

APPENDIX 1 Public Consultation Responses & Officer Recommendation

In accordance with Regulation 12 of the Town and Country Planning (Local Planning) (England) Regulations 2012, the following table provides a summary of the representations received during the consultation process for the Residential Backland Development SPD. The table also provides a summary of the Council's responses to those comments and the changes that have been made in response. For the avoidance of doubt, the consultation process was undertaken during 5th February 2021 to 19th March 2021.

ID Number	Point/Paragraph	Summary of Comment	Proposed Change(s) to Document	LPA Response
ID:001		Rejected planning application in 'Lightwood Close' - Entry into proposed development not considered an issue by SMBC Highways Department - increased traffic pedestrian noise for neighbours not considered - access for emergency vehicles and large construction vehicles not considered -	Suggestion for future planning applications is one of consideration at the entry and exit points of a site. Just because a person has a large back garden does not mean there is enough space to be able to put a roadway into the site	Noted
ID:002		Excellent draft document - Infill need balanced against other factors	Document should make specific reference to the need of such development to meet the planning requirements of Neighbourhood development plans - A specific requirement to take account	Agree and change: Para 1.6 has been

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			of NDPs will help developers take all the necessary considerations into account before submitting a planning application	amended to make reference to Neighbourhood Plans.
ID:003		Supports examples given 1.12 & illustrations in figures 1 and 2 - situation outlined in bullet point 6 needs to be illustrated by diagrams and explanation inc. when does additional access junction become unacceptable?/will existing drives for backland development permissions given be taken into account in considering new proposals / alteration of frontage character?	Moving forward Backland development must demonstrate how scheme design has been fully considered and addressed, and should include:- a)Consideration of the local settlement pattern, building style and materials used .b)Housing density and landscape, to ensure it is in keeping with surroundings. c)At a scale not to be dominating existing dwellings by making them subservient to the new. d)Respecting the character and appearance of neighbouring dwellings. With specific regards to garden backland any such development must :- a)Preserve or maintain the character of the area including any mature garden landscape. b)Not introduce an inappropriate form of development design and have regard for the characteristic open space between dwellings. c)Not significantly and demonstrably harm the amenity of the host dwelling(s) and neighbouring properties. d)Ensure adequate vehicle parking for residents and visitors is built into the design so	Noted, points a-d raised are dealt with within the document and will be considered and assessed at planning application stage.

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			as not to encourage pavement parking or overspill parking on neighbouring streets.	
ID:004		Generally accepts the objectives of the SPD however no reference to the potential impact of backland development can have on adjoining waterways.	Following advice should be included: "Where backland development sits adjoin the canal network, consideration will need to be made as to how close any buildings/structures will be to the canal in order to avoid adverse impacts on the structural integrity of the canal infrastructure" & "Backland development in close proximity to the canal will need to take careful consideration of the visual impacts of the proposals and seek to avoid turning their back on the canal, detrimentally affecting the waterways setting.	Noted, an application with a boundary to a canal will be considered with care to ensure the relationship between the development and canal is respected. Any such application would consult the Canal and River Trust.

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ID:005		<p>Does not feel there are any sites in Chadwick End that meet the criteria for backland development but offers the following Points regardless; Sites should be sensibly designed in regards to the number of houses - access crucial consideration both during and after construction - scale of any new houses has to match or be smaller than existing houses - adequate parking should be provided</p>		Noted
ID:006		<p>Overall opinion is in favour of this type of land for development - these backland developments need to be sympathetic to the surrounding properties and encourage biodiversity. They need to be built within the character of the local area and if possible retain the garden character. Parking needs</p>		Noted

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		to be adequate and safety towards pedestrians is vital		
ID:007		Praises document and hopes it is exemplar for future Council consultations - Supports Backland development - Notes that the document makes reference to Backland developments needing to be sympathetic to the existing surrounding designs, understands that this needs to be considered but hopes that it does not discourage developers from putting forward exciting and innovative designs	Perhaps a commitment to energy efficiency could be included as well as provision of electric car charging points	Agree and change. Cross ref to P9 (check), SLP2013/SLPR. Cross ref to New Housing in Context. Addressed in 1.3 and 2.34.
ID:010	General Comments	Regards existing gardens as sacrosanct and protected at all costs - Backland development changes the nature of an area - report does not give any examples of successful 'garden		Disagree. The draft SPD does acknowledge good examples of backland development and in so doing

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		grabbing applications' - approves of one of the tests being 'Enhancing local character and distinctiveness ' from 'No harm will be caused (this change should be highlighted to applicants)		acknowledges that back gardens cannot be sacrosanct and protected at all costs.
	Page 6. Para 1.12. - Site and Proposals not considered suitable for Backland Development	Happy with comprehensive list provided		Noted
	Page 8 Figure 1.5.	Claims image looks precisely like the current development under construction at Alderbrook Road that was approved by planning committee		Disagree. The image shown is elsewhere on Alderbrook Road, and referenced at page 34.
	Page 9. Fig 2.1.	Agrees that such site entrances should be avoided		Noted
	Page 17. External Space and Green Infrastructure	Supports the requirement of specific green infrastructure plans		Noted

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	Page 22. Para 2.18. Integration of existing mature trees and other green infrastructure into developments, new and connected green infrastructure	Delighted to see comments setting new development cannot result in unacceptably small rear gardens for existing or proposed properties and the comments made on retention of adequate private and/or shared amenity space.		Noted
	Page 26. Para.2.27. Access and Parking	Approves of the requirements seen in this section		Noted
	Page 30. Para 2.36. Car Parking Design, layout and provision		Disappointed that this section makes no reference to underground parking	Noted and disagree: Underground car parking has significant financial implications and most likely would render a scheme unviable. It has the knock-on effect of raising overall heights of

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	Page 37. Para 3.0. Design Checklist	Very Helpful Checklist		buildings because natural ventilation must be achieved above ground level height, itself impacting on subservience. Noted
ID:011		Our records do not indicate that there are any recorded risks from past coal mining activity at surface or shallow depth in the Solihull area. We also hold no records of surface coal resource in the area. Based on the above we have no specific comments to make on the draft SPD currently out for consultation.		Noted

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ID:012		<p>Current Plans do not go far enough in minimising the negative impacts of such development on all neighbouring properties.</p>	<p>> the principle of subservience seems to be in relation to the street frontages but should apply equally to all neighbouring properties > design and appearance of properties should blend in with all surrounding properties > consideration of the site topography to ensure that issues of dominance over surrounding properties will not be exacerbated by allowing the construction of much larger properties built on higher land</p>	<p>Partially agree: Topography addressed in 2.3, 2.12, 2.18. Design and appearance are discussed throughout. Subservient to adj. dwellings is not necessary because they have an equal and neighbourly relationship to one another. Subservience is necessary to houses that have an existing primary frontage.</p>
		<p>Welcome the proposals regarding landscaping and green space but worry it will be undeliverable if the Council are not willing to take steps to ensure it happens.</p>		<p>Noted. This is a point of policy so shall be adhered to and justified.</p>

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		Effects on residents living beside building sites i.e. parking, litter, noise.	Mitigation efforts should be put in place to residents affected by backland development	Noted. Planning conditions deal with this point.
ID: 013		Strategic Road Network (SRN) within SMBC comprises of the M6 and M42 Motorways, and the A446/A452 trunk road. Based on our appraisal we have concluded that we have no comments to be made regarding the draft SPD.		Noted
ID: 014	Para. 1.3 - Bullet Point 5		Recommend that the wording is revised to include heritage aspects as follows: 'promote the conservation and enhancement of the historic environment, and local distinctiveness and character in general'	Agree and change: Reference to historic environment added to Para 1.3.
	Para. 2.9	The reference to Conservation Areas is welcomed		Noted
	Para. 2.12	We welcome the reference to the impact and character of an area		Noted

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		and assessment on a case by case basis		
	P.20 Figure 8		Recommend that a different illustrative example is used as the existing one has the potential to mislead users. The image includes a listed building but there is no opportunity within the SPD to set out the context of the site and how impact on significance has been considered. As such, inclusion of this image may raise developer/site owner expectations as to what may be acceptable in relation to sites relating to heritage assets. In some cases, the layout shown may not be acceptable in heritage terms due to impact on setting	Agree and change: Reference to listed building to be removed from Figure 8.
ID: 015		The response is from the British Horse Society however their volunteers in the county may also respond at a local level		Noted
	Page 24, point 2.23		Please add 'equestrian' friendly. Equestrians can effectively share routes with other vulnerable road users	Disagree: reference not required at SPD level.
ID: 016		Supports the development of a backland development planning document for Solihull MBC - document should be easy to understand		Noted

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		using illustrations as necessary and of course be compliant with all other national and local planning requirements		
		Agrees with the proposal that Backland Development should be subservient to the original and remaining frontage property(/ies)	Wants greater clarification on what constitutes subservient	Noted. The report is clear on this point at Para 2.3.
		The plot layout of any new Backland properties should be consistent with the frontage properties		Disagree. By its very nature, the layout of plots (and their orientation) within a backland development may not be consistent with the host frontage dwelling.
		Efficient use of Brownfield land	Promotion of large plots over smaller ones	Noted
		Observed that most existing Backland developments within Solihull back onto either	This is unduly restrictive particularly as in many parts of Solihull large or very large rear gardens exist and this space alone may minimise any	Disagree that all backland development

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		small patches of woodland or playing fields	visual impact. Any such restrictions should be removed as appropriate	backs onto woodland.
		Development that provides housing in short supply should be encouraged	I.e. affordable housing for the young or bungalows for older residents or those with impaired mobility	Noted
		Proposed developments which can make a positive contribution to the environment should be actively encouraged particularly if they are designed to support threatened species.....bats, butterflies, moths, hedgehogs are so on		Noted. Each case is dealt with on its merits and P4 deals with.
ID:017		"These are merely an enabling tool for Birmingham to dump housing on Solihull then Solihull to dump it in Balsall Common on Green Belt land"		Noted
ID:018			Wants to ensure that any backland development plan that is passed also includes the practicality of allowing electric car re-charging points to be fitted and easily accessed by the rightful owner. There should	Agree and change: reference to be added regarding electric charging points

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			be no opportunity for residents to trail electric cables across shared areas in order to be able to re-charge their vehicles	and Policy P9 of the Local Plan. Addressed in 2.34.
ID:019		<p>Backland development must demonstrate how scheme design has been considered and addressed;-</p> <p>a) The local settlement pattern, building style and materials used.</p> <p>b) Density and landscape, to ensure it is in keeping with surroundings.</p> <p>c) Scale not to be dominating existing dwellings by making them subservient to the new.</p> <p>d) Respect for the character and appearance of neighbouring dwellings.</p> <p>With specific regards to garden backland any development must;-</p> <p>a) Preserve or maintain the character of the area including mature garden landscape.</p>		Noted

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		<p>b)Not introduce an inappropriate form of development design and have regard for the characteristic open space between dwellings.</p> <p>c)Not significantly and demonstrably harm the amenity of the host dwelling(s) and neighbouring properties.</p> <p>Adequate parking must be provided as to not encourage pavement parking/overspill onto neighbouring streets</p>		
ID: 020		<p>> Increase in housing must be met with an increase in infrastructure, roads, schools and doctors surgeries.</p> <p>> Roads no longer fit for purpose and the residents of these roads (Creynolds Lane & Widney Lane) have seen an exponential increase in traffic which</p>	<p>>The Council needs to think of existing residents and the impact infill projects will have on the community</p> <p>> This proposal severely impacts on any historical purchase made with this in mind</p>	Noted

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		<p>has increased to an unacceptable degree. > Plan to increase the size of Cheswick Green school to meet increased housing demand is also flawed as the parking on Cheswick Way is now such that travelling down that road during school start and finish times is dangerous.</p>		
ID:021		<p>Wishes to bring to attention our current situation which fits exactly in with your concerns and your development plan - Development of two 4 bed detached houses at the rear of our property. Planning application 2019/03003/PPFL.</p>		Noted
ID:022		<p>See many positives in enhancing the area</p>	<p>What does not come through is any desire to consider, and be active, in terms of crime prevention</p>	<p>Agree and change: add a reference to crime prevention. Addressed in 2.3.</p>

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ID:023	General Comments	Greater clarification given to the fact that a development site may be bounded by more than one road. The proposed development should be subservient to all the roads it adjoins not just the "frontage" properties.		Agree and change: changed at Para. 2.3
	Para 1.3	No reference to the retention of existing trees as a key objective	Any development on back land must ensure that if any trees are removed not only should they be replaced, but any new development should also increase tree coverage	Noted and dealt with through existing Policy P10 of the Local Plan.
	Para 1.7	Greater clarification that a development site may be bounded by more than one road	Proposed development should be subservient to all properties on all sides of the site if the proposals are to fully protect and enhance existing residential areas	Agree and change: add a reference to crime prevention. Addressed in 2.3.
	Paras 2.2 and 2.3	"Same as above comments"		Noted
	Para 3.0	Insufficient emphasis is being given to the need to reduce CO2 emissions by ensuring all trees on a site are either retained or replaced with same quality of tree		Agree and change: clarification needed. Addressed in 1.7.

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ID: 024		"The topic of supplementary planning document does not appear to relate to our interests...therefore we do not wish to comment... should the plan be amended in a way which significantly affects its impact on the natural environment, then, please consult Natural England again".		Noted
ID: 025		It should be accepted that the removal of habitat of ecological value, e.g., mature trees, simply cannot be associated with a net gain in site biodiversity.		Agreed: This is dealt with through Policy P10 of the Local Plan.
	2.24		Replace "ideally through the retention of existing trees and vegetation" with "through the retention of existing trees and other vegetation deemed to be of ecological importance".	Partially agree: retain 'ideally', however add 'deemed to be of ecological importance'. Addressed in 2.24.

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	2.17	This statement could be interpreted as giving justification for the removal of trees to accommodate development	Add the following: 'Where there is a conflict between the plan and the presence of mature trees there should be a presumption in favour of retention of trees of landscape or ecological value.'	Noted. Policy P10 of the Local Plan will deal with this point.
	Supporting evidence	Knowle, Dorridge and Bentley Heath Neighbourhood Plan 2018: The Natural Environment 7.7. Policy NE1: Trees, Hedgerows and Woodland on sites with mature or important trees or hedgerows, groups of trees or woodland, the protection of such features shall be promoted in any development scheme. Where such features make a significant contribution to the street scene or landscape but are not protected within the proposed development, such proposals will be resisted. Promoting the protection of trees, hedgerows and		Partially agree: retain 'ideally', however add 'deemed to be of ecological importance'. Addressed in 2.24.

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		<p>woodland is a priority for residents. Such features are a valued amenity and an integral part of the Area's green character and appearance. This policy applies not just to features subject to a Tree Preservation Order but also to all reasonably healthy features that have an amenity or screening value. '</p>		
ID: 027	General Comments	<p>> Reference should be made to the role of Neighbourhood Plans where design policies are based on local character assessments and provide the basis for local communities to shape the nature of development in their areas.</p> <p>>Whilst the text is encouraging, many of the illustrative 'good' examples are not. The examples suggest that backland development</p>		Partially agree: make reference to Neighbourhood Plans. Addressed in 1.6.

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		<p>can proceed with little regard for the nature of surrounding development. We do not believe this to be the intent of the guidance</p>		
	<p>Introduction and Background</p>	<p>We believe a greater distinction needs to be made between on the one hand backland development comprising vacant, underutilised or derelict land; and on the other hand, rear garden areas of established residential roads.</p>		<p>Disagree: this guidance is applicable to any backland scenario, whether that be derelict land, brownfield land or garden land. The principles within the SPD will be applied in all cases.</p>
	<p>Context and Objectives</p>	<p>The last objective is to 'promote good communities'. What does this mean and how could this be interpreted? Does the Council regard some communities as bad or inadequate? There is a suggestion in the</p>	<p>This objective in the context of backland development should be deleted</p>	<p>Agree and change: 'good communities' reference deleted. Addressed in 1.3.</p>

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		document that low density areas would be improved by introducing smaller dwellings in a backland situation		
	Policy Framework	Welcome references to criteria for the assessment of backland development in Local Plan Policies P5 and P15 relating to design, density and local character and distinctiveness. Similar references to relevant provisions in the NPPF are also welcomed, particularly regarding the need to ensure that inappropriate windfall development of residential garden areas does not harm the local area (para70).	Policy Framework section of the draft SPD makes no reference to relevant Neighbourhood Plan policies. This omission should be corrected.	Agree and change: make reference to Neighbourhood Plans. Addressed in 1.6.
	Sites and Proposals Not Considered Suitable for Backland Development	> Agree that an analysis of site character and context is essential to determining if backland development is acceptable in principle. However, there is again		Agree and change: make reference to Neighbourhood Plans and amend Figure 1.3 to extend rear

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		<p>no reference here to the role of Neighbourhood Plans and their supporting evidence bases in identifying areas of character</p> <p>> "Regarding the 'good example' in Figure 1.3 Proposal B, we note that a landlocked green space is left in the centre. Surely that is not a good design outcome?"</p>		<p>gardens to remove green void. Addressed in 1.6 and Figure 1.3.</p>

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	Design Process	<p>> B) Density and character: We strongly support references in 2.5 and elsewhere to the need to take account of both the site's character and its context. However, all the examples of 'good built form and layout' (e.g. Figures 4.1 gentle densification, 5.1-5.3, 6.1 and 6.2, 8 and 10) appear to demonstrate a poor relationship between the new dwellings and the existing adjoining plots, resulting in relatively cramped layouts and overlooking of existing adjoining plots.</p> <p>> C) The general separation distance of 22m back to back (para 2.12) to protect privacy is inadequate when considering areas characterised by large dwellings in large plots.</p>	<p>> B) The inclusion of these Figures provides the basis for developers to pursue such schemes that would be unacceptable in most parts of the KDBH Area. These examples do not give sufficient recognition to their surroundings and fail to provide the flexibility to respond to local character. They should be deleted.</p> <p>> C) it is important that spatial separation, garden size, privacy and overall plot size (of both the original and the new plots) adequately reflect the general size, layout and character of the area.</p> <p>H) We do not think this is a reasonable example of a poor frontage design and should be removed</p> <p>I) Reference should be made to the imposition of suitable conditions to ensure that such planting is maintained</p>	<p>Partially Disagree: note that KDBH consider figures quoted to be cramped, causing overlooking; the plans are not shown to scale and therefore it is impossible to determine separation distances. Any figures within the SPD comply with the principles set out therein. It should be noted that backland development makes efficient use of land.</p> <p>Disagree: 22m separation distances are compliant with case law and considered to be adequate.</p> <p>Disagree: again,</p>

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		<p>> D) Pages 18 and 19 appear to be missing</p> <p>> E) External Space and Green Infrastructure: We support the words in this sub section, but again do not find Figure 8 a very convincing example of a good built and external site layout.</p> <p>> F) Figure 10: This backland layout may meet the criteria within the site as an independent development, but it fails to sit well within its wider context, causing overlooking and loss of privacy to existing dwellings and with an overall layout that does not reflect existing character</p> <p>> G) Access and parking, para 2.33: We support the</p>		<p>note that KDBH consider figures quoted to be cramped, causing overlooking; the plans are not shown to scale. Disagree: the plan was approved by Landscape Architects who were content that adequate space has been provided to allow vegetation to establish successfully. All figures will be annotated as 'Not to Scale' and para 3.3 confirms that figures provided are for illustrative purposes only and are not drawn to scale.</p>

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		<p>principle of allowing enough green spaces for green verges and vegetation along access drives (Figure 13). However, we query if this is adequate to allow new trees and planting to thrive and mature.</p> <p>> H) Car parking design, layout and provision: Figure 15 shows a well-maintained frontage of a house in Avenue Road, Dorridge. The frontage is surrounded by a neat, low hedge with other greenery and a feature mature tree in front of the house.</p> <p>> I) Figures 16.1, 16.2 and 16.3. We support the use of planting to reduce the impact of cars, but it is important that this is well maintained.</p> <p>> J) Figure 16.5. This example of an</p>		

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		<p>unacceptable frontage parking arrangement is on the recent Middlefield Spring development. There are other examples of extensive courtyard parking surfaces on this development which are also unsatisfactory.</p> <p>> K) Bins and waste collection: We strongly support the need for adequate storage to be designed as part of a development</p> <p>> L) Page 36 missing</p> <p>> M) There is no reference in the draft SPD to topography. Changes in levels play a major role in the relationship between dwellings and can cause serious overlooking and loss of privacy</p>		
	Conclusion	The KDBH Neighbourhood Forum, the Knowle Society and		Agree and change: references to

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		the Dorridge and District Residents Association ask that these comments be actioned and appropriate changes made, in particular to the Figures, to add clarity and consistency to planning policy before adoption of this SPD		topography to be made. Addressed in 2.3, 2.12 and 2.8.
ID:028	1.7	Proposed backland development could well achieve a far better quality of development than the properties that it backs onto. It should be recognised that some backland development can help to lift poor quality areas and should not be discouraged		Noted
	1.8	Earlier sections still need to positively support the right sort of backland development		Agree and change: Reword language more positively. Addressed throughout document.

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	1.9	<p>> Many of the so-called negative impacts listed are unquantified, and to be workable it will be necessary for the Council's Highway Engineer to also sign up to the SPD and be far more flexible rather than imposing unrealistic requirements in terms of parking and access widths, etc.</p> <p>> Phrases such as "if poorly designed" will focus objectors onto all the things listed in that paragraph</p>		Noted: Para 3.2 added to make clear the SPD is guidance, and each case is considered on its own merits.
	1.10	Setting out that any backland development should also meet the design criteria outlined in the SPD without acknowledging that there can be flexibility and each case will need to be determined on its merits will mean that most proposals will fail.		Agree and change: Add that it is acknowledged, of course, that each application is considered on its own merits. Addressed in 3.2.

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	1.11	<p>> Expanded to set out the issues that are land assembly considerations</p> <p>>Location has also to play a role in sustainability with good access to services sometimes overcoming some of the shortfalls in fully achieving design principles.</p>		Noted: dealt with through Policy P5 of the SLP.
	1.12	<p>Words such as 'overdevelopment' and 'disproportionate' are not defined in bullet point 2 and 3.</p> <p>> Overdevelopment - It is perhaps better to set out that many issues such as overlooking, poor spatial separation, loss of important features of a site may be considered to amount to overdevelopment.</p> <p>> Disproportionate - difficult to define - objectors will seek to stop making efficient use of a site due to generation of traffic that wasn't there</p>	The words 'will not be' should be changed to 'may not be' and 'are likely to be rejected' should be changed to 'may be rejected'.	Disagree: each case is dealt with on its own merits.

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		before - not necessarily disproportionate.		
	Figure 1.3 - Proposal B	Unused land at the back of the proposed frontage development - corner building incorporated into the scheme?		Noted
	Figure 1.5	Example is likely to be thrown at much better schemes where a long access is the only way to unlock the backland.	Suggest the introduction is reworded as “an example of a poor rear garden development”.	Agree and change: Make clear that Figure 1.5 is intended to provide a poor example. Addressed at Figure 1.5.
	Site Entrance arrangements - Page 9	It may be impossible to secure two frontage properties to create a wider access and that would impact on the viability of any scheme for developing the backland. Very often developers may have to acquire two properties but replace one of them with a narrower property on the frontage to		Noted

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		recoup some of the cost. That can create an acceptable solution and should not be dismissed.		
	2.1		It should be accepted that some flexibility in the approach to design requirements may be necessary to accommodate development of backland in mature suburbs	Noted
	2.3	The backland dwellings do not need to be smaller in size, massing or scale to appear subservient as long as they do not compete visually with the established frontage development.		Agree and change: Replace word 'ensure' with 'demonstrate' at second sentence of 2.3. Addressed in 2.3.
	2.5	Agrees		Noted
	2.6	Subservience still needs to be carefully defined		Disagree: Satisfied that the document adequately expresses subservience.
	2.8	Welcoming that SPD seems to accept that all backland development need not be fully comprehensive		Noted

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	2.9	Backland development in certain conservation areas can be inappropriate but can reflect existing and approved precedents of backland development in other conservation areas.		Noted
	Figure 4	Illustrations appear to be poor examples and not following the design principles being extolled in the SPD		Disagree: Illustrations depict both positive and negative examples of backland development.
	Figure 5.1 - 5.2 - 5.3	Suggested layouts unclear/unrealistic		Disagree
	Pg14 (bullet point 3)	The issue of subservient dwellings leading into the site is unclear and needs to be illustrate by photographs not by the layout in Figure 6.1		Noted
	Pg14 (bullet point 4)	Smaller footprint of dwellings within the inner backland appear totally incongruous in the context of the type of development around		Agree and change: Figure 6.2 to be amended. Addressed in Figure 6.2.

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	Pg14 (bullet point 7)	Smaller houses are shown to have minimal patio gardens which are also unlikely to meet normal space standards and would be oppressive on the rear gardens of the established houses around		Agree and change: Figures 6.1 and 6.2 to be amended. Addressed in Figures 6.1 and 6.2.
	Pg14 (bullet point 8)	Poor layout in Figure 6.2		Agree and change: Figure 6.2 to be amended. Addressed in Figure 6.2.
	Pg14 (bullet point 10)	Traffic surface unlikely to be acceptable to Highway engineers. Road too narrow, not enough parking and poor provision of garden amenity space		Noted: Figures and illustrations are not to scale. Para 3.3 added to make this point explicit.

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	2.10	<ul style="list-style-type: none"> > Incorrect interpretation of subservience - houses of similar size and height to frontage properties will always appear smaller through perspective and parallax. > Incorporating development into loft spaces is a good use of the taller volume and therefore more sustainable than leaving void lofts > Marginally taller buildings in backland development (still subservient) should be permitted to allow for increased floor to floor heights > Underfloor heating requires deeper floor thicknesses for sustainable construction. 		Disagree: Height is one part of subservience.
	2.14	Seeking to replace existing houses with new corner feature houses can make many schemes		Noted: The guidance does not require in every case for

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		unviable - careful landscaping can suffice		new frontage development.
	Page 17	Applications should be accompanied by a properly prepared Tree Survey, Tree Constraints analysis and AIA		Noted: This is dealt with in the local validation criteria.
	Pages 18 & 19	*Missing*		Noted
	Pg20	Indicative concept masterplan - good example		Noted
	2.18	Suggested layouts show unacceptably small gardens - not accord with Council's normal guidelines - consistency needed		Noted
	2.19	Flexibility proposed here has been lacking in recent years		Noted
	2.20	Layout along these lines would be acceptable in the local community let alone by Planning Officers and Committee		Agree and change: Figure 10 to be amended. Addressed in Figure 10.
	2.23	The viability of most backland developments is unlikely to allow for the		Agree and change: rephrase 'playable' to

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		provision of outdoor communal play space		'useable'. Addressed in 2.23.
	Page 25	Figures 11.2 and 11.3 are appropriate for flatted development where there is a grounds maintenance agreement for the owners		Noted
	2.27	Use of the words 'significant nuisance' will be a hostage to fortune	Better to require a meaningful space to the side of an existing house at the entrance so that the new access drive or road is offset and does not pass directly alongside the side wall	Disagree: appeal case law supports.
	2.28	Shared surfaces or different surface materials can differentiate between vehicle space and pedestrian space yet can allow two vehicles to pass given the low levels of movement generally using that access way		Noted
	2.29	Agreed		Noted
	2.30	Same comments as 2.28		Noted
	2.31	Examples should be shown in illustration		Noted
	Figure 12.1	Access way appears too wide		Disagree: This was the existing access and is appropriate to its

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				context and to the setting of a listed building.
	Figure 12.2	Pedestrian area is fine as long as owners can park close to their houses/can be serviced by delivery vehicles		Noted
	2.32	Not always achievable - normally expect road layout to allow for refuse collection and emergency service vehicles, especially fire engines - wide roads and turning areas and can dominate any more aspirational sensitive layout		Noted: reference made is not applicable to 2.32.
	2.33	Agreed		Noted
	2.34	Not every backland access will be a pavement crossing – some will be proper accesses with kerb radii and bell mouth. Why are gated accesses not acceptable?		Disagree: Gated developments create private enclaves that deny permeability through the streets.
	Figure 14	Not a clear enough illustration		Disagree

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	2.36	Sensitive design of parking within backland development suggested here may be difficult to accommodate - smaller site - thinking ahead in terms of electric car charging points next to each house		Agree and change: add electric charging point reference. Addressed in 2.34.
	Figure 15.1 and 15.2	Appear to show single houses built as infill within the existing fabric of a street. These are not clearly new backland developments		Partially agree: These are infill developments.
	Figure 16	Photos when peak parking in evenings and weekends happen – unlikely that those layouts would work visually at those times		Disagree: The examples of good car parking include screening via robust shrub planting and meet car parking standards.
	Page33	Agrees with 16.5 however argues that Figure 16.4 is probably a reasonable layout in the context of the site		Noted

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	2.41	Best to require all applications to be accompanied by onsite waste management scheme and layout		Noted: Dealt with via the local validation criteria.
	2.42	Maximum walk distances for refuse collection should be quoted		Agree and change: Include reference to max walk distance. Addressed in 2.27 and 2.43.
	2.43	Vehicle access will be dictated by access for emergency service vehicles		Noted
	2.44	Cycle parking ok	NEED SECTION ON ELECTRIC CHARGING OF VEHICLES	Noted
	Page 35	Storage of bins needs to be closest to houses for convenient use on a daily basis		Noted
	Page 36	Missing		Noted
	Page 37	Checklist provided risks being used for tick box planning. It is important to leave room for the professional judgement and discretion of an experienced planner - as long as the overall		Partially agree: This SPD is guidance only; at the planning application stage all applications are considered upon their own

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		<p>scheme would result in a high-quality development that at least meets many of the design criteria that should be sufficient to secure a consent</p>		<p>merits. Para 3.2 inserted to make explicit.</p>
ID: 029	Key Points	<p>A) Solihull Council should ensure it remains the sole arbiter of decisions that may have a negative impact. B) The provisions of the SPD should ensure that cumulative backland planning decisions in a residential area do not fall short of the standards that would be set for a large scale planning application for new homes on a similar site. C) Biodiversity net gain requirements should be explicitly embedded in the policy and should be enforceable.</p>		Noted

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	A	<p>> Specify minimum standards - guidance uses the word 'should' rather than 'must'</p> <p>> Provide a deterrent - wording must provide a strong deterrent for developers to take any actions which bypass the Council's planning process</p>		Noted: Each case must be dealt with on its own merits.
	B	<p>>Ensure that previous planning consent for a whole neighbourhood is revisited - backland development must not fall below the standards set in the original planning permission - If planning principles have changed, it should revisit those requirements and officially update them</p> <p>> Possible for the Council to define neighbourhoods in Solihull and set some very basic measures of the character of each different neighbourhood – for example maximum</p>		Disagree: This goes beyond the scope of the document.

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		height of buildings, type and placement of frontage boundaries		
	C	<p>National commitment to biodiversity net gain requirements of the NPPF 2019 ought to be more explicitly embedded in the SPD - neighbourhood which lacks mature trees, especially woodland trees, is impoverished ecologically. With no trees visible above the roof line, it is also impoverished visually</p> <ul style="list-style-type: none"> > Explicitly strengthen biodiversity requirements - Points 2.24 to 2.26 of the SPD could be worded more strongly - need for minimum biodiversity requirements > Set higher standards for uncultivated land - 		<p>Disagree: The proposed changes are too prescriptive and local distinctiveness would ensure sites are designed correctly. Policy P10 of the Local Plan (LP) applies. Comments noted, however no changes to the document are required because the points raised are already covered in the LP policies.</p>

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		<p>pockets of land which have been allowed to be wild for some time, the Council should specify on what grounds planning consent should be denied</p> <p>> Create precautionary restrictions - If trees are being removed, the Council must have the final decision.</p>		
ID: 030	General Comments	<p>> This is an excellent document, although well overdue, which should help to control backland development in the future</p> <p>> Omission of a car parking standard requirement in the policy. A lack of such a policy has resulted in pavement car parking and an adverse effect on existing properties</p>		<p>Agree and change: include link at 2.39 to SPD on parking standards. Addressed at 2.39.</p>

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ID: 031	General Comments	<p>> IM Land are actively promoting land at Rumbush Lane known as 'Rumbush Village'</p> <p>> Requirement for an additional 2,800 dwellings on non-Green Belt speculative sites appears to be ambitious - quantity dwellings to be delivered in this 'un-planned' way seems inappropriate given the potential for adverse impacts</p> <p>> A settlement hierarchy should be set within a policy position in the Draft Submission Plan, which identifies the most sustainable locations for growth. This should in turn be evidenced by the Sustainability Appraisal (SA) that takes into account factors such as access to public transport. This approach would also assist in the overall development management and the</p>		<p>Noted: This is already covered in the SPD and if required, the SPD will be updated following the adoption of the Local Plan.</p>

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		<p>preparation of future SPDs, including the Residential Backland SPD, where it could be used to clearly identify those settlements that are considered accessible and sustainable and therefore appropriate for consideration.</p> <p>>Draft Residential Backland Development SPD should come forward to support the emerging Local Plan Review 'Draft Submission Plan' (October 2020) rather than the current adopted Local Plan to ensure that the two policy documents are aligned.</p> <p>> Draft Submission Plan should include a spatial strategy and settlement hierarchy to direct all levels of growth so that the Residential Backlands and any future SPDs, can support the strategy and</p>		

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		build upon it with key design principles		

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ID: 032	General Comments	<p>>Paragraphs 58 and 69 of the National Planning Policy Framework (NPPF) recommend that local planning authorities ensure their policies and decisions aim to create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion</p> <p>> Section 17 Crime & Disorder Act & PIN's 953 - The Crime and Disorder Act 1998 which introduced a wide range of measures for preventing crime and disorder. Section 17 (as amended by Schedule 9 of the Police and Justice Act 2006), imposes an obligation on every police authority, local authority (which includes Planning Authorities) and other specified bodies to consider crime and disorder reduction in the</p>		<p>Agree and change: add reference to designing out crime - natural surveillance of access drives, and make reference to Secured by Design. Addressed in 2.3.</p>

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		<p>exercise of all their duties.</p> <p>> Recommend that any residential developments are built to the standards laid out in the most up to date version of Secured by Design “Homes” guide, with the latest version being “Homes 2019” - complements the ethos, particularly supporting the aims of sections 1.3 and 2.44 in the consultation document.</p> <p>> Section 2 of Secured by design “Homes 2019” guide sets out the `Police Preferred Specification` for physical security for new or refurbished homes, that should be incorporated into any build to reduce crime and improve the safety of the occupiers</p>		