



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 Local Plan

Please return to psp@solihull.gov.uk or Policy and Engagement, Solihull MBC, Solihull, B91 3QB BY Monday 14th December 23:59

Our Privacy Notice can be found at https://www.solihull.gov.uk/About-the-Council/Data-protection-FOI/Solihull-Council-Statement/Economy-and-Infrastructure/Policy-Engagement

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: Mrs
First Name: Carol
Last Name: Henrick
Job Title: Secretary
Organisation: Solihull Tree Wardens Group
Address: (where relevant)

Part B – Please use a separate sheet for each representation

Name or Organisation: **Solihull Tree Warden Group**

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

Policy P9 (Mitigating and Adapting to Climate Change) is unsound because it is ineffective and inconsistent with national policies concerning climate change. In particular, the zero-net-carbon commitment set out in the Climate Change Act 2008 (2050 Target Amendment) Order 2019 and the ambitions of the Council's Climate Change Emergency Declaration (8 October 2019) cannot be achieved without closer integration of development policies with a strategy for the Borough's trees.

It is widely recognised that trees make a valuable contribution to many environmental objectives relating to climate change, including the sequestration of carbon, retention of storm water, regulation of temperature extremes and cooling of urban spaces, screening of UV, and the improvement of air quality. However, the potential benefits from the Borough's trees will not be realised unless development is in line with a clear tree strategy, which is evidence-based, realistic and comprehensive. Key aspects of a tree strategy need to be embedded in the Plan policies.

(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.

To include some of the benefits of trees, section 2 preamble, "to reduce carbon emissions" should be replaced with "to reduce and mitigate carbon emissions".

To specify trees as a mitigation strategy, new subsection 2 (v) should be added to section 2:

"All developments shall contribute to the meeting of the Tree Canopy Cover target appropriate for the location, assessed by a standardised methodology"

(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)

Y

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:

Because of the complexity of the issues and the potential need to clarify the representation.

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:

Carol Henrick

Date:

10 Dec 2020

Part B – Please use a separate sheet for each representation

Name or Organisation: **Solihull Tree Warden Group**

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

Policy P10 (Natural Environment) is unsound because it is ineffective in achieving the stated goals with respect to the Arden landscape and ancient woodland.

The expression of the value of trees in monetary terms is a useful adjunct to planning decisions. The Capital Asset Valuation of Amenity Trees (CAVAT) is an objective calculation method, first developed by the London Tree Officers Association (LTOA) in 2008. It contains a unit value factor that is revised periodically.

(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.

To ensure the value of trees is properly taken into account, a second sentence should be added to section 10: "The asset value of trees potentially affected by development will be assessed using the objective CAVAT method developed by the London Tree Officers' Association, and used during the evaluation of alternatives."

(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:

Because of the complexity of the issues and the potential need to clarify the representation.

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:

Carol Henrick

Date:

10 Dec 2020

Part B – Please use a separate sheet for each representation

Name or Organisation: **Solihull Tree Warden Group**

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

Policy P14 (Amenity) is unsound because it is ineffective in achieving the stated goals with respect to safeguarding and replacing trees, hedgerows, natural habitats and woodlands.

Trees are essential for the amenity of an area, and are known to bring social, physical, and psychological benefits. A number of schemes for re-planting or landscaping have failed to achieve their objectives because of a focus on numbers - often poor quality whips - rather than quality and size. It is hard to see how any process could ensure compliance over a timescale of decades, so it is particularly important that proposed planting schemes for trees are rigorously examined at the outset for their potential and practicality.

Tree planting schemes should be assessed with a standardised methodology that takes account of the proposed species, environmental conditions, growing space next to buildings, and the likely long-term management regime. To focus attention on the desired outcomes, the most appropriate metric would be the projected canopy cover 30 years from the date of planning approval.

(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.

To introduce better control of tree planting schemes, at the end of subsection 1(iii), add additional detail saying:

"and planting schemes will be expected to conform to established standards for nurturing the trees to maturity and be predicted to meet the Tree Canopy Cover target appropriate for the location, assessed by a standardised methodology."

(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:

Because of the complexity of the issues and the potential need to clarify the representation.

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:

Carol Henrick

Date:

10 Dec 2020

Part B – Please use a separate sheet for each representation

Name or Organisation: **Solihull Tree Warden Group**

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

Quite rightly, the draft Local Plan contains many references to trees. However, they are fragmented among several policies with little provision for coherent overall planning. The Local Plan will be more effective if the management of all of the Borough's trees is covered by a single new Policy for Trees.

It is widely recognised that trees make a valuable contribution to many environmental objectives relating to climate change, including the sequestration of carbon, retention of storm water, cooling of urban spaces, screening of UV, and the improvement of air quality. They also make a huge contribution to visual amenity and biodiversity, and thus improve the living conditions, physical health, mental health, social relationships, wellbeing, and productivity of the residents of the Borough.

The Solihull Urban Forestry Strategy (2019-2029) is a welcome foundation, but the integration of the strategy into the development policies is insufficient to achieve the Council's Vision for the Borough.

The potential benefits from the Borough's trees will not be realised unless development is in line with a clear tree strategy, which is evidence-based, realistic and comprehensive. The zero-net-carbon commitment set out in the Climate Change Act 2008 (2050 Target Amendment) Order 2019 and the ambitions of the Council's Climate Change Emergency Declaration (8 October 2019) illustrate this need.

(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.

With the emphasis on sustainable development in the National Planning Policy Framework, it is now an appropriate time to introduce an overall policy for the management of all trees in the Borough, both public and private. A Policy for Trees should be added to the Policies section of the Plan.

"The council will prepare a Master Plan for Trees which will contain detail requirements under the following headings:

- Aims and objectives
- Assessment of current tree inventory
 - Species, condition, canopy cover
 - Geographical location
 - Growing conditions, land use, geology
 - Valuation
 - Environmental benefit assessment
- Sustainable management
 - Risk assessment
 - Planning, building subsidence, preservation orders
 - Maintenance
 - Pest and diseases
 - Biodiversity
 - Replacement
 - Emergency works
- Design, planning and development
 - Species and age diversity
 - Climate change
 - Societal factors
 - Finance, budget, fund-raising
 - Standards and methodologies
 - Consultation
 - Planting
 - Care
- Tree strategy action plan
 - Public land
 - Highway land
 - Private land
 - Community participation
 - Verification scheme
 - Monitoring
 - Review and amendment"

Existing requirements relevant to trees are to be transferred from other policies to the overall Policy for Trees, with appropriate cross-referencing. These policies include:

Policy P 9 Mitigating and Adapting to Climate Change
Policy P10 Natural Environment
Policy P11 Water and Flood Risk Management
Policy P14 Amenity
Policy P15 Securing Design Quality

Policy P17 Countryside and Green Belt, and Policy P17A Green Belt Compensation
Policy P18 Health and Wellbeing
Policy P20 Provision for Open Space, Childrens Play, Sport, Recreation and Leisure.

Specific policy amendments requested by the Solihull Tree Warden Group are also to be included in the Policy for Trees:

- All developments shall contribute to the meeting of the Tree Canopy Cover target appropriate for the location, assessed by a standardised methodology.
- The asset value of trees potentially affected by development will be assessed using the objective CAVAT method developed by the London Tree Officers' Association, and used during the evaluation of alternatives.
- Planting schemes will be expected to conform to established standards for nurturing the trees to maturity and be predicted to meet the Tree Canopy Cover target appropriate for the location, assessed by a standardised methodology.

(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:

Because of the complexity of the issues and the potential need to clarify the representation.

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:

Carol Henrick

Date:

10 Dec 2020