

Meeting date: 27 July 2021
Report to: Cabinet Member for Climate Change,
Planning and Housing



Subject/report title: Residential Backland Development Supplementary Planning Document
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Wards affected:

All Wards | Bickenhill | Blythe | Castle Bromwich | Chelmsley Wood |
 Dorridge/Hockley Heath | Elmdon | Kingshurst/Fordbridge | Knowle |
 Lyndon | Meriden | Olton | Shirley East | Shirley South |
 Shirley West | Silhill | Smith's Wood | St Alphege

Public/private report: Public

Exempt by virtue of paragraph:

1. Purpose of Report

1.2 To report on the consultation of the draft Residential Backland Development Supplementary Planning Document (SPD) and seek approval to adopt the amended document.

2. Decision(s) recommended

- 2.1 To note the comments received during the consultation on the draft Residential Backland Development Supplementary Planning Document (SPD) and the officers responses to them (Appendix A);
- 2.2 To approve the final Residential Backland Development SPD for adoption (Appendix B) and note the draft Adoption Statement (Appendix C).

3. Matters for Consideration

3.1 Residential 'backland development' is an important part of the delivery of housing in the Borough. Whilst helping meet the Borough's housing needs, residential backland development does have the potential to create significant adverse impacts upon local communities if they are poorly designed.

- 3.2 The Local Plan contains a number of relevant policies, the key ones being P15 - Securing Design Quality, P14 – Amenity, and P5 - Land for Housing. There is also guidance provided by the New Housing in Context Supplementary Planning Guidance (SPG) which contains additional guidance on how the Council implements its housing and environmental policies with regard to density, design and local distinctiveness. Whilst this addresses infill development, it is silent on backland development. The creation of a bespoke local planning document that deals with the complexities of backland development will therefore be of assistance to all parties involved in the planning process.
- 3.3 For the above reasons, the draft Residential Backland Development SPD was prepared. The draft SPD is divided into three main chapters. The first chapter is an introduction, which sets out the context and objective of the guidance, policy framework, backland definition and scope of the guidance, as well as the positives and negatives of backland development. Chapter 2 gives detailed guidance regarding the design of potential residential backland development. This chapter gives both general design principles and detailed design requirements, from density and character to biodiversity. Chapter 3 summarises the guidance with a design checklist, which can be used by applicants and their advisors and the public to ensure that the design guidance has been considered and applied.
- 3.4 Following Cabinet Member approval the draft SPD was published for consultation. This took place over a six week period from 5th February 2021 to 19th March 2021.
- 3.5 Consultation was undertaken in the following ways:
- Emails/letters were sent to specific, general and all other relevant consultees and stakeholders on the local plan consultation database who had opted to hear about other policy document consultations, this included all Parish Councils, Neighbourhood Groups and Ward Councillors;
 - The draft SPD was available to view on the Council’s website;
 - Stakeholders were given the option of responding to the consultation through an online consultation response portal, electronically by email or by post; and
 - The Backland Development draft SPD was promoted through the Solihull ‘Stay Connected’ and the Council’s Twitter and Facebook accounts.
- 3.6 Overall, the document was welcomed and the responses are positive. In total, 32 responses were received.
- 3.7 Appendix A of this report sets out the representations that were received during the consultation on the draft SPD. In Table 1, a summary of the comments is given, followed by a response to the comments and any proposed changes to the SPD.
- 3.8 The SPD has been amended in line with the proposed changes and is attached in Appendix B. The changes made were mainly to clarify the existing text, to amend the illustrative diagrams to ensure they are clear, and to add references to relevant

requirements of the emerging Local Plan for clarity, for example, the requirement for electric car charging points.

3.9 The comments received are helpful in ensuring that the SPD is user-friendly, correct and consistent, and with the appropriate level of information.

3.10 The updated SPD is therefore presented for adoption in order to support the implementation of the Local Plan.

4. What options have been considered and what is the evidence telling us about them?

4.1 The only alternative option available is to not adopt the SPD. This option has been discounted as the Council does not currently have dedicated residential backland development guidance.

5. Reasons for recommending preferred option

5.1 Due to the increasing level of residential backland development proposals in the Borough and forecast housing growth it is beneficial to have a dedicated Residential Backland Development SPD to ensure that proposals put forward are of acceptable design and quality, and do not result in significant detrimental impacts. The Council should have up-to-date guidance to comply with national legislation and reflect current best practice.

6. Implications and Considerations

6.1 How the proposals in this report contribute to the delivery of Council Plan priorities:

Priority:	Contribution:
Securing inclusive economic growth.	The SPD will support improvements to the quality of development and the environment and appropriate housing delivery.
Planning & delivery for Solihull's low carbon future (to include biodiversity implications).	The SPD will support the consideration of green infrastructure in development proposals and the contribution it makes to biodiversity.
Managing demand and expectation for public services.	The SPD will help improve Health and Wellbeing through better designed development.
Developing our approach to services for adults and children with complex needs.	No immediate implications as a result of this report.
Making the best use of our people and physical assets.	No immediate implications as a result of this report.

6.2 Consultation and Scrutiny:

- 6.2.1 The consultation process used is set out earlier in this document.
- 6.2.2 The ED&MG Scrutiny Board has considered the Council's approach to consultation and engagement in the Local Plan Review on a number of occasions.
- 6.2.3 Government regulations identify 'specific consultation bodies' including organisations such as Natural England, the Environment Agency and Historic England that the Council is required to consult.
- 6.2.4 In addition, the Council has directly consulted with other relevant 'general consultation bodies' and those stakeholders on the Local Plan consultation database. The Council have also promoted the draft document through its website and social media outlets. Consultation also included key local agents who often submit backland applications to the council.

6.3 Financial implications:

- 6.3.1 No direct implications as a result of this report.

6.4 Legal implications:

- 6.4.1 The requirements for the preparation and adoption of the SPD are set out in the Town and Country Planning (Local Planning) (England) Regulations. These regulations have been taken into account during the preparation and adoption of the SPD.

6.5 Risk implications:

- 6.5.1 No direct implications as a result of this report.

6.6 Equality implications:

- 6.6.1 Consultation on the draft SPD was undertaken in accordance with the Statement of Community Involvement (SCI), which was adopted in January 2020. A Fair Treatment Assessment was undertaken for the SCI and did not identify any specific issues

7. List of appendices referred to

- 7.1. Appendix A – Solihull Draft Residential Backland Development Supplementary Planning Document: Summary of Consultation Representations, Officer Response and Proposed Changes.
- 7.2 Appendix B – Amended Solihull Residential Backland Development Supplementary Planning Document.
- 7.3 Appendix C – draft SPD Adoption Statement.

8. Background papers used to compile this report

- 8.1 Draft Residential Backland Development Supplementary Planning Document

9. List of other relevant documents

9.1. None