



## Solihull MBC Local Plan DPD Regulation 27 Publication Document Response Form

For Office Use Only:	
Date	
Ack	
Ref	

Solihull MBC is seeking your comments on the draft Local Plan DPD. At this stage of preparation of the DPD we are only able to accept representations about whether the document is a) legally compliant and b) sound. Further guidance on completing this form can be downloaded at [www.solihull.gov.uk/ldf](http://www.solihull.gov.uk/ldf).

This form has two parts:

Part A - Personal Details

Part B - Your representation(s).

This form will be used as a formal representation of your support or objection to the draft Local Plan DPD. Please fill in a separate Part B form for each comment you wish to make, and attach to Part A.

### PART A: PERSONAL CONTACT DETAILS

1. YOUR DETAILS		2. AGENT DETAILS (*if applicable)
Title		
Forename		
Surname		
Job Title		
Organisation	Dickens Heath Parish Council	
Address	1 Wharf House	
	Waterside, Dickens Heath	
	SOLIHULL	
Postcode	B90 1UE	
Email address		
Telephone No.		
Mobile No.		

Which is your preferred method of contact?	Email		Post	
--	-------	--	------	--

**How we will use your personal information:** *The information you provide will be used by the Council to help prepare the Local Development Framework (LDF) and will be shared with other employees or agencies (such as the Planning Inspectorate) who may be involved with the LDF. Additionally, your personal details may be shared with other Solihull MBC departments and partner organisations to ensure our records are kept accurate and to keep you informed of future consultation documents. Please note that the Council is obliged to make representations available for public inspection, this means that with the exception of telephone numbers, email addresses and signatures, your comments and other personal details that you provide will be publicly available for inspection at the Council's principle offices and will also be published on the internet. Should you have any further queries please contact Spatial Planning on 0121 704 6395.*

**PART B: YOUR REPRESENTATION**

<b>Name</b>		<b>Organisation</b>	
-------------	--	---------------------	--

Please fill in the questions below and clearly explain your comments in the relevant sections. **Use one form per comment.** Further sheets are available to download and you may use as many additional sheets as necessary.

**Q1. Which part of the Draft Local Plan DPD does your comment relate to?**

Chapter Number	8	Page Number	79
Policy Number	Fig 16	Paragraph Number	

**Q2. Do you wish to support or object to this part of the Draft Local Plan DPD?**

Support		Object	
---------	--	--------	--

**Q3a. Do you consider this part of the Draft Local Plan DPD is:**

Legally Compliant?	Yes		No
--------------------	-----	--	----

**Q3b. Please use this space to explain your answer above. Please be as precise as possible.**

Please see attached

**Q3c. Please set out what change(s) you consider necessary to make the DPD legally compliant and give your reasons. 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.**

**Q4a. Do you consider this part of the Draft Local Plan DPD is:**

Sound?	Yes		No	
<b>Q4b. If you consider the draft Local Plan DPD is unsound, please identify which test of soundness your representation relates to by placing a cross by the appropriate box.</b>				
<b>Please select</b>	<b>Test of Soundness</b>			
	The strategy is not <b>justified</b> in that it is not founded on a robust and credible evidence base and/or is not considered the most appropriate strategy when considered against the reasonable alternatives.			
	It is not <b>effective</b> in that the document is not deliverable, flexible or suitable for monitoring.			
	It is not <b>consistent with national policy</b> .			
<b>Q4c. Please use this space to explain your answer to Q4a above. Please be as precise as possible.</b>				
Please see attached				
<b>Q4d. If you consider the draft Local Plan DPD unsound, please set out what change(s) you consider necessary to make the DPD sound and give your reasons. 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.</b>				
<p>A Borough wide Green Belt study is needed to assess on a comparative basis the most suitable sites for allocation having regard to the purposes of the Green Belt and the impact on openness.</p> <p>Effective direct consultation with the Parish Council and local residents of Dickens Heath is required to assess the most appropriate sites for allocation if it is demonstrated that a site is needed to be released from Green Belt in this Parish.</p> <p>If a Green Belt study finds this site is the best option, a thorough site specific investigation of constraints is needed to demonstrate the site can be delivered in the plan period.</p>				

**Please note your representation should cover all information succinctly and include all the information, evidence and supporting information necessary to support/justify the representation and suggested change.**

**After this stage, further submissions will only be at the request of the Inspector, based on the matters he/she identifies for examination.**

<b>Q5. Can your representation seeking a change be considered by written representations or do you consider it necessary to participate in person at the examination?</b>				
Written representations		Participate at the Examination in Public		
<b>Q5. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:</b>				
<b>Are you attaching any additional sheets that relate to this representation?</b>	<b>No</b>	<b>Yes</b>	<b>No. of sheets</b>	3
<b>Signed:</b>		<b>Date:</b>	2 March 2012	

**All representations must be received at the email or postal address given on this form by 5pm on Monday 5<sup>th</sup> March 2012. Late representations cannot be accepted.**

Completed Forms should be sent to the Spatial Planning team at:

Email: **sustainabledevelopment@solihull.gov.uk**

Post: **Spatial Planning  
Solihull Council  
PO Box 19  
Solihull  
B91 9QT**

<b>Please tick this box if you DO NOT wish to be notified when the Local Plan DPD is submitted, upon publication of the Inspector's Report and Adopted or be involved in the preparation of future plans and policies.</b>	
--	--

Additional copies of this form can be accessed from the Local Development Framework webpage at [www.solihull.gov.uk/ldf](http://www.solihull.gov.uk/ldf). If you have any further queries, please contact the Spatial Planning team on 0121 704 6395.

**Thank you for taking the time to complete this representation.**

**Q3b reason:**

Public participation during plan preparation falls short of the expectations of the Parish Council and the local residents they represent. The Plan has not been prepared in accordance with the Council's Statement of Community Involvement 2007 (SCI) and is not therefore legally compliant.

PPS12: Local Spatial Planning states that the production of Core Strategies (now Local Plan in this case) should follow the government's principles of community engagement in planning (paragraph 4.20). Involvement should be:

- From the outset – leading to a sense of ownership of local policy decisions
- Continuous – part of an ongoing programme not a one off event with clearly articulated opportunities for continuing involvement
- Transparent and accessible – using methods appropriate to the communities concerned

These principles are generally embraced in the Council's SCI but the local residents believe that the manner in which consultation has been carried out has not been effective. For example, the CSI states two of the key aims of the new planning system are to:

- strengthen community and stakeholder involvement in deciding what will be built in the future and where it should be located
  - build consensus on essential issues in the preparation of planning documents.
- (paragraph 1.1.3)

Yet a new site is proposed in Dickens Heath to be removed from Green Belt for 185 houses and the first time this has been subject to consultation is through this Pre Submission plan that asks for comments only on the legality of the process and the soundness of the plan.

This proposal introduces for the first time a whole new area of consideration in that it proposes release of Green Belt land, a position that the Council have strongly resisted to date. Indeed it is stated in the Council's response to the Emerging Core Strategy consultation March 2011 that *'there are no housing proposals in the Green Belt in the rural areas'* and *'No Green Belt alterations are proposed in the urban west'* (page 27).

The SCI sets out in Table 3 Methods of Involving Communities. It refers to:

- public meetings
- exhibitions
- road shows

Throughout the preparation process there has been no local level meetings, exhibitions or road shows. The Council have not attended a Parish Council meeting or held a drop in exhibition in the village hall. These have only been carried out on a high level Borough wide basis where a large number of stakeholders have been apprised of the plan preparation on a Borough wide basis. It is felt the consultation has not been a two way process and the recent conferences were on the basis of setting out proposals rather than seeking views and responding.

This is further evidenced by the fact that the Parish Council made suggestions as to a priority order for new sites beyond the plan period but regrettably this is not followed with the proposed allocation in the Pre Submission plan of an alternative site that does not in fact score as highly as the Parish's preferred site in other parts of the evidence base (see comment below).

The plan has not been prepared in accordance with the Statement of Community Involvement and is not therefore legally compliant.

#### **Q4c**

##### **‘Justified’**

The plan is not justified as there has been no Green Belt study, no consultation on the release of land from Green Belt and no consultation on allocation of Site 20: Cleobury Lane Dickens Heath for housing in the period post 2023. There is no robust and credible evidence base to support delivery of the site.

No Green Belt assessment has taken place to justify that this site is the best location for development. If exceptional circumstances can be demonstrated to allow Green Belt release, a Green Belt assessment of the whole Borough should be carried out to determine which sites should be allocated. PPG2 requires where Green Belt boundaries are revised they should relate to a long time period and therefore it is necessary for the Council to look at Green Belt throughout the Borough to assess the whole of the Green Belt rather than ad hoc releases as proposed here. This assessment needs to be made through a Borough wide study.

Housing sites are assessed through the SHLAA and Cleobury Lane (SHLAA site 114) was rejected as having a significant impact on Green Belt functions and openness. This has been put aside by a January 2012 update that states an increase in the housing requirement means the site is needed and development here will have less impact than other Green Belt sites. No comparative assessment of other Green Belt sites in the District is available to justify this.

The Parish Council proposed in comments to the Emerging Core Strategy that an alternative site at Tythe Barn Lane (Sites 63 and 66) could be suitable for development in the long term if additional sites were needed. The Council’s assessments are almost the same for these sites as for Cleobury Lane (Site 114). In addition, the high level transportation feasibility assessment prepared by Mott MacDonald actually finds the sites at Tythe Barn Lane to be better related to services and facilities in the settlement and beyond than the land Cleobury Lane. There is no explanation why therefore Cleobury Lane is recommended for allocation rather than Tythe Barn Lane.

Furthermore, there are already two sites proposed for housing in Dickens Heath to provide about 115 houses. If additional land is allocated for a further 185 houses, bringing the total to 300 houses, what assessment has been carried out to consider the cumulative impact of such a significant level of growth in the settlement?

Further work is needed to justify the site at Cleobury Lane.

##### **‘Effective’**

The SHLAA assessment makes reference to ‘suitable’ and ‘achievable’. It does not provide any evidence to demonstrate that the site can be satisfactorily developed within the constraints of current infrastructure i.e. highways, schools, open space. Ecological issues are referred to but no assessment of the extent of the constraints is made.

The evidence does not therefore demonstrate that the site is actually deliverable.

The original concept of Dickens Heath included the attributes of a traditional village to include homes, employment, recreation, social and welfare facilities. It is a carefully master planned new settlement that was planned with a high density urban core with shared surfaces for pedestrians and vehicles.

It was planned with limited car parking to foster an environment where people could move around in the local area with access to facilities and services within walking distance to reduce the need for a car. However, in reality the car has become ever more dominant and

the impact has been that there is not enough space for parking and vehicles of necessity are left on the village roads. This significantly reduces the capacity of the highway network.

Any new allocations need to demonstrate that they can be accommodated within the constraints of the highway network and this has not been done.

A strategic level transportation feasibility assessment has been prepared by Mott MacDonald on behalf of the Council. This makes assumptions that the existing highway has capacity and requires impact is assessed through preparation of model looking at cumulative impact on the A34. Therefore it is not demonstrated that the site is deliverable.

The plan is not therefore effective as it may not be deliverable.