



Solihull MBC Local Plan Publication Stage Representation Form

Ref:

(For official use only)

Name of the Local Plan to which this representation relates:

Draft Submission Plan

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)
<p><i>*If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.</i></p>		
Title	<input type="text"/>	<input type="text" value="Mr"/>
First Name	<input type="text"/>	<input type="text" value="Gary"/>
Last Name	<input type="text"/>	<input type="text" value="Stephens"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Partner"/>
Organisation (where relevant)	<input type="text" value="Archdiocese of Birmingham & Church of Blessed Robert Grissold, Balsall Common"/>	<input type="text" value="Marrons Planning"/>
Address Line 1	<input type="text"/>	<input type="text" value="██████████"/>
Line 2	<input type="text"/>	<input type="text" value="██████████y"/>
Line 3	<input type="text"/>	<input type="text" value="██████████████████"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text" value="██████████"/>
Telephone Number	<input type="text"/>	<input type="text" value="██████████"/>

E-mail Address

(where relevant)

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph Policy Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input type="text" value="X"/>	No	<input type="text"/>
4.(2) Sound	Yes	<input type="text"/>	No	<input type="text" value="X"/>
4 (3) Complies with the Duty to co-operate	Yes	<input type="text" value="X"/>	No	<input type="text"/>

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.

Please see attached paper.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see attached paper.

(Continue on a separate sheet /expand box if necessary)

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To explain the representations made, and respond to any further information.

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:

Gary Stephens

Date:

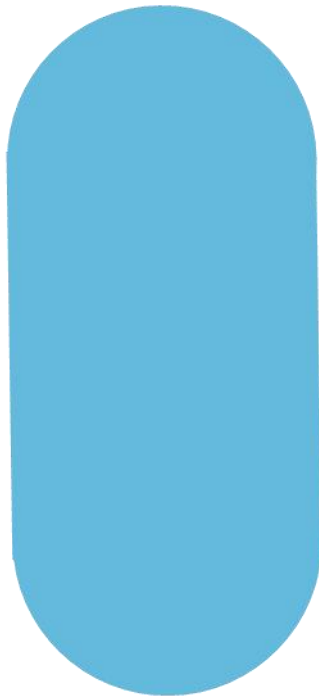
13/12/2020

Representations – Land at Meeting House Lane, Balsall Common

Solihull Local Plan - Draft Submission Plan

Archdiocese of Birmingham and Church of Blessed Robert Grissold

December 2020





1. This response to the Regulation 19 consultation the Solihull Local Plan – Draft Submission Plan (October 2020) is submitted by Marrons Planning on behalf of the Archdiocese of Birmingham and Church of Blessed Robert Grissold, Balsall Common who own land at Meeting House Lane, Balsall Common (plan appended). The land forms part of proposed allocation BC1, Barratt’s Farm. The representations should be read alongside the completed Representation Form.

Policy BC1 (Barratt’s Farm, Balsall Common)/Concept Masterplan

Question 5

2. The allocation of land for residential development at Barratt’s Farm (BC1) is supported in principle. The removal of the land from the Green Belt is justified on the basis of the need to meet the housing needs of the Borough and contribution to unmet needs elsewhere in the housing market area. The proposed allocation is developable, available now, and achievable. The evidence base is supportive, and negative effects identified in the SA are capable of being mitigated and are not material.
3. Whilst Policy BC1 is therefore supported to the extent that it proposes to allocate land at Barratt’s Farm for residential development, an objection is made to the policy.
4. Part 1 of the Policy only allocates the land for 875 dwellings. The site can accommodate more dwellings, and the Policy therefore conflicts with the clear national policy to make effective use of land¹. An objection is therefore made to the quantum of development proposed.
5. Part of the explanation for the inefficient use of the site, appears to be the designation in the Concept Masterplan (referred to in Part 2 of the Policy) of land owned by the Archdiocese of Birmingham and Church of Blessed Robert Grissold adjacent to Meeting House Lane as public open space. This designation is not justified by the evidence and objection is made to this designation.

¹ Chapter 11 and Paragraph 137 a) of the Framework



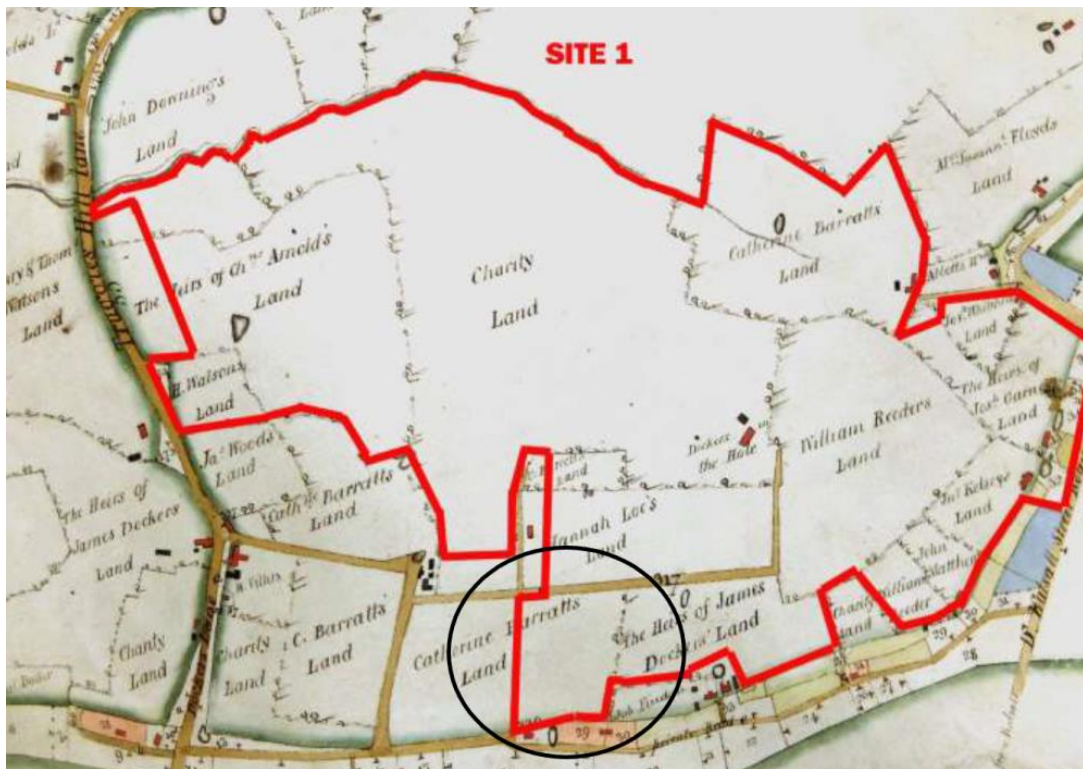
6. The land was identified for low density development in the January 2019 version of the Concept Masterplan, and the explanation for the change appears to be based on advice in the Heritage Impact Assessment (HIA), and in particular the relationship with the Grade II listed Pool Orchard.
7. The HIA provides an assessment of the whole of the proposed allocation on the heritage assets present. Para 1.7.8 (second bullet point) acknowledges that the wider surroundings of Pool Orchard have been extensively altered through the growth and development of the village to the north and west. Commenting on the surrounding land, the fourth bullet point states that the principal contribution made by the remaining fields and hedgerows is to the character and appearance of the area, but that “...*they have associative and historical connections with the heritage asset and do make some contribution to the historic significance*”.
8. Para 1.7.9 of the HIA goes on to conclude that, “*This report considers that development of the site [referring to the BC1 allocation as a whole] would not preserve the setting of Pool Orchard as required by Section 66 of the Act and would cause harm to the setting of Pool Orchard as set out in the NPPF*”. Para 1.7.10 goes on to state, “*This could be moderated or mitigated by careful attention to its immediate surroundings which should be addressed in any masterplan for the site...*”
9. Immediate in the context of the HIA is described at Para 1.7.6 which refers to Barratt’s Lane and the fields immediately adjoining the property to the north, east and south. The HIA does not therefore include fields on the western side of Barratt’s Lane within its immediate surroundings, and therefore the HIA does not support a view that the land at Meeting House Lane forms part of the setting of the listed building.
10. It does however suggest at Para 1.11.5 that careful attention should be given to low density development in the area around Pool Orchard, and this includes land at Meeting House Lane in the plan on page 45. This is noted, however the plan on page 45 seems oddly to extend to include areas some distance from Pool Orchard to the south and west, and yet does not extend in an easterly direction at all beyond the adjacent field. This inconsistency in approach is not explained.



11. Notwithstanding the above, the following reasons also set out why the land at Meeting House Lane makes no contribution to the historic significance of the Grade II listed Pool Orchard and does not form part of its setting.
12. The NPPF glossary defines the setting of a heritage asset as, *“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral”*.
13. The Planning Practice Guidance (PPG) states, *“The extent and importance of setting is often expressed by reference to the visual relationship between the asset and the proposed development and associated visual/physical considerations. Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places. For example, buildings that are in close proximity but are not visible from each other may have a historic or aesthetic connection that amplifies the experience of the significance of each.”* (Paragraph: 013 Reference ID: 18a-013-20190723, emphasis added).
14. The Site Analysis plan at Page 12 of the Concept Masterplan document shows the Zone of Significance of Pool Orchard extending across Barratt’s Lane and part of the way onto the land at Meeting House Lane. However, the land is both physically and visually separate from Pool Orchard, being located to the south of Barrett’s Lane and surrounded by hedgerow and trees which provide it with a strong sense of enclosure as shown on the Landscape Assessment within the Concept Masterplan (and evident in Figure 15 of the HIA). There is no visual connection between the land and Pool Orchard to support the contention that the land forms part of the listed building’s setting.
15. In the absence of a strong visual connection, the contribution that the land make to the listed building as part of its setting is questioned. Having regard to the advice in the PPG, and in the absence of a physical or visual connection between the land and



the listed building, no historic connection has been evidenced either. In this regard, it is noted that the Inclosure Map reproduced at Figure 6 of the HIA shows the land as being in separate ownership to Pool Orchard (the land being annotated as “Catherine Barratt’s Land”, and Pool Orchard falling within “Hannah Loe’s Land”).



Extract from figure 6 of HIA (1802 Inclosure Award)

16. It is considered therefore that the evidence in the HIA does not justify the land being retained as undeveloped land and used as public open space. The Plan in the form of the Concept Masterplan is therefore not justified and unsound.

Valued Landscape

17. Paragraph 1.11.4 of the HIA states, *“This statement considers that development of Site 1 will cause harm to the setting of Pool Orchard and Barratt’s Farm and to the character and appearance of the area. It is beyond the brief of this statement to make detailed recommendations as to how this could be mitigated but it recommends that expert advice is sought to establish whether the site should be considered as a “valued landscape”.*



18. The Council will be very aware that the Berkeswell Neighbourhood Plan sought to designate the land at Meeting House Lane as local green space on the basis of its value to the local community and tranquillity. The Examiner of the Neighbourhood Plan found no evidence to support such a contention, disagreed with the proposal, and required the designation to be removed from the Plan. There is therefore no basis for seeking such advice in respect of the land at Meeting House Lane as it does not meet the criteria.

Historic Use

19. It is noted that the site is identified as a recreation ground on many of the OS bases and that para 1.3.3 of the HIA refers to the site containing "...a small later 20th century recreation area...". Furthermore, although the key is difficult to read in the published document, Figure 5 of the HIA appears to identify the land as "Public Open Space".

20. The land is in private ownership and there is no public access, save for the public footpath that passes along the northern boundary. An historic use as a football pitch has long since been abandoned. As noted above, the proposal to designate the land as local green space was dismissed by the independent examiner who concluded the land did not meet the test for that designation.

21. Moreover, the Archdiocese of Birmingham and Church of Blessed Robert Grissold as landowners have no intention to allow their land to be used as public open space. The aspiration therefore of the Concept Masterplan in terms of the use of the land as public open space is not achievable.

22. An objection is therefore made to the designation of the land as public open space on the grounds it is not justified by the evidence, not effective as it is not deliverable, and not consistent with national planning policy.

Concept Masterplan Status

23. As an additional point, the concept masterplans are referenced in the Plan and are to be used to determine applications and assess whether they accord with the Plan. However, they do not appear in the Plan and therefore their status is somewhat



ambiguous. If a policy is based on a concept masterplan, then the concept masterplan should be within the Plan and tested for its soundness as part of this process.

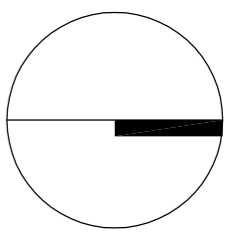
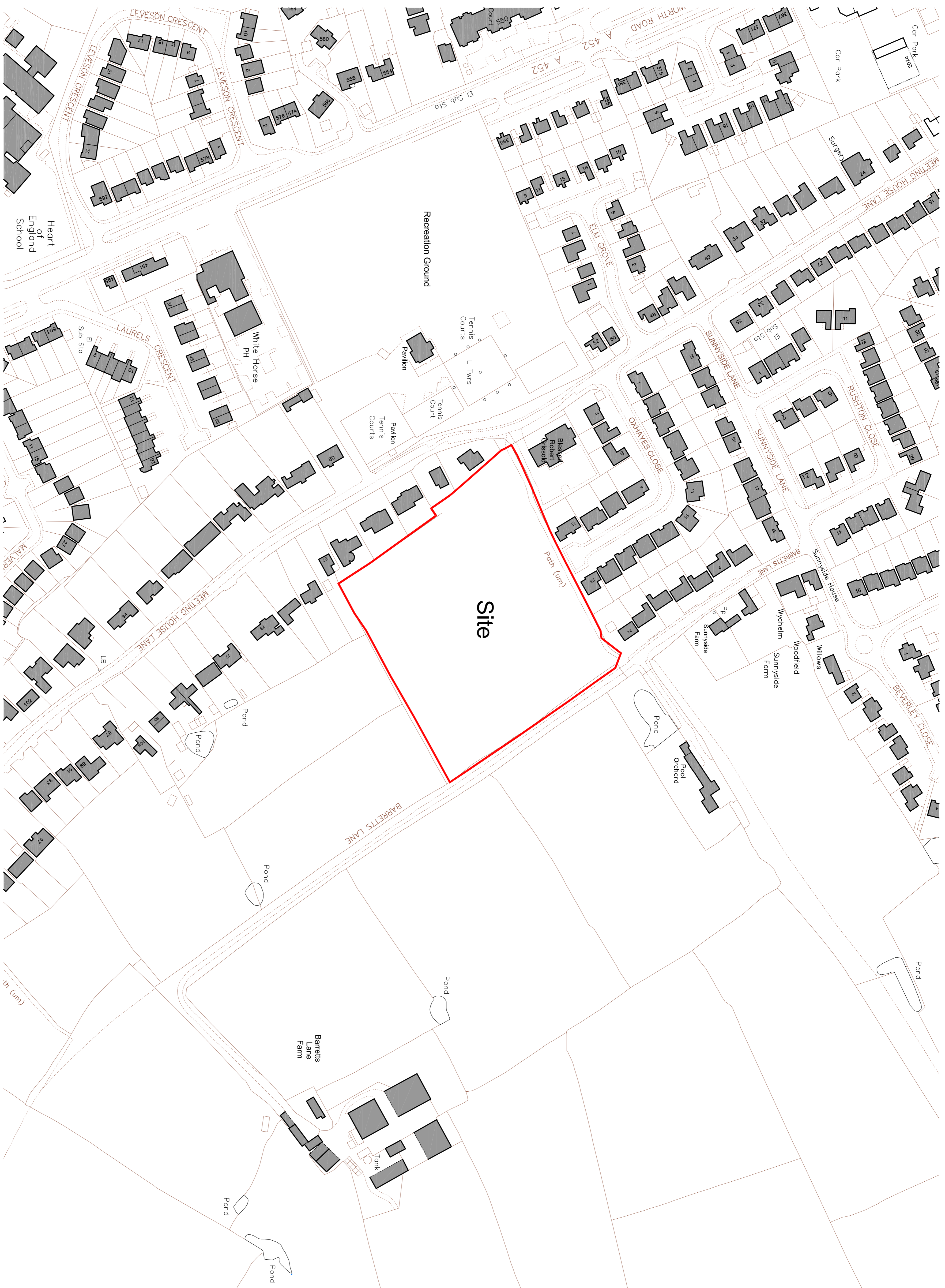
Question 6

24. The number of dwellings allocated in Policy BC1 should be amended to reflect the capacity of land at Meeting House Lane for development.
25. The Concept Masteplan should be included in the Plan, and be amended to include the land at Meeting House Lane for specialist housing and care home bedspaces for older people in accordance with the evidence within the HIA and the requirements of Policy P4E.
26. It is the landowners intention to bring the land forward for specialist housing and care home bedspaces for older people. The land is well located for this use due to the enclosed nature of the site, and the ability to create areas of outdoor space that provide for quiet reflection and contemplation. The site is within walking distance of village services within the centre of Balsall Common, and is the most accessible location to local facilities within the whole allocation. It is therefore the most suitable part of the allocation to locate older people's accommodation in enabling those less mobile residents to access facilities.
27. The site comprises a logical extension to the existing built up area, and its character is significantly influenced by the adjoining residential properties that overlook the site. It has little or no relationship with the remainder of the allocation due to the significant tree and hedge boundaries which enclose the site from the countryside beyond.
28. Development of the site provides an opportunity to include a shared car park that can be used by the adjacent Church, to ensure that peak demand for church parking can be accommodated in an appropriate way. This would represent a direct benefit to the residents of Meeting House Lane in terms of amenity. It would also secure an improvement to the current situation in terms of highway safety.
29. The proposed use could be accommodated without causing harm to the hedgerow and trees surrounding the site. It would retain the enclosed character of the site and



contribute towards a high quality residential environment. Development could also be accommodated without affecting the public footpath that passes along the northern boundary of the land.

30. The proposed specialist housing / care home use would also not have significant adverse impacts on the amenity of the adjoining properties. There is enough land to ensure appropriate separation distances between new and existing development. Traffic movements associated with accommodation for the elderly are generally much lower than for other developments, and peak travel times are also different which would limit the impact on the surrounding roads such as Oxhayes Close through which an access already exists.



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PROJECT TITLE
 PROPOSED DEVELOPMENT
 MEETING HOUSE LANE
 BALSALL COMMON

DRAWING TITLE
 Site Location Plan



STATUS PLANNING			
SCALE	1:500	SHEET	A1
DATE	JAN 2018	DRAWN	WT
DWG NO.	3431-01	CHECKED	DJS
		REVISION	