  | Proposed Development area - low density approx. 4.69ha   |
|   |   |  | Proposed Public Open Space approx. 3.90ha  |