

	Solihull MBC Local Plan Publication Stage Representa- tion Form	Ref: (For official use only)
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Name of the Local Plan to which this representation relates:	
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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)
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**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.*

Title	Ms	Mr
First Name	Christina	Matthew
Last Name	Beggan	Williams
Job Title (where relevant)	Asset Manager	Company Director
Organisation (where relevant)	Ellandi LLP	Williams Gallagher
Address Line 1		Portman House
Line 2		5-7 Temple Row West
Line 3		Birmingham

Line 4			
Post Code			B2 5NY
Telephone Number			[REDACTED]
E-mail Address			[REDACTED]
(where relevant)			

Part B – Please use a separate sheet for each representation

Name or Organisation: Ellandi LLP

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

Paragraph		Policy	P2	Policies Map	
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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	No
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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.

Ellandi object to the current wording of Policy P2. As set out in our representations of 22 January 2016 and 9 February 2017, the new Local Plan is not based on up to date evidence of retail and leisure need. The evidence that is currently relied upon is significantly out of date and does not reflect the scale of development now proposed for the Borough and the timing of that development.

The anticipated timing of the substantial growth in the Borough will influence the phasing for when and where the Local Plan seeks to deliver plan led retail and leisure need and the preferred strategy for doing this. These considerations will in turn influence how the sequential and impact tests within the NPPF are interpreted and drafted within the new Local Plan. At present it simply defers to the NPPF which is a missed opportunity to provide a robust and locally focused strategy that fosters investor confidence. The NPPF requires plan led need to be met in full and therefore the Local Plan must grapple with how to do this in the most sustainable manner that supports the overall vision for Solihull.

In addition, SMBC should undertake an assessment of thresholds to identify a locally set threshold or thresholds over which impact assessment will be required for retail uses. The NPPF threshold of 2,500 sqm is too high, particularly in areas where town centres are vulnerable and even a small out of centre scheme could have a disproportionate effect on the vitality and viability of the centre. Our experience of the NPPF threshold is that developers of out of centre proposals deliberately size a scheme just under the NPPF threshold on the basis of there not being a unit available within a town centre location that meets all of the operational requirements of an occupier. This then allows the applicant to circumvent the requirement to assess the proposals against the impact test - the NPPF is clear that this is only required over the nationally set threshold or where a locally set threshold, based on robust evidence, is set. We would therefore raise again that research led by SMBC should be undertaken to assess where the current balance of unit sizes lies in each of the Borough's town, district and local centres. A suitable threshold or thresholds can then be set which supports the spatial strategy for the Plan.

In addition, thresholds for impact assessment in relation to town centre uses at Arden Cross, Birmingham Business Park and Blythe Valley Business Park should be set. Otherwise there is no mechanism by which to assess whether the scale of development is commensurate with serving those developments only; which is the intention of the policies as drafted.

One further point is in relation to objective 15 of Policy P2. This policy is not effective or consistent with national policy. It seeks to encourage new development on the edge of the town centre for a diverse range of uses. This has the potential to undermine the strength of Chelmsley Wood Shopping Centre if this is effectively giving support to competing retail and leisure town centre uses in an edge of centre location. The policy needs to be redrafted to give clarity to its purpose.

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 policy needs to be redrafted to provide clarity to its purpose. It should include reference to a primary shopping area which is then annotated on the Proposals Map.

It should also have clear reference to the Chelmsley Wood Masterplan and provide guidance on the extent and acceptable locations for additional uses.

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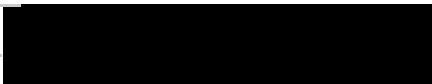
Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

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

Policy P2 provides no clarity over the strategy for Chelmsley Wood Town Centre and is poorly written. It needs amending to ensure retail and leisure uses within the core of the centre remain protected and are not diluted by additional edge of centre development which the current wording appears to support.

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:



Date:

08/12/2020