

Solihull Local Plan Review - Submission Draft

Representations on behalf Arden Cross Limited

December 2020

Turley

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Client

Arden Cross Limited

Our reference

ARDQ3000

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1. Introduction

- 1.1 These representations are submitted on behalf of Arden Cross Limited (“ACL”) in response to the Regulation 19 consultation on the Solihull Local Plan Review (“LPR”) Submission Draft.
- 1.2 ACL was established by three of the landowners¹ of the 140 hectare site known as Arden Cross² and will be responsible for driving forward its development.
- 1.3 The landowners have previously made representations as the “Arden Cross Consortium” to the LPR Scope, Issues and Options consultation in January 2016 and to the Draft LPR consultation in February 2017.
- 1.4 The Arden Cross site is proposed to be removed from the Green Belt and allocated for development as part of UK Central Hub. This has been consistent throughout each stage of the LPR and has strategic policy support from WMCA and GBSLEP.
- 1.5 Since the supplementary consultation on the LPR in 2019, the importance of delivering Arden Cross has been highlighted in Solihull MBC’s Economic Recovery Plan (May 2020), the WMCA’s ‘Recharge the West Midlands’ (June 2020) and the updated ‘Midlands HS2 Growth Strategy 2020’, as a significant opportunity to accelerate economic recovery and generate sustainable economic growth in Solihull and the wider West Midlands.
- 1.6 ACL has also consulted on its own Arden Cross Masterplan (September 2020), following on from the high level UKC Hub Framework Plan (2018) and Hub Infrastructure and Growth Vision 2019 produced by the Urban Growth Company.
- 1.7 ACL intends to appoint a development partner during 2021 to commence detailed work on bringing the masterplan to fruition, including preparing a planning application and working with others on delivery of enabling infrastructure. ACL is confident that development will progress during the plan period to align with the opening of the HS2 station and take advantage of the new connections with the NEC and rest of UKC Hub.
- 1.8 The adoption of the local plan is an important step in the process, and ACL strongly supports the proposed allocation of the site. There are a number of areas where the Draft Submission Plan could be enhanced to provide greater clarity and a more easily understood framework for how development should come forward.
- 1.9 ACL anticipates working with SMBC on a Statement of Common Ground to assist the Inspector at the subsequent Examination in providing an up-to-date position with respect to Arden Cross.

¹ Packington Estates, Wingfield Digby Estates and Birmingham City Council

² The Arden Cross site is contained by the M42 to the west, A45 to the south and A452 to the east. It includes the HS2 Interchange Station and part of the line from London to Birmingham, for which construction is now underway.

2. Overview

- 2.1 The proposed allocation of Arden Cross (aka HS2 Interchange Site) has a long provenance going back to the UK Central Masterplan in 2013 which predates the adopted local plan, and the Midlands HS2 Growth Strategy 2015, which has recently been updated by WMCA.
- 2.2 HS2 is now under construction on site, and plans for the station and people mover have been approved. UKC Hub is becoming a reality and strategic infrastructure works are advancing.
- 2.3 The proposals for the site have evolved from the early Garden City approach promoted by the Council in 2014 through to the latest Arden Cross Masterplan, prepared by the landowners, and which was consulted upon in September 2020.
- 2.4 The Local Plan Review comes at a critical time as ACL gears up towards delivery, anticipating the return of land from HS2 from 2024 and mobilising to prepare a planning application based on the new masterplan.
- 2.5 ACL welcomes the plan's overarching strategy which has UKC and the Hub Area as core components. These are of strategic significance and it is important these are recognised in the Council's Duty to Co-operate Statement.
- 2.6 ACL considers the evidence base to be sound, and supports the policy framework established for the Hub Area and Arden Cross site itself. To ensure that policies are clear and unambiguous, and therefore 'effective' for the purpose of the test of soundness, we will be working with SMBC to prepare a Statement of Common Ground to provide additional support for:
 - (a) the approach taken to Sustainability Appraisal
 - (b) the assessment of the site's development potential including its suitability, availability and achievability – particularly to support the assumptions in the plan about the quantum of development likely to come forward by 2036
 - (c) the approach to compensatory provision for the loss of Green Belt (Policy P17A)
 - (d) the approach to the provision of strategic infrastructure and developer contributions (Policy P21)
- 2.7 ACL welcomes the addition of new Policy UK1 (HS2 Interchange) as a site specific allocation although there are wording changes we seek to ensure its consistency with Policy P1 (UK Central Solihull Hub Area). These are set out at **Appendix 1**.

3. The Contribution of Arden Cross

- 3.1 ACL confirms that the contribution expected of the Arden Cross site during the plan period will meet the figures identified in the plan and its evidence base.

Policy P1 UK Central Solihull Hub Area

- 3.2 Paragraph 89 states that 500 homes will be provided at Arden Cross based on the emerging Arden Cross masterplan (2020). This is a sixth of the 3,000 homes allowed for in the masterplan and could be exceeded. ACL regards this as being achievable with land capable of accommodating residential development becoming available from 2025.

Policy P3: Provision of Land for General Business and Premises

- 3.3 The table accompanying this policy identifies Land at HS2 Interchange (Policy P1 and UK1) as providing circa 140ha.
- 3.4 The Housing and Economic Development Needs Assessment (“HEDNA”) dated October 2020 sets out the assumed employment floorspace figures derived from the UGC and Arden Cross masterplanning work.
- 3.5 Paragraph 145 of the plan states that *“evidence indicates that Site UK1 is likely to have a role to play in meeting local employment needs, especially later in the Plan period.”* This refers to evidence in the HEDNA regarding the upper end of the need for office accommodation which ACL considers to be realistic.

Policy P5: Provision of Land for Housing

- 3.6 The contribution of Arden Cross to the housing supply is not specified in Policy P5 although the table after paragraph 222 includes as category 9: UK Central Hub Area by 2036 – 2,740. The 500 homes from Arden Cross is included in this figure and can be included in the trajectory from 2026.
- 3.7 The housing requirement assumptions in the HEDNA anticipate a positive impact from new supply on improving affordability and, as a result, the likelihood of younger households being able to access housing. It also builds in a reasonable interpretation of the latest 2018 sub-national population projections. This is welcomed by ACL as the residential component of Arden Cross is expected to appeal to and serve a demographic which sees the benefits of the location.
- 3.8 The development of Arden Cross will be delivered in line with the principles set out at Policy P5(6) in relation to density as ACL intends to maximise the efficient use of Arden Cross given it will be well served by public transport in line paragraph 123(a) of the NPPF. The table after paragraph 240 indicates the UKC Hub Area being developed at comparable densities to the Town Centre between 40dph and 150dph.

4. Policy P17A : Green Belt Compensation

- 4.1 ACL acknowledges the policy requirement for Green Belt compensation in accordance with paragraph 138 of the NPPF.
- 4.2 Arden Cross is assessed as a Refined Parcel (i.e. RP13) in the Strategic Green Belt Assessment (“SGBA”) (July 2016) and is a lower performing parcel relative to other parcels assessed in the borough. The site is criss-crossed by overhead cables and has been subjected to extensive quarrying, and is also now impacted by the HS2 line and station construction which has been approved by Act of Parliament.
- 4.3 The proportionality of any compensatory improvements to Green Belt should be consistent with its performance in the SGBA, the degree to which its development has already been accepted, and the provision of on-site compensation in the form of green and blue infrastructure and public accessibility.
- 4.4 It is acknowledged that there is no definitive or fixed approach to assessing Green Belt compensation and Policy P17A sets out a hierarchical approach using the ‘concept masterplans’ for most sites identified in the plan. This is supported in principle by ACL and reference should therefore be made to the Arden Cross Masterplan in this respect. The development principles in the masterplan include the following:
- New walking and cycling routes between on-site public parks and civic spaces and off-site country parks.
 - Provision of natural landscape features in a network of activity corridors, providing public amenity and ecologically rich wildlife habitat.
 - Provision of an integrated public transport network facilitating improved access in a substantially car-free environment to new, enhanced or existing recreational facilities on-site and off-site.
 - Establishment of new blue and green infrastructure linking all new public realm and green open spaces aiding habitat connectivity.
 - Enhancements to the Hollywell Brook to create a ‘river valley’ setting providing improvements to biodiversity, habitat connectivity and natural capital.
- 4.5 It is considered that these measures are proportionate and will significantly contribute to the protection and enhancement of the Green Belt’s environmental quality and accessibility. ACL welcomes further discussions with SMBC on the scope of compensatory improvements in line with the PPG [Reference ID: 64-003-20190722].
- 4.6 We also recommend that Policy P17A(4) incorporates reference to viability given the possible tension with other costs associated with delivering physical and social infrastructure via CIL and/or Section 106 obligations, in accordance with paragraph 57 of the NPPF.

Appendix 1: Suggested Policy Wording Changes

Vision and Spatial Strategy

Vision

The Vision and its supporting text makes reference to UK Central and is drafted positively in accordance with paragraph 15 of the National Planning Policy Framework (“NPPF”) (February 2019) to take *“advantage of the unique opportunity to maximise the economic and social benefits of the High Speed 2 rail link and interchange both for the Borough and wide area.”*

These principles are fully supported by ACL, however, this section could be improved by making the role and purpose of UK Central and the Hub Area within it clearer as it represents such an important component of the plan. This should reflect both the continued success of key economic assets and the additional growth that can be attracted by virtue of the new allocations including Arden Cross, which will have a sub-regional role.

Spatial Strategy

The spatial strategy plan at paragraph 70 of the Submission Draft illustrates Arden Cross intersected by HS2 within the UKC Hub Area and removed from the Green Belt. This is welcomed and strongly supported by ACL.

The spatial strategy should distinguish more clearly between economic and housing growth and how both have been accommodated. It should identify Growth Option E (UK Central Hub Area and HS2) as a core component of the spatial strategy, as this is a strategic choice to capitalise on the arrival of HS2 and to support the key economic assets in this area.

This would bring the spatial strategy more into line with paragraph 35(b) of the NPPF.

Policy P1 : UK Central Solihull Hub Area

The policy and its supporting text need updating and editing for consistency with new Policy UK1 and to provide clarity on the criteria against which proposals will be judged.

ACL fully supports the identification of UK Central and the Hub Area as core to the Council’s strategy for Sustainable Economic Growth, and the identification of Arden Cross as a development opportunity alongside the existing economic assets within the Hub Area. Policy P1 seeks to ensure that these “work together as a whole”.

Whilst supportive of the policy, ACL is mindful that new Policy UK1 has been developed for the Submission Draft to separate out the strategic policy from the site specific allocations which we welcome

There is however interchanging reference to ‘UK Central Solihull’ and ‘UK Central Solihull Hub Area’, both of which have different geographies. It is recommended that each is clearly defined in the pre-text to avoid misinterpretation of the scope of Policy P1. Reference to Blythe Valley, North Solihull and Solihull Town Centre should be contained to the opening section of this chapter as each is subject to separate planning policy (i.e. Policy 1A and Policy P2).

The pre-text to Policy P1 at paragraphs 71 to 79 is also broadly supported although needs to be updated, dropping the now outdated references to earlier documents (other than as general provenance of the history of these proposals) and adding reference to WMCA's *Recharge the West Midlands* (June 2020), the updated *Midlands HS2 Growth Strategy* (November 2020) which we appreciate was published since the Submission Draft was finalised, and the Council's own *Economic Recovery Plan* (May 2020).

There is also reference to various UGC non-statutory documents including the *Hub Growth and Infrastructure Plan* (January 2018); *Hub Framework Plan* (February 2018) and *Hub Growth and Infrastructure Vision* (2019) from which a number of key development principles are drawn both in Policies P1 and UK1. Whilst supporting the thrust of these documents, we would urge consistency and clarity in how these policies will be applied in practice, in particular through a review, ideally in liaison with ACL and others, before final submission of the plan.

The site-specific element of policy for Arden Cross is set out at Policy P1 (4)(i-iv), which describes the allocated land uses, removal from the Green Belt and expected phasing. Whilst broadly supported, the following will need to be addressed before submission of the plan:

- Passenger facilities (for the airport) were included in the previous draft as a second runway was under consideration at that time. However, this no longer features in Birmingham Airport Masterplan 2018 and should be deleted.
- The phasing set out in the Hub Growth and Infrastructure Plan (January 2018) is now superseded and does not align with the current LPR plan period (2036). This reference should be deleted or updated.

ACL welcomes and strongly supports the more robust exceptional circumstances set out for removing the Arden Cross site from the Green Belt, which is explained at paragraph 94 of the Submission Draft. This justification meets the requirements of paragraph 136 of the NPPF, however, it is recommended for the purpose of accuracy that the bullet points referencing 'low performance against Green Belt purposes' and 'strong defensible boundaries' are incorporated into a separate paragraph as they are not exceptional circumstances in themselves but assist in the weight that can be afforded to the exceptional circumstances.

There are a number of detailed amendments we would recommend in order bring the policy up-to-date and in line with the place-making principles set out in the Arden Cross Masterplan (2020) which has been subject to public consultation:

- Amend or remove paragraphs 85 to 87 as the development trajectories are now out-of-date and do not align with the current LPR plan period. For example, paragraph 85 makes reference to new homes being delivered by 2033 when the plan period is to 2036.
- Remove paragraph 92 as it refers to the Garden City principles explored six years ago, which do not align with the current mixed use urban neighbourhood place-making principles in the Arden Cross Masterplan.
- The mix of land uses set out at paragraph 93 are accurate and accord with the Arden Cross Masterplan and should be reflected in Policy P1 and Policy UK1.

Finally, paragraph 87 of the Submission Draft makes reference to the preparation of a Supplementary Planning Document (“SPD”) to guide development at UKC Hub. ACL requests further clarification, as it was originally envisaged as an update and formalisation of the Hub Framework Plan to be prepared alongside the local plan. Given the subsequent preparation of the Arden Cross Masterplan by ACL, and the more detailed combination of policies P1 and UK1, the purpose and timing of an SPD needs clarifying.

Policy UK1 : HS2 Interchange

This new policy is welcomed as providing a site specific policy for Arden Cross but it needs editing for consistency and avoiding overlap with Policy P1.

ACL strongly supports the site specific allocation of Arden Cross in Policy UK1 for mixed use development in line with the recent Arden Cross Masterplan, subject to the following clarifications:

- (i) A distinction needs to be made on the difference in purpose and effect between Policy P1 and Policy UK1.
- (ii) The pre-text and explanatory text supporting the policy covers over eight pages and forty-five paragraphs. This is too lengthy when added to the pre-text and explanatory text for Policy P1. There is merit in rationalising the policy context to avoid repetition and inconsistency.
- (iii) Reference to the provision of 2,500 new homes at UKC Hub over the plan period at paragraph 830 of the Submission Draft contradicts the figure of 2,740 quoted elsewhere in the plan. A thorough review of all quoted figures (including those at paragraph 828) should be undertaken to ensure accuracy and consistency with the evidence base.
- (iv) The references to ‘garden community’ principles at paragraph 838 and 842 is misleading and confusing given the array of other development principles drawn from the UGC documents and Arden Cross masterplan. Some simplification would assist clarity when applying the policy.
- (v) There is overlap between the place-making principles and development principles at Policy UK1 (2) and (3) and these should be rationalised to accord with the Arden Cross Masterplan and Policy P1.
- (vi) In general, there are far too many policy principles (23), which is overly prescriptive for decision-making purposes, particularly when accounting for the development principles in Policy P1.
- (vii) The Arden Cross Masterplan, being the more recent and subject to public consultation, should take precedence as forming the guiding principles behind Policy UK1.
- (viii) The previous iteration of the UKC Topic Paper should be updated to rationalise and reduce the amount of explanatory text for Policy UK1 and Policy P1.

- (ix) It is not clear why reference is made to the preparation of an SPD for UKC Hub, including Arden Cross, in Policy P1 but omitted from Policy UK1. Clarification is needed on the role and purpose of an SPD at this stage.
- (x) The proposed allocation should be renamed 'Policy UK1 – Arden Cross' for the purpose of accuracy.

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