

Date: 3rd December 2015
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The Secretary of State for Communities and Local Government,
 The National Planning Casework Unit,
 5 St Phillips Place,
 Colmore Row
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 B3 2PW

Dear Sirs,

Re: The Metropolitan Borough of Solihull (Touchwood Extension, Solihull) CPO 2015 Citiforce Investments Inc. of Arias Fabrega and Gabrega Trust Co BVI Limited

I am instructed to act for Citiforce Investments Ltd and have been sent a copy of a letter dated 26th November from Solihull Metropolitan Borough Council confirming the Council resolution to make the above CPO. Also enclosed was a map of the area referred to in the CPO and the Council's Statement of Reasons.

My client's property 4-6 The Square is affected to the extent that the whole of the rear area of land comprising access and parking is to be taken and although appearing to be excluded, the frontage properties comprising 4-6 The Square are to be affected by new rights to be acquired and imposed.

I am instructed to object to the proposed CPO and to request that the CPO should be amended to include all of my client's properties, as the viability and value of this investment will be significantly affected by the severance of the existing access and parking amenities used by the existing tenants and the future lettable of the buildings will be compromised.

I would appreciate acknowledgment of this letter of Objection and I await notification in due course regarding the date of the presumed Public Local Inquiry.

Yours faithfully,



Richard G Thorne FRICS
 Consultant and RICS Registered Valuer
 Pennycuick Collins

cc. Citiforce Investments Ltd

Partners: Peter N Dening FRICS MRIPM MARLA Charles R Gillett FRICS Alan P Herbert FRICS MARLA IRVY (Hons) Richard S Moxon BSc FRICS MARLA Adrian J Roddick FRICS

Associate Partners: Brian Robinson BSc MRICS MApp Building Surveying Stuart Tulloh FNAVA FNAEA MARLA Auctioneer

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 Date: 17 December 2015




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Dear Sir/Madam

**The Metropolitan Borough of Solihull (Touchwood Extension, Solihull)
 Compulsory Purchase Order 2015**

We write on behalf of our client, Stonegate Pub Company freehold owners of 138-144 High Street, Solihull to object to the above Compulsory Purchase Order made by the Metropolitan Borough of Solihull on 25 November 2015 under Section 226(1)(a) of the Town and Country Planning Act 1990 and Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 to enable the redevelopment of land adjacent to the existing Touchwood Shopping Centre.

Stonegate Pub Company own 138-144 High Street and use it to run and operate at 138-140 High Street a Missoula outlet, one of its chain of twelve cocktail and beers/spirits bars offering an American inspired menu on the ground floor, with the Luna night club to the rear at ground and first floor level. 142-144 High Street are occupied by two retail units.

138-142 High Street, Solihull were listed Grade II buildings in July 1976 when 138-140 High Street was known as the Malt Shovel. 144 High Street was listed Grade II separately but at the same time. Together with 116 to 120 (evens) High Street and 124-130, 134, 138-144 (evens) High Street these form a group of listed buildings.

To implement the now approved extension to the existing Touchwood Shopping Centre, it is proposed to demolish the modern two storey rear extension to its Missoula/Luna businesses at 138-140 High Street. This is to facilitate the building of retail units fronting a new shopping mall running southwards from the High Street. This mall in turn meets the proposed main shopping mall running west to east from the Atrium to The Square.

The result of the demolition of the majority of our client's rear extension and the building of retail units across the back of the retained listed buildings fronting the High Street is the creation of an angled rear boundary that makes no concessions to the existing internal layout and features of the listed buildings.

It is noted that the Retained Buildings Condition Report that accompanied the Touchwood Extension planning application (PL/2015/51464/MAJFOT) admits that no internal surveys were undertaken of the listed buildings affected by the proposals. Historic England, in commenting on the Listed Building Consent application (LBC) for demolition of our client's two storey rear extension (PL/2015/51465/LBC), stated that the details in it were "so sketchy that they fall well short of what is expected in an application for works to



Grade II listed buildings". With no survey or analysis of the timber framing within the building to enable Historic England to understand the impact of the proposals it recommended that the application should be deferred or refused pending the supply of a detailed scheme for the works to the listed building.

Despite this recommendation the consultation response from Historic England on the Listed Building Consent application was summarised in the officer's report to the Council's Planning Committee as:

"No objection subject to conditions to secure details for repairs and materials plus a Method Statement".

This summary is at complete odds with what Historic England wrote and a mis-representation of its comments.

With no survey or analysis of the internal structure of 136-144 High Street it is considered that it is impossible to properly and accurately assess the impact of the proposals on the fabric of these listed buildings and the Listed Building Consent application should have been refused.

The National Planning Policy Framework in Para. 126 requires Local Planning Authorities to recognise that heritage assets like listed buildings, are an irreplaceable resource and should conserve them in a manner appropriate to their significance. Para. 129 requires Local Planning Authorities to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal and Para. 132 that great weight should be given to the conservation of such assets.

The Case Officer's report to the Council's Planning Committee on the LBC application accepts the fabric within 136-144 High Street is currently unknown and may contain surviving timber frames, that the proposed interface with the extension to the shopping centre "is as yet impossible to design in precise detail" and "the survival of historic fabric at and near that junction is therefore not fully understood".

In the Council's Statement of Reasons prepared in connection with the making of the Compulsory Purchase Order it is stated that enhancements to existing listed buildings are incorporated into the proposals, with later additions being removed to reinstate the original building proportions.

Reference to the ground floor plan for the extended centre (Drawing no: 140129AP00D015D) shows the proposed interface between 136-142 High Street and the new proposed Unit 92. The angled alignment across the retained backs of these listed buildings does not produce traditional building forms but represents an example of trying to shoehorn a modern development into a town centre at the expense of circa 17th century buildings that make up an important part of the Solihull Conservation Area.

Therefore, in summary, the grounds of objection to the Compulsory Purchase Order are:

- 1 The Council were misled in the summary of Historic England's comments on the Listed Building Consent application for demolition of the rear two storey extension to 138-140 High Street, Solihull, when considering it at its Planning Committee.
- 2 The Council have not given due consideration to the impact on the historic fabric of the listed building of the proposed demolition of the rear extension.
- 3 The resultant building footprint left after the rear extension is demolished is not one of a traditional form typical of a 17th century building.

We therefore request on behalf of our client that the Secretary of State does not confirm the Order but a suitably qualified Inspector is appointed to hold a public inquiry into this Order.

17 December 2015
Page 3






Please can we have acknowledgement of receipt of this letter.

Yours sincerely

Paul Semple

Paul Semple
Divisional Partner


 Edinburgh

 Glasgow

 Manchester


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17 December 2015

Secretary of State for Communities & Local Government
 The National Planning Casework Unit
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By Email & Post
npcu@communities.gsi.gov.uk

Dear Sir

**THE METROPOLITAN BOROUGH OF SOLIHULL (TOUCHWOOD EXTENSION SOLIHULL)
 COMPULSORY PURCHASE ORDER 2015 (The Order)**

**IN RESPECT OF 146-148 HIGH STREET SOLIHULL B91 3SX (Plot 22)
 REVITAL LIMITED (the Company)**

We are instructed by the Company to advise in connection with the above order which Metropolitan Borough of Solihull made on 26th November 2015.

The Company's interest relates to 148 High Street, Solihull (the Property) and comprising the plot number 22 as shown on the Order Map.

The Property comprises a retail unit over ground and first floors. The ground floor comprises retail sales space whilst the first floor comprises predominantly sales space with ancillary space mainly used as storage. There is a service yard immediately to the rear of the Property, with vehicular access from Manor Square. The Company has occupied the Property for a number of years in connection with its business as a health food/nutritionist retailer. The Company employs locally based staff and the business provides an important service within the town centre and destination for its customers.

The Company has received notification of the making of the Order by letter dated 26th November 2015 from the Council. The Order, if confirmed would authorise the Council to acquire the Property in its entirety for the purposes of:-

"...facilitating the carrying out of development, redevelopment or improvement of the Order land by way of a retail-led mixed-use scheme comprising an extension to Touchwood including retail and leisure floor space, public realm and associated highway works..."

On behalf of the Company, we are writing to **formally object** to the proposed Order. The grounds for objection are as follows:-

1) No evidence of reasonable efforts made by the Council to acquire the Company's interest by Agreement.

Government Guidance states that "The compulsory purchase of land is intended as a last resort in the event that attempts to acquire by agreement fails".

However in the present instance the Council and Lend Lease Retail Partnership (LLRP), the scheme developer have yet to engage meaningfully with the Company despite the CPO having now been published. In our view, initiating the CPO process prior to commencing substantive negotiations with an affected party runs contrary to the Government advice. Accordingly, the publication of the CPO is premature and should not be confirmed.

2) Failure to provide the Company with continuity of trading.

As a result of the Council and LLRP's failure to engage with the Company, there remains considerable uncertainty as to whether it would be possible for our client to continue trading within the town centre following the acquisition of the existing store. A forced closure of the store would result both in the potential loss of employment and the removal of an important service offer within the town centre. The Company does not consider this to be of social or economic benefit to Solihull. Accordingly the Order should not be confirmed.

3) The proposed development does not have planning consent.

As stated in the Order, LLRP has submitted a planning application for the proposed works which has not yet been determined. In our view, initiating the CPO process prior to obtaining planning consent for the proposed works means the CPO is premature as there remains a significant impediment to delivery of the scheme. Accordingly the Order should not be confirmed.

The Company intends to maintain the grounds of the objection to the Order and requests that the Order should not be confirmed because the Council, as acquiring authority, has not satisfactorily addressed the above issues.

We would be grateful if you would acknowledge safe receipt of this letter. Furthermore we would ask for the objection to be considered at any Public Inquiry held to assess the merits of the proposed Order. We reserve the Company's right to add to or amend these grounds of objection.

Should you require any further information or clarification of the issues raised then we would be grateful for all contact and correspondence to be addressed to Louis Braham of this firm in the first instance.

Yours faithfully



Montagu Evans LLP

18 DEC 2015

Secretary of State for Communities and Local
Government
National Planning Casework Unit
5 St Philip's Place
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B3 2PW

Our Ref: CF.TGP.93586.7529

Your Ref:

Date: 17 December 2015

Direct: 029 2039 1858

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Dear Sirs

The Metropolitan Borough of Solihull (Touchwood Extension, Solihull) Compulsory Purchase Order 2015

We act for Western Power Distribution (West Midlands) plc in relation to the above Order made by Solihull Metropolitan Borough Council on 25 November 2015.

Please accept this letter as an objection to the above Order on behalf of our client.

Please note that we have also lodged an objection under Section 16 of the Acquisition of Land Act 1981 with the Department of Energy and Climate Change.

Our client is the licenced electricity distribution company for the area. To facilitate its statutory obligation to distribute electricity throughout the area, it operates plant and equipment (including electricity cables, lines and other apparatus) on and in the vicinity of land within or affected by the Order.

Given the likely impact of the scheme on the electricity network, our client objects to the Order. The grounds of objection are set out below:

1. The Order does not adequately address how our client's interests will be affected by the scheme.
2. The Order does not adequately address how interests in the electricity network operated by our client will be protected both during the construction phase of the scheme and during its operation.
3. The information accompanying the Order does not provide adequate information for our client to understand fully the design or construction of the scheme and therefore the potential operational implications.
4. The information accompanying the Order does not provide information for our client to understand how it would continue to fulfil its statutory responsibilities as an electricity distribution company following the acquisition of the land.

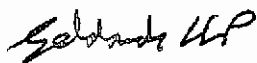
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5. We are not aware of any provision in the proposed scheme for replacement cable or overhead line routes for any electricity apparatus that would need to be relocated as part of its implementation. This could potentially result in a significant negative impact upon the distribution of electricity in the area.

We therefore request that the Secretary of State does not confirm the Order and that a properly qualified Inspector is appointed to hold an Inquiry into the Order.

We would be grateful if you could acknowledge receipt of this letter.

Yours faithfully



Geldards LLP

OBJ5

21 DEC 2015

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Our Ref
LVN/GENERAL_COR5

Your Ref

Date
18 December 2015

Dear Sirs

The Metropolitan Borough of Solihull (Touchwood Extension, Solihull) Compulsory Purchase Order 2015
Town and Country Planning Act 1990
Local Government (Miscellaneous Provisions) Act 1976
Acquisition of Land Act 1981
OBJECTION by Zara UK Limited, Unit 43 and Unit 44 and Storage Unit, Touchwood Shopping Centre, Solihull

We act for Zara UK Limited in connection with the above compulsory purchase order ("the Order"), which Solihull Metropolitan Borough Council ("the Council") made on 25 November 2015.

We refer to the Schedule to the Order ("the Schedule") which confirms that our client has an interest in Touchwood Shopping Centre ("the Shopping Centre"). More specifically, our client: (i) occupies unit SU 43/44, known as unit 11 Jubilee Walk ("the Unit") at the Shopping Centre pursuant to a lease granted by Capita (LLRP) Trustee Limited on 28 November 2003 (as rectified); and (ii) has a right to use the car park, common parts, service areas (being the service areas, service corridors, goods lifts and hoists, staircases, refuse rooms and other parts of the Shopping Centre), together with the roads within the Shopping Centre.

We note that the Statement of Reasons ("SOR") provides that the Order has purportedly been made pursuant to section 226(1)(a) of the Town and Country Planning Act 1990 (as amended) and section 13 of the Local Government (Miscellaneous Provisions) Act 1976 to acquire (amongst other things) part of the Shopping Centre and adjoining land ("the Order Land") for the purpose of facilitating:

'a mixed-use scheme comprising an extension to the Touchwood Centre, including retail and leisure floor space, public realm and associated highway works' ("the Scheme").

The Schedule states (amongst other things) that the Council seeks to permanently acquire *'approximately 100 square metres of part of commercial premises known as Touchwood*

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Shopping Centre (excluding the basement level) and part of Unit 11 Jubilee Walk, Touchwood Shopping Centre' for the purposes of carrying out the Scheme. The Scheme is being taken forward by Lend Lease Retail Partnership.

For the reasons articulated below, our client **objects** to the confirmation of the Order.

Our client relies on the following matters in support of its objection:

1 Failure to particularise the Order Land

(a) Extent of our client's interest to be acquired

1.2 The Schedule provides that the Council proposes to acquire *'part of'* the Unit. However, the SOR and Schedule is silent on the: (i) extent of the proposed encroachment onto our client's property; and (ii) specific part of the Unit that it proposes to acquire. In addition, the plan accompanying the Order ("the Order Plan") fails to particularise that part of the Unit (and (as the case may be) any other parts of the Shopping Centre over which our client has rights) to be comprised within the Order Land. As to this, our client is concerned that the Order Plan indicates that a significant part of the Unit may be acquired by the Council should the Order be confirmed. Given the proposed interference with our client's proprietary rights, it is incumbent upon the Council to clearly define that part of the Unit it seeks to permanently acquire. It would be improper, and contrary to the statutory test, to confirm the Order on such a flawed basis.

1.3 It is trite that a compulsory purchase order should only be made where there is a compelling case in the public interest. In light of the failure by the Council to particularise: (i) the extent of our client's interest it seeks to acquire; and (ii) related to (i), the lack of any substantive justification for acquiring the Unit (or any part of it) (i.e. how it is needed to facilitate the Scheme), the Order conflicts with the statutory test.

(b) Need for the Order Land

1.4 Related to (a) above, our client met with the Council's agent, CBRE, to discuss the proposed acquisition of its interest in the Shopping Centre. As to this, the proposed land-take shown on the plans provided by CBRE to our client is significantly less than that which is shown on the Order Plan. In particular, the version of plans shared with our client proposed the acquisition of a small part of sales space between the lift and the rear wall of the Unit, together with changing cubicle space at mezzanine level.

1.5 Whilst we reserve our client's position in respect of any proposals made by the Council to acquire a smaller part of the Unit, in light of the above, it is not accepted that the Council has made good its case that all of the Order Land is required to deliver the Scheme. Indeed the discussions between our client and CBRE indicate that part of the Order Land which is not required includes a substantial part of the Unit. This approach is deeply unsatisfactory given the potentially substantial interference with our client's private property rights and is contrary to the DCLG's 'Guidance on compulsory purchase process and The Crichel Down Rules for the disposal of surplus land acquired by, or under threat of, compulsion' 2015 ("the Guidance").

2 Failure to provide for continuing trading

2.1 Our client occupies the Unit and is committed to trading at the Shopping Centre; if confirmed, the Order would gravely impact on our client's ability to effectively and efficiently continue to do so.

2.2 As above, whilst some discussions have taken place between our client and CBRE these have not been concluded and, having particular regard to the inconsistencies between the plans provided by CBRE and the Order Plan, considerable uncertainty remains as to whether our client will be able to continue trading at the Shopping Centre following acquisition (subject to the Council first accurately identifying the extent of such acquisition). Unfortunately, contrary to the Guidance, the Council has failed to make a meaningful attempt to assure our client (to the extent it is possible) that its interests will be adequately protected during the implementation and operation of the Scheme.

3 Impediments to delivery of the Scheme


3.1 It is common ground that the Council will need to be able to demonstrate that the Scheme is unlikely to be blocked by any physical or legal impediments to implementation (per paragraph 15 of the Guidance). It is not accepted that it has been demonstrated that the case for acquisition has met this test.

3.2 Although Members of the Council resolved to grant planning permission for the Scheme on 4 November 2015, this was subject to the prior completion of a section 106 agreement. As to this, we note that 50% of the Order Land is in third party ownership (per paragraph 2.4 of the SOR). It is unclear, therefore, how the requisite section 106 agreement will be put in place pursuant to the resolution. Moreover, even on the assumption that a section 106 agreement can be completed (as to which we reserve our client's position) any later grant of planning permission would be subject to a claim for judicial review. It is relevant to note that 328 objections and 2 petitions containing 25 and 54 signatories, respectively, were submitted in relation to the planning application for the Scheme. In light of the above, it is premature to promulgate the Order.

Pursuant to paragraph 2 of the Guidance, *'acquiring authorities and authorising authorities should be sure that the purpose for which the compulsory purchase order is made justify interfering with the human rights of those with an interest in the land affected.'* In the circumstances, and for the reasons articulated above, the proposed interference with our client's human rights is disproportionate (per, for example, Article of the First Protocol of the European Convention on Human Rights).

We reserve our rights to add to these grounds of objection in the light of any response that is received from the Council.

Yours faithfully


Clyde & Co LLP

Secretary of State for Communities and
Local Government
National Planning Casework Unit
5 St Phillips Place,
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B3 2PW

21 DEC 2015

Our ref: AAM/ 11999.0012

Your ref:

21 December 2015

Dear Sir

The Metropolitan Borough of Solihull (Touchwood Extension, Solihull) Compulsory Purchase Order 2015 ("the CPO")
The Solihull Manor House Charity - Area currently used as a car park 126 High Street, Solihull (reference no.4) ("the Order Property")

We act for the Trustees of The Solihull Manor House Charity, a registered charity, charity number 523006, of 126 High Street, Solihull who are the owners of the above Order Property.

Please take this letter as a formal objection to the above CPO, on behalf of our above clients.

The grounds for the objection are set out below:

1. Loss of heritage

Solihull Manor House is unique in Solihull as the only community space in the centre of Solihull. It is a Grade II* listed building.

The area currently used as a car park has been part of the curtilage of the Solihull Manor House since 1495. Although it is currently used as a car park, the walls to this area form part of the setting of the Manor House.

The Statement of Reasons recognises the importance (at paragraph 6.2.4) of conserving heritage assets:

"in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations."

The intrusive and close proximity of a tall development next to the Manor House, which will result in the Manor Gardens being enclosed by the Touchwood centre on three sides, will have a significant and detrimental impact on the aspect of both the Manor House and its gardens, in terms of both the surroundings of the Manor House and the level of sunlight reaching both the rear of the Manor House itself and its garden.

The area currently used as the car park provides an important buffer for the Manor House against this development and helps maintain these amenities.

A Design and Access statement was prepared as part of the planning application for the development for which the Order Property is being compulsorily purchased. This refers to the statement in the Solihull Town Centre Spatial Strategy setting out the importance of any development, "*preserving and enhancing the special historic and architectural character of the Solihull Conservation Area*". It refers specifically to appropriate scale, height, massing, and layout treatments being required to achieve this. Whilst these are primarily planning issues, as this is a compulsory purchase order made under planning powers, they are relevant considerations in deciding whether to confirm the CPO with the Order Property included within it.

The Design and Access statement also refers to the development brief seeking to "respect the boundaries of the existing Manor Garden". Given that this was a specific provision within the development brief, it must be questioned why the development brief did not refer specifically to respecting the boundaries of the curtilage of the Manor House as a whole, rather than just the garden.

2. Loss of light and amenity

The most significant negative impact of the inclusion of the Order Property in the compulsory purchase order is the loss of a buffer which would enable the Manor House to prevent development taking place right up to the border of Manor House Gardens and significantly reducing the amount of sunlight reaching the Gardens in future.

It is apparent from an inspection of the site that the levels of light reaching the garden are already impacted by the proximity of the existing Touchwood Centre, even though this is to the North West of the garden. Further development very close to the South East and South West edges of the garden will significantly diminish the levels of sunlight reaching the garden.

This is the case even with the "step back" referred to in the paragraph 5.2.2.2 of the Statement of Reasons, but which is unlikely to make much difference in practice, given the proposed height of the development for which planning permission has been given. The only protection available for the Manor House against this large reduction in sunlight reaching the garden is the existence of the area currently used for car parking as a "buffer zone".

The Manor House itself is used for a number of charitable and community activities, including plays and similar events. During the summer months, a significant number of these take place in the garden of the site. It is used on a daily basis and is the only quiet community space in the centre of Solihull.

There is also significant use of the garden by customers of the teashop. This is an important aspect in making the teashop an attractive and viable amenity. The potential loss of sunlight to the garden, and likely impact on summer trade and therefore the viability of the teashop is a significant concern to both the tenant that operates the teashop and, consequently, to the Manor House charity itself.

3. Impact on the future viability of the Manor House

As a Grade II* listed building, the maintenance and upkeep costs of the Manor House are significant. These costs can only be met by using part of the site for commercial activities.

If the Manor House were to lose the tea shop as a tenant, then its viability as a charity would be jeopardised. The teashop currently plays a significant "anchor tenant" role and its presence makes it easier to attract other tenants to the Manor House.

If the loss of amenity to the garden means that the teashop ceases to be viable, or is unable to pay the market rent that charity law requires the Manor House charity to charge, then this will make it much harder to attract other tenants to the Manor House. As well as the loss of income from the teashop, this is likely to lead to a much higher turnover of tenants and therefore longer void periods, further diminishing the income of the Manor House charity.

The ability to park on site is also a factor increasing the attraction of the Manor House to potential tenants. The charity derives an income from these parking charges, and it also increases the rent that the charity can command from commercial users of the rooms within the Manor House.

4. Loss of the potential to use the car park land for future development in order to safeguard the future of the Manor House.

The loss of the area currently used for car parking would also remove the ability of the Manor House to consider other development proposals which might become necessary in the future if the viability of the charity diminishes for the reasons set out above. Retaining this in the ownership of the Manor House charity would preserve the future development potential of the site and help protect the future viability of the Manor House.

At the moment the Trustees of the charity have no need to consider this, as the charity currently manages to meet its running costs. Ideally the Trustees would wish to preserve the character of the setting of the Manor House, and therefore would prefer not to have to contemplate any developments which might have even a minimally detrimental effect on this. However, if the viability of the Manor House becomes threatened in future, then the Trustees would need to consider alternative proposals for the use of this space, in the interests of the Manor House as a whole.

Removing the land from the charity will diminish the Trustees' freedom to be able to consider alternative ways of using this land in future, should this become necessary to preserve the viability of the charity.

5. Is the Order Property needed?

As set out in paragraph 72 of DCLG's 2015 Circular, for land to be included in a CPO, the acquisition of that land must be shown to be "essential" to the successful implementation of the scheme for which it is being acquired. Although this paragraph deals specifically with land outside the immediate development area, it is appropriate to apply this principle to the acquisition of all of the land covered by a compulsory purchase order. This is particularly the case where the Order Property concerned is part of the curtilage of a Grade II* listed building.

It is not disputed that an appropriate extension of the Touchwood Centre will be beneficial for Solihull, as long as that extension is carried out in a way which is sympathetic to the existing architectural heritage and setting. However, the Acquiring Authority has not demonstrated why the acquisition of the Order Property is necessary for the redevelopment scheme as a whole to proceed.

The Statement of Reasons presents a confident picture in relation to the viability of the redevelopment proposals. It confirms that funding is available for all stages of the project (although this would need to be demonstrated at any public inquiry into the CPO) and states that a number of pre-lets have already been secured, even at this early stage in the development proposals. It also indicates that there is enough value in the development to generate a payment to the Council that will be sufficient to finance the comprehensive refurbishment and modernisation of the Council House and offices. Confidence in this level of income from the project is not surprising, given the level of demand for retail and leisure space identified in the Statement of Reasons (although, again, this would need to be demonstrated at the inquiry). This is coupled with the fact that the increase in the size is bound to lead to a significant increase in the value of the existing Touchwood Centre. It is clearly, therefore, in the commercial interests of Lend Lease to undertake this development, even if viewed without this "marriage value".

Given this context, it is unlikely that the loss of this part of the overall development site that would be represented by the removal of the area of land forming part of the curtilage of the Manor House from the Order land would threaten the overall viability of the development. There is therefore no reason why the economic benefits that the scheme is intended to secure cannot be secured if the Order Property is excluded from the compulsory purchase order.

6. Summary

Given these factors, our clients would argue that there is no compelling case in the public interest to justify the inclusion of the Order Property in the compulsory purchase order

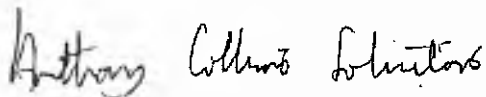
The exclusion of the Order Property from the compulsory purchase order would help preserve the social and environmental well-being of the area, through creating a buffer enabling sunlight to continue to reach the Manor Gardens. It would preserve the viability of the small businesses that operate from within the Manor House, and would help preserve the viability of the Manor House charity itself.

Given the strength of the economic case put forward to justify the making of the CPO in the Statement of Reasons the removal of the Order Property is unlikely to have any impact whatsoever on the viability of the Development.

We would therefore invite the Inspector to recommend the exclusion of the Order Property from the CPO before it is confirmed.

If you have any questions about this letter or the grounds of our client's objection, please contact the writer, Andrew Millross, Partner, Anthony Collins Solicitors LLP, Ref 11999.0012 on the number below.

Yours faithfully

Handwritten signature in cursive script that reads "Anthony Collins Solicitors".

Anthony Collins Solicitors LLP

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1

2

3

4

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23 DEC 2015

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B3 2PW

By Special Delivery

22 December 2015

Dear Sirs

RE: THE METROPOLITAN BOROUGH OF SOLIHULL (TOUCHWOOD EXTENSION,
SOLIHULL) COMPULSORY PURCHASE ORDER 2015 ("CPO")
OBJECTOR: CORAL RACING LIMITED - 142 HIGH STREET, SOLIHULL

On behalf of Coral Racing Limited, leaseholders at 142 High Street, I wish to object to the Compulsory Purchase Order on the following grounds:

1. Paragraph 5.11.1 of the Statement of Reasons refers to the demolition of the two storey rear nightclub extension at 136-144 High Street. It would appear from this that there is no intention to demolish our shop unit and therefore we believe we should be allowed to continue to trade.
2. We are an established operator in the town centre and there are no alternative locations that we could re-locate to. Should our property be required for the scheme then we would no longer have a presence in Solihull town centre. It would appear that the interests of the existing traders have been overlooked in this matter.

Yours faithfully



CHRIS LEEKS
Group Estates Manager



Coral Racing Limited
Unit E Lancaster House, Grange Business Park, Enderby Road, Whetstone, Leicester LE8 6EP
Registered Office: New Castle House, Castle Boulevard, Nottingham NG7 1FT
Registered in England No. 541600
Tel: 0116 278 4109 Fax: 0116 278 4095



1800+ shops

mobile

coral.co.uk 0800 242 232

a  company

21

22 DEC 2015

0121 709 1008
Manor House Tea Room

21 December 2015

Hand Delivered 22/12/2015

126 High Street,
Solihull,
West Midlands
B91 3SX

National Casework Unit
5 St Philip's Place,
Colmore Row,
Birmingham
B3 2PW

To whom it may concern,

Compulsory Purchase of land for The Metropolitan Borough of Solihull
(Touchwood Extension, Solihull).

The approval of this CPO would effectively guarantee that during any building work there will be high volume of noise and disruption to what is usually a haven of peace and tranquility in the heart of Solihull, thus ruining a long serving and well run independent business, something that is rare in many town centres these days. Piling just meters away from the rear of the Tea Room is guaranteed to disrupt business and custom.

The new extension will not only prevent sunlight from beaming through the windows of the Tea Room but also restrict access and prevent day to day running of the business once any building work is complete. The easy come and go access and car parking that we currently enjoy is crucial to the day to day running of the Tea Room.

At the present time of writing there are already too many Retail Outlets, Restaurant/Bars and Coffee Shops in Solihull and the current infrastructure does not support the current volume of traffic. Building more Retail and Leisure facilities with less parking spaces than what there currently are in the heart of Solihull, and especially in this Grade 2* Listed Conservation Area is destroying any Heritage that the town has or will have in the future.

The new building will kill off the Secret Garden in the grounds of the Manor House, as very little sunlight will reach it. Also, by agreeing to this CPO it stops the Manor House as a Trust from developing the old car park area into something for the people of Solihull to enjoy, such as a beautiful garden oasis in the middle of what is fast becoming a windy brick canyon. The 50ft high walls will dwarf the Manor House and deter people from sitting in the garden whilst enjoying the early morning sunshine and the lazy long summer afternoons. The proposed development is uncalled for and totally inappropriate for Solihull.

The Manor House Tea Room would like to formally register an objection and complaint against the Compulsory Purchase of Land for The Metropolitan Borough of Solihull (Touchwood Extension, Solihull).

Sincerely yours,

R. Banks 21/12/15

Richard Banks

Proprietor

Manor House Tea Room

Your Ref

Our Ref RMF/LJC/154603

OBJ9

0121 631 1464
Birmingham B1 1LJ

23 December 2015

K Wright Esq
Caseworker
The National Planning Casework Unit
5 St Philip's Place
Colmore Row
Birmingham
B3 2PW

By email to:
nocu@communities.gsi.gov.uk

Dear Sir

**Re: The Metropolitan Borough of Solihull (Touchwood Extension, Solihull)
Compulsory Purchase Order 2015.**

Claimant: Ruxton Independent Estate Agents & Valuers LLP

Property: 6 The Square, Solihull B91 3RB

Plot references: Plot 35 – 2 car parking spaces and Plot 36 – 2 car parking spaces

I write in my capacity as chartered surveyor retained by Ruxton Independent Estate Agents & Valuers the leaseholders of **Plots 35 & 36**.

I am instructed to lodge an objection to The Metropolitan Borough of Solihull (Touchwood Extension, Solihull) Compulsory Purchase Order 2015. I shall be pleased if you will accept this letter as an objection on behalf of Ruxton Independent Estate Agents & Valuers.

In preparing the objection, my Client has had regard to the statement of reason set out by The Metropolitan Borough of Solihull as a justification for the making of the proposed order.

In summary the grounds of objection are as follows.

Para 4.3

“However the relative economic strength of Solihull town centre is under threat from a number of schemes which have opened or which are currently under development in the region, including Grand Central in Birmingham, Resorts World at the National Exhibition Centre and Coventry City Centre. A study undertaken by CACI in 2015 identified Solihull as a quality regional centre.”

Resorts World opened in October 2015. It is located within a few hundred metres of M42 junction 6 close to the NEC. It is an "Outlet Mall" retail offer with a cinema, hotel and casino. It is advertised as a leisure venue with a cinema, hotel and casino and a retail discount outlet centre.

There are 50 high street style retail units (3 vacant), in a looped arcade at ground floor level. It is not perceived to compete with Solihull town centre and has no critical mass or anchor store. The shopping experience is very limited compared to Solihull town centre. There is an 11 screen cinema, 18 restaurants/bars, multi-storey car park, hotel and casino. It is primarily an out-of-town leisure destination (cinema/casino/hotel) with some shops.

Birmingham is the other main retail centre in the region. John Lewis have opened a 250,000 sqft store as part of the Grand Central reconfiguration of New Street Station. This store is not much bigger than the Touchwood John Lewis and provides no additional competition to Solihull than that previously present. Commercial logic dictates that John Lewis would not build two stores in direct competition with each other. The other prime retail centre in Birmingham is the Bullring Centre which opened in 2003 and any proposal that Touchwood should be extended to compete with the Bullring is fanciful; both continue to thrive today after 12 years.

Coventry city centre is poor. The city centre shopping is weaker than Solihull, and most Solihull shoppers would go to Birmingham in preference to Coventry.

Out of town retail park accommodation is provided at Solihull Retail Park and Sears Retail Park off Marshall Lake Road, Solihull. These retail parks are long established at over 20 years and lie approximately 2 miles from the town centre. They provide for bulky goods and large floor plate retail stores which cannot and don't want to be in the town centre. Examples include Next at Home, B&Q, Homebase, Harveys, Boots, Argos, M&S Food, Currys, Halfords, Pets at Home, JJB, Toys R Us.

Paragraph 4.3

"A study undertaken by CACI in 2015 identified Solihull as a 'quality regional centre'."

The study undertaken by CACI in 2015 has not been identified. A copy has been requested from Lendlease. A search on the Council's website failed to identify this document. An earlier study undertaken by CACI in 2013 was identified. It is contended that the CACI report dated 2013 is of limited assistance in appraising the scheme due to variation of market conditions and passage of time since its preparation.

Paragraph 4.12

"The Council is the freehold owner of the Mell Square Shopping Centre."

It is contended that Mell Square requires town centre regeneration to prevent the feared decline mentioned in the Statement. Mell Square is a 630,000 sqft of 1960s precinct with 87 shops and 57 apartments. It has had only superficial refurbishment since its original construction. It used to be the prime pitch until Touchwood was opened in 2002. It still has M&S, Boots, Smiths, HMV, Argos, TK Maxx. and House of Fraser. The freehold is owned by The Metropolitan Borough of Solihull and there is a long ground lease to IM Properties. IM Properties bought the leasehold from Aviva in 2013 with the intention to refurbish and redevelop it.

It is stated that the Council is working with the owners, but no further details or timescale is given. It is contended that the Council could facilitate regeneration and strengthening of the town centre in support of the Local Plan by focusing its resources on Mell Square. This would be a less disruptive and more effective means of supporting the town centre, leading to a regenerated physical and economic environment. The proposed scheme simply reinforces the already dominant Touchwood Centre, leading to a further decline in Mell Square

Can the council please confirm to the Inquiry that none of the national retailers currently trading in Mell Square will be relocated into the scheme?

Paragraph 4.15

"The Council envisages some residential development coming forward as part of an improved and vibrant town centre."

There appears to be no correlation between the Council's aspiration for "some residential development" and the quantum of leisure-orientated floor space included within the scheme. It is contended that there is no proven demand from the leisure tenant or leisure end user to justify the provision of the leisure space in the scheme.

Paragraph 5.11.2

"158 High Street, demolition of two-storey infill extension, construction of a new fire escape. Link to rear elevation and associated internal and external works to facilitate the interface of the Touchwood extension structure and fabric".

The accommodation works have not been correctly designed, resulting in the creation of areas within the retained building which are incapable of access. The failure to design appropriate accommodation works results in a Listed structure lying in a conservation area, being placed under threat as the existing accommodation is partially sterilised by the proposed scheme. The property affected in the plans is 156 High Street, not 158, and is three storey not two.

Paragraph 5.15

"LLRP liaised closely with the local highways authority throughout the planning application process in order to understand the parking demand"

The Council has failed to recognise that the scheme deprives existing business premises of critical car parking spaces. The car parking spaces in question are a vital amenity associated with offices occupied by the service industry. The removal of the parking spaces will detract from the viability and future marketability of the properties, leading to deterioration in the quality of tenant, and loss of amenity and employment from the town centre.

The Council has failed to provide evidence in support of their contention that the scheme will give rise to a very limited additional parking demand calling into question both the capacity of the existing infrastructure to service the proposed scheme and the contention that the scheme will strengthen the town centre. The suggestion that the provision of an additional 82,313 sqft of comparison retail space will not generate the need for additional car parking capacity in the town centre is one that should be supported by detailed and robust analysis which does not appear to be present.

Paragraph 6.2

"Paragraph 17 of the NPPF identifies 12 core land use planning principles which should underpin decision taking."

Paragraph 6.2.2

"Encourage the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value."

The land upon which the proposed scheme is to be built is not under-utilised, and not derelict or displaying any functional and physical obsolescence. Indeed, it can be stated that the scheme displaces or disturbs a number of established businesses providing employment and diversity of service and amenity within the town centre.

Paragraph 6.2.3

"Promote mixed use development, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions."

The proposed scheme is not a mixed use. It is heavily biased to the retail sector with some leisure. There is a risk that the scheme will give rise to actual loss of other business use, particularly in the professional service sector. In addition, reference is made to the development of the residential properties but details of this proposal are vague. There is a threat that residential development will not come forward in the town centre if leisure development is not introduced. No supporting evidence is provided to support this contention.

Paragraph 6.12.2

"The position of new pedestrian linkages to the High Street should be carefully selected to avoid the loss or adverse impact on listed buildings or adverse impact on the character of the conservation area."

The scheme as proposed fails to have due regard to the internal layout of the adjacent Listed buildings giving rise to uncertainty as to the accommodation resultant from the re-modelling and commercial viability of the buildings.

Paragraph 7.3

"The scheme will provide some 500 jobs during the construction phase and approximately 400 new jobs when The Touchwood Extension is open."

The Council does not provide evidence as to how they have calculated the 400 permanent new jobs. It is not clear whether the figure of 400 permanent new jobs has regard to the potential loss of employment consequential to the displacement of businesses within the proposed scheme area. Further, the 400 permanent new jobs are not categorised by socio-economic type, making it impossible to appraise the socio-economic advantages of the scheme.

Paragraph 7.11.

"The scheme will act as a catalyst and encourage further investment in the town centre from third party land owners and developers, which would be unlikely to occur in the absence of the extension of touchwood."

The Council alludes to negotiations with IM Properties, the owners of Mell Square, but do not provide detail. The Mell Square area displays far greater physical and functional obsolescence than the Touchwood Centre, or the majority of other structures affected by the scheme site. It has not been proven nor demonstrated that the development of the Touchwood Extension will not have an adverse effect upon other retail areas in the town centre, and in particular Mell Square. This will lead to contraction and migration of the retail hub and in so doing fails to deliver the policies enshrined in the Local Plan.

Paragraphs 7.12t

"Scheme will generate business rates, and when development is completed and the Council will grant a new long leaseholder to LLRP. This will generate the income which will enable the Council house to be refurbished."

Guidance on the compulsory purchase process and the Crichel Down Rules for the disposal of surplus land acquired by, or under threat of, compensation (October 2015) states in paragraph 2 "a compulsory purchase order should only be made where there is a compelling case in public interest". The Council appeared to be justifying the proposed scheme by reference to a financial gain. While it is recognised that the Council is under a duty to achieve best value for the public purse, financial gain should not be placed before adopted planning policy or the right of the individual to hold an interest in land.

It is the Objector's considered opinion that the proposed order is an infringement of their human rights under Article 1 of the First Protocol of the European Convention on Human Rights - The Human Rights Act 1998. The balance has not been struck between the individual's rights, the wider public interest and the financial benefit to be derived by the Council as a consequence of the use of its Powers of Compulsory Acquisition.

Paragraph 8.2

"A development agreement and related CPO indemnity agreement were entered into by the Council and all LLRP on 20 October 2014."

The Council does not confirm that the development agreement indemnifies them against all costs and compensation arising from the compulsory purchase process. Clarification is required as to whether full indemnity has been provided, and if full indemnity does not exist, how is the Council going to fund any overspend which may arise?

Paragraph 8.3

"Despite the scheme being at a relatively early phase, a number of pre-lets have been secured. This in itself is already demonstrating scheme will meet need not currently catered for in Solihull town centre."

In order to demonstrate that the proposed scheme is not simply drawing retailers from the existing Touchwood Scheme, or other retail locations within Solihull Town Centre, the Council should confirm to the Inquiry that the pre-lets to which they refer are retailers and leisure operators who are not already represented in the town centre, and that they are not in active discussion with retailers already present in the town centre.

Conclusion.

The Objector believes that the scheme as promoted in the Statement of Reasons does not satisfy Section 226 (1A) of the Town & Country Planning Act 1990 and contravenes Section 6 of the Human Rights Act 1998

The Objector requests that Powers of Compulsory Acquisition as sought under the Metropolitan Borough of Solihull (Touchwood Extension Solihull) Compulsory Purchase Order 2015 be denied.

The above represents my Client's objection to the aforementioned Compulsory Purchase Order. The Objector reserves the right to add to or expand their case upon sight of further evidence and information provided by the Council.

Yours faithfully
for and on behalf of Sanderson Weatherall LLP



Richard M Farr BSc FRICS MCI Arb
Partner
Direct Dial: 0191 269 0115 or Ext 5115
E-mail: richard.farr@sw.co.uk

Your Ref

OBJ10

Our Ref RMF/LJC/154603

5, Colmore Row
Birmingham B3 2PW

23 December 2015

K Wright Esq
Caseworker
The National Planning Casework Unit
5 St Philip's Place
Colmore Row
Birmingham
B3 2PW

By email to
npcu@communities.gsi.gov.uk

Dear Sir

**Re: The Metropolitan Borough of Solihull (Touchwood Extension, Solihull)
Compulsory Purchase Order 2015.**

Claimant: Pearcelegal Limited

Property: 2 The Square, Solihull B91 3RB

Plot references: Plot 25 – 1st & 2nd Floor, 156 High Street; Plot 36 – 2 car parking spaces, 156 High Street; Plot 33 – 1 car parking space, Part 1st Floor 6 The Square; Plot 34 – 1 car parking space, Part 1st Floor 6 The Square; Plot 35 & 36 – 6 car parking spaces, 2 The Square.

I write in my capacity as Chartered Surveyor retained by Pearcelegal Limited the leaseholders of Plots 25, 33, 34, 35 & 36.

I am instructed to lodge an objection to The Metropolitan Borough of Solihull (Touchwood Extension, Solihull) Compulsory Purchase Order 2015. I shall be pleased if you will accept this letter as an objection on behalf of Pearcelegal Limited.

In preparing the objection, my Clients have had regard to the Statement of Reason set out by The Metropolitan Borough of Solihull as a justification for the making of the proposed order.

In summary the grounds of objection are as follows:

Para 4.3

"However the relative economic strength of Solihull town centre is under threat from a number of schemes which have opened or which are currently under development in the region, including Grand Central in Birmingham, Resorts World at the National Exhibition Centre and Coventry City Centre. A study undertaken by CACI in 2015 identified Solihull as a quality regional centre."

Resorts World opened in October 2015. It is located within a few hundred metres of M42 junction 6 close to the NEC. It is an "Outlet Mall" retail offer with a cinema, hotel and casino. It is advertised as a leisure venue with a cinema, hotel and casino and a retail discount outlet centre.

There are 50 high street style retail units (3 vacant), in a looped arcade at ground floor level. It is not perceived to compete with Solihull town centre and has no critical mass or anchor store. The shopping experience is very limited compared to Solihull town centre. There is an 11 screen cinema 18 restaurants/bars, multi-storey car park, hotel and casino. It is primarily an out-of-town leisure destination (cinema/casino/hotel) with some shops.

Birmingham is the other main retail centre in the region. John Lewis have opened a 250,000 sqft store as part of the Grand Central reconfiguration of New Street Station. This store is not much bigger than the Touchwood John Lewis and provides no additional competition to Solihull than that previously present. Commercial logic dictates that John Lewis would not build two stores in direct competition with each other. The other prime retail centre in Birmingham is the Bullring Centre which opened in 2003 and any proposal that Touchwood should be extended to compete with the Bullring is fanciful; both continue to thrive today after 12 years.

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“Encourage the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value.”

The land upon which the proposed scheme is to be built is not under-utilised, and not derelict or displaying any functional and physical obsolescence. Indeed, it can be stated that the scheme displaces or disturbs a number of established businesses providing employment and diversity of service and amenity within the town centre.

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The proposed scheme is not a mixed use. It is heavily biased to the retail sector with some leisure. There is a risk that the scheme will give rise to actual loss of other business use, particularly in the professional service sector. In addition, reference is made to the development of the residential properties but details of this proposal are vague. There is a threat that residential development will not come forward in the town centre if leisure development is not introduced. No supporting evidence is provided to support this contention.

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It is the Objector's considered opinion that the proposed order is an infringement of their human rights under Article 1 of the First Protocol of the European Convention on Human Rights - The Human Rights Act 1998. The balance has not been struck between the individual's rights, the wider public interest and the financial benefit to be derived by the Council as a consequence of the use of its Powers of Compulsory Acquisition.

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In order to demonstrate that the proposed scheme is not simply drawing retailers from the existing Touchwood Scheme, or other retail locations within Solihull Town Centre, the Council should confirm to the Inquiry that the pre-lets to which they refer are retailers and leisure operators who are not already represented in the town centre, and that they are not in active discussion with retailers already present in the town centre.

Conclusion.

The Objector believes that the scheme as promoted in the Statement of Reasons does not satisfy Section 226 (1A) of the Town & Country Planning Act 1990 and contravenes Section 6 of the Human Rights Act 1998.

The Objector requests that Powers of Compulsory Acquisition as sought under the Metropolitan Borough of Solihull (Touchwood Extension Solihull) Compulsory Purchase Order 2015 be denied.

The above represents my Client's objection to the aforementioned Compulsory Purchase Order. The Objector reserves the right to add to or expand their case upon sight of further evidence and information provided by the Council.

Yours faithfully
for and on behalf of Sanderson Weatherall LLP



Richard M Farr BSc FRICS MCI Arb
Partner
Direct Dial: 0191 269 0115 or Ext 5115
E-mail: richard.farr@sw.co.uk

Your Ref

Our Ref RMF/LJC/154603

OBJ11

OBJECTION TO COMPULSORY PURCHASE ORDER

23 December 2015

K Wright Esq
Caseworker
The National Planning Casework Unit
5 St Philip's Place
Colmore Row
Birmingham
B3 2PW

By email to:
npcu@communities.gsi.gov.uk

Dear Sir

**Re: The Metropolitan Borough of Solihull (Touchwood Extension, Solihull)
Compulsory Purchase Order 2015.**

Claimant: Nisar Feroz Khan t/a Dental Practice Manor Square

Property: 4 The Square, Solihull B91 3PX

Plot references: Plot 30 – Dental Surgery, 4 Manor Square and Plot 37 – 4 car parking spaces

I write in my capacity as Chartered Surveyor retained by Nisar Feroz Khan t/a Dental Practice Manor Square the leaseholders of Plots 30 & 37.

I am instructed to lodge an objection to The Metropolitan Borough of Solihull (Touchwood Extension, Solihull) Compulsory Purchase Order 2015. I shall be pleased if you will accept this letter as an objection on behalf of Nisar Feroz Khan t/a Dental Practice Manor Square.

In preparing the objection, my Client has had regard to the statement of reason set out by The Metropolitan Borough of Solihull as a justification for the making of the proposed order.

In summary the grounds of objection are as follows.

Para 4.3

"However the relative economic strength of Solihull town centre is under threat from a number of schemes which have opened or which are currently under development in the region, including Grand Central in Birmingham, Resorts World at the National Exhibition Centre and Coventry City Centre. A study undertaken by CACI in 2015 identified Solihull as a quality regional centre."

Resorts World opened in October 2015. It is located within a few hundred metres of M42 junction 6 close to the NEC. It is an 'Outlet Mall' retail offer with a cinema, hotel and casino. It is advertised as a leisure venue with a cinema, hotel and casino and a retail discount outlet centre.

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Birmingham is the other main retail centre in the region. John Lewis have opened a 250,000 sqft store as part of the Grand Central reconfiguration of New Street Station. This store is not much bigger than the Touchwood John Lewis and provides no additional competition to Solihull than that previously present. Commercial logic dictates that John Lewis would not build two stores in direct competition with each other. The other prime retail centre in Birmingham is the Bullring Centre which opened in 2003 and any proposal that Touchwood should be extended to compete with the Bullring is fanciful; both continue to thrive today after 12 years.

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"The Council is the freehold owner of the Mell Square Shopping Centre."

It is contended that Mell Square requires town centre regeneration to prevent the feared decline mentioned in the Statement. Mell Square is a 630,000 sqft of 1960s precinct with 87 shops and 57 apartments. It has had only superficial refurbishment since its original construction. It used to be the prime pitch until Touchwood was opened in 2002. It still has M&S, Boots, Smiths, HMV, Argos, TK Maxx, and House of Fraser. The freehold is owned by The Metropolitan Borough of Solihull and there is a long ground lease to IM Properties. IM Properties bought the leasehold from Aviva in 2013 with the intention to refurbish and redevelop it.

It is stated that the Council is working with the owners, but no further details or timescale is given. It is contended that the Council could facilitate regeneration and strengthening of the town centre in support of the Local Plan by focusing its resources on Mell Square. This would be a less disruptive and more effective means of supporting the town centre, leading to a regenerated physical and economic environment. The proposed scheme simply reinforces the already dominant Touchwood Centre, leading to a further decline in Mell Square.

Can the council please confirm to the Inquiry that none of the national retailers currently trading in Mell Square will be relocated into the scheme?

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"The Council envisages some residential development coming forward as part of an improved and vibrant town centre."

There appears to be no correlation between the Council's aspiration for "some residential development" and the quantum of leisure-orientated floor space included within the scheme. It is contended that there is no proven demand from the leisure tenant or leisure end user to justify the provision of the leisure space in the scheme.

Paragraph 5.11.2

"158 High Street, demolition of two-storey infill extension, construction of a new fire escape. Link to rear elevation and associated internal and external works to facilitate the interface of the Touchwood extension structure and fabric".

The accommodation works have not been correctly designed, resulting in the creation of areas within the retained building which are incapable of access. The failure to design appropriate accommodation works results in a Listed structure lying in a conservation area, being placed under threat as the existing accommodation is partially sterilised by the proposed scheme. The property affected in the plans is 156 High Street, not 158, and is three storey not two.

Paragraph 5.15

"LLRP liaised closely with the local highways authority throughout the planning application process in order to understand the parking demand"

The Council has failed to recognise that the scheme deprives existing business premises of critical car parking spaces. The car parking spaces in question are a vital amenity associated with offices occupied by the service industry. The removal of the parking spaces will detract from the viability and future marketability of the properties, leading to deterioration in the quality of tenant, and loss of amenity and employment from the town centre.

The Council has failed to provide evidence in support of their contention that the scheme will give rise to a very limited additional parking demand calling into question both the capacity of the existing infrastructure to service the proposed scheme and the contention that the scheme will strengthen the town centre. The suggestion that the provision of an additional 82,313 sqft of comparison retail space will not generate the need for additional car parking capacity in the town centre is one that should be supported by detailed and robust analysis which does not appear to be present.

Paragraph 6.2

"Paragraph 17 of the NPPF identifies 12 core land use planning principles which should underpin decision taking."

Paragraph 6.2.2

"Encourage the effective use of land by reusing land that has been previously developed, provided that it is not of high environmental value."

The land upon which the proposed scheme is to be built is not under-utilised, and not derelict or displaying any functional and physical obsolescence. Indeed, it can be stated that the scheme displaces or disturbs a number of established businesses providing employment and diversity of service and amenity within the town centre.

Paragraph 6.2.3

"Promote mixed use development, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions."

The proposed scheme is not a mixed use. It is heavily biased to the retail sector with some leisure. There is a risk that the scheme will give rise to actual loss of other business use, particularly in the professional service sector. In addition, reference is made to the development of the residential properties but details of this proposal are vague. There is a threat that residential development will not come forward in the town centre if leisure development is not introduced. No supporting evidence is provided to support this contention.

Paragraph 6.12.2

"The position of new pedestrian linkages to the High Street should be carefully selected to avoid the loss or adverse impact on listed buildings or adverse impact on the character of the conservation area."

The scheme as proposed fails to have due regard to the internal layout of the adjacent Listed buildings giving rise to uncertainty as to the accommodation resultant from the re-modelling and commercial viability of the buildings.

Paragraph 7.3

"The scheme will provide some 500 jobs during the construction phase and approximately 400 new jobs when The Touchwood Extension is open."

The Council does not provide evidence as to how they have calculated the 400 permanent new jobs. It is not clear whether the figure of 400 permanent new jobs has regard to the potential loss of employment consequential to the displacement of businesses within the proposed scheme area. Further, the 400 permanent new jobs are not categorised by socio-economic type, making it impossible to appraise the socio-economic advantages of the scheme.

Paragraph 7.11.

"The scheme will act as a catalyst and encourage further investment in the town centre from third party land owners and developers, which would be unlikely to occur in the absence of the extension of touchwood."

The Council alludes to negotiations with IM Properties, the owners of Mell Square, but do not provide detail. The Mell Square area displays far greater physical and functional obsolescence than the Touchwood Centre, or the majority of other structures affected by the scheme site. It has not been proven nor demonstrated that the development of the Touchwood Extension will not have an adverse effect upon other retail areas in the town centre, and in particular Mell Square. This will lead to contraction and migration of the retail hub and in so doing fails to deliver the policies enshrined in the Local Plan.

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"Scheme will generate business rates, and when development is completed and the Council will grant a new long leaseholder to LLRP. This will generate the income which will enable the Council house to be refurbished."

Guidance on the compulsory purchase process and the Crichel Down Rules for the disposal of surplus land acquired by, or under threat of, compensation (October 2015) states in paragraph 2 "a compulsory purchase order should only be made where there is a compelling case in public interest" The Council appeared to be justifying the proposed scheme by reference to a financial gain. While it is recognised that the Council is under a duty to achieve best value for the public purse, financial gain should not be placed before adopted planning policy or the right of the individual to hold an interest in land.

It is the Objector's considered opinion that the proposed order is an infringement of their human rights under Article 1 of the First Protocol of the European Convention on Human Rights - The Human Rights Act 1998. The balance has not been struck between the individual's rights, the wider public interest and the financial benefit to be derived by the Council as a consequence of the use of its Powers of Compulsory Acquisition.

Paragraph 8.2

"A development agreement and related CPO indemnity agreement were entered into by the Council and all LLRP on 20 October 2014."

The Council does not confirm that the development agreement indemnifies them against all costs and compensation arising from the compulsory purchase process. Clarification is required as to whether full indemnity has been provided, and if full indemnity does not exist, how is the Council going to fund any overspend which may arise?

Paragraph 8.3

"Despite the scheme being at a relatively early phase, a number of pre-lets have been secured. This in itself is already demonstrating scheme will meet need not currently catered for in Solihull town centre."

In order to demonstrate that the proposed scheme is not simply drawing retailers from the existing Touchwood Scheme, or other retail locations within Solihull Town Centre, the Council should confirm to the Inquiry that the pre-lets to which they refer are retailers and leisure operators who are not already represented in the town centre, and that they are not in active discussion with retailers already present in the town centre.

Conclusion.

The Objector believes that the scheme as promoted in the Statement of Reasons does not satisfy Section 226 (1A) of the Town & Country Planning Act 1990 and contravenes Section 6 of the Human Rights Act 1998.

The Objector requests that Powers of Compulsory Acquisition as sought under the Metropolitan Borough of Solihull (Touchwood Extension Solihull) Compulsory Purchase Order 2015 be denied.

The above represents my Client's objection to the aforementioned Compulsory Purchase Order. The Objector reserves the right to add to or expand their case upon sight of further evidence and information provided by the Council.

Yours faithfully
for and on behalf of Sanderson Weatherall LLP



Richard M Farr BSc FRICS MCI Arb
Partner
Direct Dial: 0191 269 0115 or Ext 5115
E-mail: richard.farr@sw.co.uk

Your Ref

Our Ref RMF/LJC/154803

OBJ12

Sanderson Weatherall
15th Floor

23 December 2015

K Wright Esq
Caseworker
The National Planning Casework Unit
5 St Philip's Place
Colmore Row
Birmingham
B3 2PW

By email to:
npcu@communities.gsi.gov.uk

Dear Sir

**Re: The Metropolitan Borough of Solihull (Touchwood Extension, Solihull)
Compulsory Purchase Order 2015.**

Claimant: Anthony Stockton Solicitors

Property: 1st Floor, 2 Manor Square, Solihull B91 3PX

Plot references: Plot 30 – offices and Plot 35 – 3 car parking spaces

I write in my capacity as Chartered Surveyor retained by Anthony Stockton Solicitors the leaseholders of Plots 30 & 35.

I am instructed to lodge an objection to The Metropolitan Borough of Solihull (Touchwood Extension, Solihull) Compulsory Purchase Order 2015. I shall be pleased if you will accept this letter as an objection on behalf of Anthony Stockton Solicitors.

In preparing the objection, my Client has had regard to the statement of reason set out by The Metropolitan Borough of Solihull as a justification for the making of the proposed order.

In summary the grounds of objection are as follows.

Para 4.3

"However the relative economic strength of Solihull town centre is under threat from a number of schemes which have opened or which are currently under development in the region, including Grand Central in Birmingham, Resorts World at the National Exhibition Centre and Coventry City Centre. A study undertaken by CACI in 2015 identified Solihull as a quality regional centre."

Resorts World opened in October 2015. It is located within a few hundred metres of M42 junction 6 close to the NEC. It is an "Outlet Mall" retail offer with a cinema, hotel and casino. It is advertised as a leisure venue with a cinema, hotel and casino and a retail discount outlet centre.

There are 50 high street style retail units (3 vacant), in a looped arcade at ground floor level. It is not perceived to compete with Solihull town centre and has no critical mass or anchor store. The shopping experience is very limited compared to Solihull town centre. There is an 11 screen cinema, 18 restaurants/bars, multi-storey car park, hotel and casino. It is primarily an out-of-town leisure destination (cinema/casino/hotel) with some shops.

Birmingham is the other main retail centre in the region. John Lewis have opened a 250,000 sqft store as part of the Grand Central reconfiguration of New Street Station. This store is not much bigger than the Touchwood John Lewis and provides no additional competition to Solihull than that previously present. Commercial logic dictates that John Lewis would not build two stores in direct competition with each other. The other prime retail centre in Birmingham is the Bullring Centre which opened in 2003 and any proposal that Touchwood should be extended to compete with the Bullring is fanciful; both continue to thrive today after 12 years.

Coventry city centre is poor. The city centre shopping is weaker than Solihull, and most Solihull shoppers would go to Birmingham in preference to Coventry.

Out of town retail park accommodation is provided at Solihull Retail Park and Sears Retail Park off Marshall Lake Road, Solihull. These retail parks are long established at over 20 years and lie approximately 2 miles from the town centre. They provide for bulky goods and large floor plate retail stores which cannot and don't want to be in the town centre. Examples include Next at Home, B&Q, Homebase, Harveys, Boots, Argos, M&S Food, Currys, Halfords, Pets at Home, JJB, Toys R Us.

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Yours faithfully
for and on behalf of Sanderson Weatherall LLP



Richard M Farr BSc FRICS MCI Arb
Partner
Direct Dial: 0191 269 0115 or Ext 5115
E-mail: richard.farr@sw.co.uk

Our ref: CDW/JMD/Sheen

23 December 2015

The Secretary of State for Communities and Local Government
National Planning Case Work Unit
5 St Philips Place
Colmore Row
Birmingham
B3 2BW

OBJ13

23 DEC 2015

Dear Sirs,

Re: **Metropolitan Borough of Solihull (Touchwood Extension) Compulsory Purchase Order 2015**

OBJECTION

We act for David Sheen trading as Sporting Barbers UK Limited (the "Occupier") who holds a leasehold interest in 144 High Street Solihull ("the Premises") and object on his behalf to be the confirmation of the above Compulsory Purchase Order relating to the Premises in respect of Touchwood Extension (Touchwood II) for the following reasons:-

- 1 By reference to the ground floor plan number 140129AP00D015F, the Premises are not in fact required as part of the scheme for Touchwood II in order for it to proceed. Such requirement that there may be, which is not accepted, is purely for the purposes of maximising visual link across the High street which is not explained or accepted and is insufficient reason to compulsory purchase of the Premises. Indeed access to Touchwood II at the east end of High Street visible to Drury Lane would better serve the purposes of stimulating footfall in that area
- 2 Within Touchwood II, the area comprising the Premises is allocated as A1 use which is the current use of the Premises. On the basis of use, the Premises can therefore be retained in the current Scheme for the use of or with minor modification
- 3 The premises are Grade II listed and the Scheme can be undertaken with the preservation of this heritage asset with the Occupier in situ rather than requiring his occupation and interest in the Premises to be ended which better accords with the Local Plan Policy P2.
- 4 The purpose of the Compulsory Purchase Order (inter alia) is to create and maintain a vibrant business economy. There is a shortage of office premises in the area for relocation. The key reason for this is the lack of premises at affordable rents or at all at not less than double the passing rent for the Premises. There has been no allocation for such unit at affordable rents, in Touchwood II and there has been no consultations by the schemes architects with the Occupier in this regard. The effects in the lack of such provision will be to push out the smaller business owners who provide the authentic retail experience which attracts customers and clients. It is not in the public interest to push out the smaller traders who provide the

variety to town life and thus attract customers and clients away from other locations who otherwise are the same. The failure to provide such units means that the Touchwood II does not achieve the purposes of Local Plan Policy P2.

5 Touchwood II relies totally on the existing parking arrangements. The John Lewis car park is less popular because it is more difficult to access, but nevertheless is full in busy periods. In arriving from the south commuters will try either Mell Square Parking accessed off Warwick Road or even Poplar Road (which is not part of Touchwood II) or Mell Square Parking arriving from the north being most convenient for the town centre as a whole and go on to John Lewis car park off Herbert Road. Popular car parks are full at certain times during trading. The proposal, to route traffic to less busy car parks is not adequate: even a relatively few number of commuters who ignore any alternative proposed routing and go into areas such as the Mell Square car park and in particular access Mell Square car park off Poplar Road causes generalised congestion due to inadequate turning facilities. This is despite the road improvements now completed, which at the time of the reports, the proposals only anticipated. In busy periods queues back up on and into Warwick Road and Herbert Road causing congestion in the main thoroughfares.

6 In any event the issue is not just that of the volume of car parking spaces are in total might be adequate nor that commuters might learn to use any directive system: a major issue is that the access and exist gates for the town Car parks fail to deal with the inflow and outflow of commuters from the highway. Even in small busy periods, commuters using these car parks cause queuing and so congestion on the highway. If the Scheme does indeed increase traffic then the existing commuter times, can only be increased leading to long term dissatisfaction with the overall consumer experience for those people travelling by car.

The car parking assumptions for Touchwood II are therefore inadequate.

7 In any event, it is the small retailers/businesses are pushed out by a failure to provide affordable rents, only the larger players will be left to afford the increased rents. The offerings of the large retailers will drive the Scheme to what could be described as a "me too" retail experience which can be seen at shopping centres in many other towns. Combined with increased overall travelling time commuting and the lack of variety in the shopping experience customers will ultimately go elsewhere to more accessible places.

8 The real reasons for a lower footfall at the east end of High Street when compared with the west end, which the Scheme does not address are; the inadequate provision of car parking for customers at the east end of High Street when compared with the west; the public transport stops (including rail) are all focused in Poplar Road/High Street in the east as are the taxi pickups points. The scheme for Touchwood II completely fails to address these fundamental points. Indeed it confirms the position by conceding that (albeit "informal") pick up points will be directed away from Manor Square to elsewhere in the Town i.e. away from the east of High Street and the area which requires reinvigorating.

It is submitted that this will lead to a two tier centre: the busier existing Touchwood with enhanced transport and parking facilities compared with a less busy and for transportation reasons less attractive Touchwood II. Rents being routinely upwards only on rent reviews, in the event of any downturn, the attrition of occupiers in Touchwood II is almost certainly going to be greater than that of Touchwood due to less attractive servicing and in that event empty units and a "ghost" feeling to Touchwood II.

There are very many examples of such situations where the local economies have not been quite as vibrant as experienced by Solihull recently: e.g. compare Luton, Hemel Hempstead,

or even abroad such as Zagreb developments in which the latter demonstrate particular modern and busy shopping centres almost side by side with "ghost" retail developments only partially occupied due to me too offerings by the large retailers coupled with increased parking/access times. The effects of empty units in such a Scheme in which the small business person having pushed out and cannot re-enter must not be underestimated.

- 9 So far as increasing the provision of A3 within the town centre: there is already many large and varied A3 providers in the town centre which customers are not using. The issue is the provision of proximate late night parking within the town. To that end multi storey car parking is not attractive to night users; and the same applies to that provided Monkspath Hall Park car park accessible over Tudor Grange Park and the under road link .
- 10 My understanding is that a proposed development for Waitrose in the town is to also to proceed. Whilst that proposal will include its own parking for its customers, and is separate to Touchwood II, when completed, the parking issues raised can only be exacerbated.
- 11 The effect of removal of Manor Square access road is overstated. This is a minor roadway. The real reason for congestion in Churchill Road is that passage over it is necessary to access Touchwood parking for the reasons stated above.

Case law provides that no citizen should be deprived of his land by any public authority against his will, unless the public interest decisively so demands. If there is any doubt on the matter, the balance must be resolved in favour of the citizen. There is no justification for the compulsory purchase of the Premises as proposed as it effects the Premises and therefore the acquisition of it is not reasonable. Is therefore unreasonable to confirm the Compulsory Purchase Order as proposed.

Yours faithfully

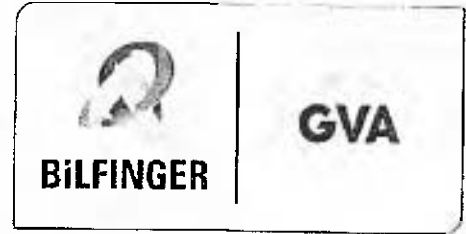

Allsopp & Wright
chris.wright@allsoppandco.co.uk

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Our ref: MP01517854

25 DEC 2015



21 December 2015

The Secretary of State for Communities and the Local Government
C/O The National Planning Casework Unit
5 St Philips Place
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T: +44 (0)8449 02 03 04
F: +44 (0)1216 09 83 14
gva.co.uk

Direct Dial: 0121 609 8809
Email: marlin.patrick@gva.co.uk

Dear Sirs

**The Metropolitan Borough of Solihull (Touchwood Extension, Solihull)
Compulsory Purchase Order 2015 ("CPO")**

I write in response to a letter addressed to Centrick Properties at 158 High Street, Solihull, B91 3SX from Solihull Borough Council (the acquiring authority).

I would confirm that Bilfinger GVA has been retained by Centrick Properties to act on its behalf in regards to the negotiations for the acquisition of land and rights proposed to be acquired, as well as any disturbance suffered by the claimant.

In this regard I would formally place before you my client's objection to the CPO on the basis of having recently entered into a new 10 year lease with the current landlord (Wesleyan Assurance Society) and in doing so, making a substantial investment in improvements to the premises that are subject to that lease, it now finds itself threatened with the removal of valuable amenities to the premises [namely rear car parking and disabled access] that will render the premises unsuitable and potentially unviable for the current business. Had this information been available at the time of the negotiations for the new lease, my client would not have entered into the lease. The nature of Centrick Properties business means that access 24 hours a day, 7 days a week is imperative for it to be able to service the properties it manages and maintains, by having direct access for tradesmen to the subject premises. The threat to take this essential amenity away will cause the business to become unviable at this address.

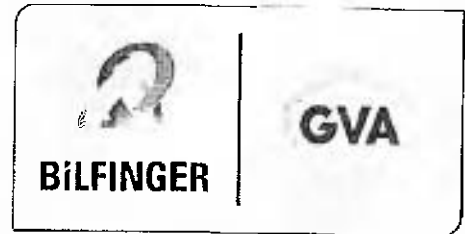
I would be grateful if you would place on record my details at the bottom of this letter and that any future correspondence should be addressed to that as referred to herein.

Yours faithfully

Martin Patrick BSc MRICS
Director
Valuation Services
For and on behalf of GVA Grimley Limited

Our ref: MP01B505495

14 JAN 2016



23 December 2015

The Secretary of State for Communities and
the Local Government
c/o The National Planning Casework Unit
5 St Philips Place
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B3 2WP

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F: +44 (0)1216 09 83 14
gva.co.uk

Direct Dial: 0121 609 8809
Email: martin.patrick@gva.co.uk

Dear Sirs

**The Metropolitan Borough of Solihull (Touchwood Extension, Solihull)
Compulsory Purchase Order 2015 ("CPO")**

I write in connection with the letter from Solihull Borough Council addressed to Wesleyan Assurance Society dated 26 November.

I would confirm that Bilfinger GVA is retained by Wesleyan Assurance Society to act on its behalf in regard of negotiations with the acquisition of land and rights proposed a result of this CPO.

In this regard I would formally place before you my client's objection to the CPO on the basis that this partial acquisition of Wesleyans freehold interest renders the retained part of my client's land, value less, as it interferes with existing leaseholders in a detrimental way such that it would seek to have the whole of its interest acquired.

We have confirmed that we have been negotiating with Lendlease, and its agents CBRE in regard to the severance of the said land from the retained land, but it is clear that the detail has not been considered properly by the acquiring authority nor its agents, so that it is so poor that we are forced to demand that the freehold interest held by Wesleyan Assurance is acquired in its entirety. The matter is complicated by the fact that the property is partly listed in the Local Register as being within a conservation area.

I would be grateful if you could place on record my details at the bottom of this letter so that any future correspondence should be addressed as referred herein.

Yours faithfully

Martin Patrick BSc MRICS
Director
Valuation Consultancy
For and on behalf of GVA Grimley Limited

Our ref: CDW/JMD/solihull

23 December 2015

The Secretary of State for Communities and Local Government
National Planning Case Work Unit
5 St Philips Place
Colmore Row
Birmingham
B3 2BW

OBJ16

23 DEC 2015

Dear Sirs,

Re: **Metropolitan Borough of Solihull (Touchwood Extension) Compulsory Purchase Order 2015**

OBJECTION

We act for Solihull and Shirley Estate Agencies Ltd trading as Melvyn Danes (the "Occupier") who holds a leasehold interest in 152 High Street Solihull ("the Premises") and object on his behalf to be the confirmation of the above Compulsory Purchase Order relating to the Premises in respect of Touchwood Extension (Touchwood II) for the following reasons:-

- 1 By reference to the ground floor plan number 140129AP00D015F, the Premises are not in fact required as part of the scheme for Touchwood II in order for it to proceed. Such requirement that there may be, which is not accepted, is purely for the purposes of maximising visual link across the High street which is not explained or accepted and is insufficient reason to compulsory purchase of the Premises. Indeed access to Touchwood II at the east end of High Street visible to Drury Lane would better serve the purposes of stimulating footfall in that area
- 2 Within Touchwood II, the area comprising the Premises is allocated as A1 use which is the current use of the Premises. On the basis of use, the Premises can therefore be retained in the current Scheme for the use of or with minor modification
- 3 The purpose of the Compulsory Purchase Order (inter alia) is to create and maintain a vibrant business economy. There is a shortage of office premises in the area for relocation. The key reason for this is the lack of premises at affordable rents or at all at not less than double the passing rent for the Premises. There has been no allocation for such unit at affordable rents, in Touchwood II and there has been no consultations by the schemes architects with the Occupier in this regard. The effects in the lack of such provision will be to push out the smaller business owners who provide the authentic retail experience which attracts customers and clients. It is not in the public interest to push out the smaller traders who provide the variety to town life and thus attract customers and clients away from other locations who otherwise are the same. The failure to provide such units means that the Touchwood II does not achieve the purposes of Local Plan Policy P2.



4 Touchwood II relies totally on the existing parking arrangements. The John Lewis car park is less popular because it is more difficult to access, but nevertheless is full in busy periods. In arriving from the south commuters will try either Mell Square Parking accessed off Warwick Road or even Poplar Road (which is not part of Touchwood II) or Mell Square Parking arriving from the north being most convenient for the town centre as a whole and go on to John Lewis car park off Herbert Road. Popular car parks are full at certain times during trading. The proposal, to route traffic to less busy car parks is not adequate: even a relatively few number of commuters who ignore any alternative proposed routing and go into areas such as the Mell Square car park and in particular access Mell Square car park off Poplar Road causes generalised congestion due to inadequate turning facilities. This is despite the road improvements now completed, which at the time of the reports, the proposals only anticipated. In busy periods queues back up on and into Warwick Road and Herbert Road causing congestion in the main thoroughfares.

5 In any event the issue is not just that of the volume of car parking spaces are in total might be adequate nor that commuters might learn to use any directive system: a major issue is that the access and exist gates for the town Car parks fail to deal with the inflow and outflow of commuters from the highway. Even in small busy periods, commuters using these car parks cause queuing and so congestion on the highway. If the Scheme does indeed increase traffic then the existing commuter times, can only be increased leading to long term dissatisfaction with the overall consumer experience for those people travelling by car.

The car parking assumptions for Touchwood II are therefore inadequate.

6 In any event, it is the small retailers/businesses are pushed out by a failure to provide affordable rents, only the larger players will be left to afford the increased rents. The offerings of the large retailers will drive the Scheme to what could be described as a "me too" retail experience which can be seen at shopping centres in many other towns. Combined with increased overall travelling time commuting and the lack of variety in the shopping experience customers will ultimately go elsewhere to more accessible places.

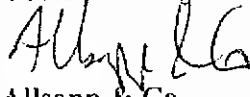
7 The real reasons for a lower footfall at the east end of High Street when compared with the west end, which the Scheme does not address are; the inadequate provision of car parking for customers at the east end of High Street when compared with the west; the public transport stops (including rail) are all focused in Poplar Road/High Street in the east as are the taxi pickups points. The scheme for Touchwood II completely fails to address these fundamental points. Indeed it confirms the position by conceding that (albeit "informal") pick up points will be directed away from Manor Square to elsewhere in the Town i.e. away from the east of High Street and the area which requires reinvigorating. It is submitted that this will lead to a two tier centre: the busier existing Touchwood with enhanced transport and parking facilities compared with a less busy and for transportation reasons less attractive Touchwood II. Rents being routinely upwards only on rent reviews, in the event of any downturn, the attrition of occupiers in Touchwood II is almost certainly going to be greater than that of Touchwood due to less attractive servicing and in that event empty units and a "ghost" feeling to Touchwood II.

There are very many examples of such situations where the local economies have not been quite as vibrant as experienced by Solihull recently: e.g. compare Luton, Hemel Hempstead, or even abroad such as Zagreb developments in which the latter demonstrate particular modern and busy shopping centres almost side by side with "ghost" retail developments only partially occupied due to me too offerings by the large retailers coupled with increased parking/access times. The effects of empty units in such a Scheme in which the small business person having pushed out and cannot re-enter must not be underestimated.

- 8 So far as increasing the provision of A3 within the town centre: there is already many large and varied A3 providers in the town centre which customers are not using. The issue is the provision of proximate late night parking within the town. To that end multi storey car parking is not attractive to night users; and the same applies to that provided Monkspath Hall Park car park accessible over Tudor Grange Park and the under road link .
- 9 My understanding is that a proposed development for Waitrose in the town is to also to proceed. Whilst that proposal will include its own parking for its customers, and is separate to Touchwood II, when completed, the parking issues raised can only be exacerbated.
- 10 The effect of removal of Manor Square access road is overstated. This is a minor roadway. The real reason for congestion in Churchill Road is that passage over it is necessary to access Touchwood parking for the reasons stated above.

Case law provides that no citizen should be deprived of his land by any public authority against his will, unless the public interest decisively so demands. If there is any doubt on the matter, the balance must be resolved in favour of the citizen. There is no justification for the compulsory purchase of the Premises as proposed as it effects the Premises and therefore the acquisition of it is not reasonable. Is therefore unreasonable to confirm the Compulsory Purchase Order as proposed.

Yours faithfully



Allsopp & Co

chris.wright@allsoppandco.co.uk



GOSSCHALKS
SOLICITORS

OBJ17

The Secretary of State for Communities & Local Government
The National Planning Case Work Unit
5 St Philip's Place
Colmore Row
BIRMINGHAM
B3 2PW

Phil Osborne
01482 590225
pjo@gosschalks.co.uk
PJO /SH / 097400.00736
#GS532901

21 December 2015

By E-Mail & Post:
akinsey@solihull.gov.uk

Dear Sirs,

Re: Our Client: Willstan Racing Limited (t/a William Hill Bookmakers)
Premises: 7 Station Road, Solihull, B91 3TG
The Metropolitan Borough of Solihull (Touchwood Extension, Solihull) Compulsory Purchase Order 2015

We write further to your letter addressed to our client dated 26th November 2015 enclosing formal notice of the Metropolitan Borough of Solihull (Touchwood Extension, Solihull) Compulsory Purchase Order 2015 (**'the Compulsory Purchase Order'**).

On behalf of our client we are hereby instructed to object to the Compulsory Purchase Order on the grounds that it will have an injurious materially adverse effect on the conduct of our client's business.

Yours faithfully,

GOSSCHALKS

c.c. Mr Andrew Kinsey – Legal Services Manager, Solicitor to the Council –
Akinsey@solihull.gov.uk

**IN THE MATTER OF THE METROPOLITAN BOROUGH OF SOLIHULL
(TOUCHWOOD) EXTENSION, SOLIHULL.) COMPULSORY PURCHASE ORDER
2015**

Background

- a) BB Boutique Limited trade under the name and style of *Jurnie* from 150 High Street, Solihull B91 3SX.
- b) They occupy the premises on a five year lease within the protection of the Landlord and Tenant Act 1954. Their Landlords are the Wesleyan Assurance Society of Colmore Circus, Birmingham B4 6AR.
- c) Their business will be directly affected by the proposed development and they wish for the following objections to be noted and considered.

Grounds of Objection to the Touchwood Extension

1. This objection is made on behalf of BB Boutique Limited trading as *'Jurnie'* of 150 High Street, Solihull, B91 3SX. They are a specialist family owned retailer specialising in the sale of baby ware, children's clothes and gifts. During the past two and a half years of trading, they have established a strong reputation through the use of social media and have attracted customers not just from Solihull and the adjoining areas but from as far away as Walsall, Lichfield, Warwick and Nottingham. Visitors are willing to travel to Solihull to their shop from outside the area using the M42 motorway to visit us. Their unique selling point is that they offer high quality and artisan made goods not available in chain stores. Their business has been featured in both local and national newspapers such as the *Daily Telegraph* and the *Sunday Times*.
2. The number of specialist, family owned or individual retail outlets has decreased significantly in Solihull in recent years and in common with many other towns, their place has been taken by multiple chain stores. This has the effect of diminishing the attractiveness of the Shopping Centre to visitors and reducing the range of goods available.
3. Quite simply, small businesses such as theirs will be forced out of Solihull Town centre by this development and the unique character that currently exists in the cluster of small specialist retailers in the last remaining historic part of the High Street will be irredeemably lost. With that loss, there will inevitably follow a loss of community involvement and local ownership by local people in the town centre.
4. The phrase *'clone town'* was coined to describe a town centre where the individuality and distinctiveness of the shops in a town centre has been replaced by exactly the same outlets and retailers as can be found anywhere else. The proposers cite as evidence of their credentials their developments at Bluewater in Kent, Queensgate in Peterborough and Elephant and Castle in London and of course the existing

Touchwood development in Solihull. The common denominator for each of these developments is that they offer the public exactly the same retailers as anywhere else with absolutely no provision for reasonably priced units for small or specialist retailers.

5. There has been no proper consideration or discussion pursuant to Paragraph 12.1 of their statement of reasons with the affected parties to agree a private treaty solution. Accordingly the proposers have no proper understanding of our business model or the serious effect that a relocation would have on the business.
6. Neither Lend Lease nor Solihull MBC have properly taken into account the fact that relocation would be extremely difficult for these reasons:
 - a) The improved economic climate means that there are very few vacant shops available at a reasonable rent;
 - b) Those that are available are in unsuitable areas, lacking sufficient footfall, are too large or have excessive rents;
 - c) Despite our enquiries, no suitable alternative premises have been identified and it is unlikely that anything will be available of a comparable nature in the near future.
7. The proposed development makes no attempt to address this problem by the provision of reasonably priced units intended for specialist or small-scale retailers or by making any offer to relocate Jumie within the scheme on comparable terms. They currently pay rent of £25,000.00 per annum and they have security of tenure under the provisions of the Landlord and Tenant Act 1954. A unit in the new development would cost at least £45,000.00 per annum and there is no guarantee of security of tenure. They can't afford to pay the type of rents that Lease Lend will be demanding.
8. There will be a 'knock on' effect in that they effectively provide a shop window for various artists, artisans and small scale specialist producers who will lose an outlet for their work if they are forced to close.
9. The published plans appear to show the demolition of our client's premises to create a walkway through to the new extension. No proper consideration has been given to any alternative scheme to either mitigate or avoid demolition altogether. Even if there is a demand for more retail or restaurant premises in Solihull, there is no need to design the scheme so as to destroy the existing businesses trading in the area. The proposers have assumed that they can work with a 'blank canvas' and brush existing small businesses aside rather than work around what is already there. The scheme claims that it will create an enhanced environment for the historic buildings that will be retained. In fact, it will destroy the existing authentic character of the locality and replace it with a pastiche.
10. The scheme claims to offer restaurant and leisure spaces. These are already well provided for in the centre and any restaurant that takes a unit is unlikely to be a local business but instead will be from a multiple or chain of restaurants.

11. The proposers claim that demand for parking and traffic congestion will be unchanged. The 'full' signs regularly displayed on the illuminated signs leading into Solihull Town Centre suggest that this is an extremely optimistic assertion. Congestion is bound to get worse and parking more difficult.
12. The Scheme as drawn is unimaginative, insensitive and ill-judged and for the reasons given above should be rejected

Dated this 21st December 2015

Signed.....

Solicitor for the Objector

Wadsworths Solicitors

325 Stratford Road

Shirley

Solihull

B90 3BL



Our Ref: JMB/CMP

S T E P H E N S
M c B R I D E
CHARTERED SURVEYORS

21st December 2015

Secretary of State for
Communities in Local Government
National Planning Casework Unit
5 St Philip's Place
Colmore Row
Birmingham
B3 2PW

RECEIVED
11 JAN 2016

Dear Sirs

RE: METROPOLITAN BOROUGH OF SOLIHULL (TOUCHWOOD EXTENSION, SOLIHULL)
COMPULSORY PURCHASE ORDER 2015 ("CPO")

I object to this Compulsory Purchase Order on behalf of my client Steven Michael Perkins of 79 Fallowfield Road, Solihull, B92 9HQ. My client holds a lease of part of the 1st floor of 4-6 The Square, Solihull, for 9 years from January 2014 and the lease includes the use of a minimum of 2 car parking spaces within the car park.

Both my client and myself are of the opinion that his business will be unviable not only because of the loss of the car parking spaces, but also the activity which is going to take place at the rear of the property, as he will still remain liable for the lease and all the costs involved.

Yours faithfully


JAMES McBRIDE FRICS

email: james@smbsurveyors.com

STEPHENS McBRIDE
CHARTERED SURVEYORS & ESTATE AGENTS

ONE, Swan Courtyard, Coventry Road, Birmingham, B26 1BU Tel: 0121 706 7766 Fax: 0121 706 7796
www.stephensmcbride.co.uk

Swan Surveyors Ltd. Registered in England No. 7493293. Registered Office: 240-244 Stratford Road, Shirley, Solihull B90 3AE.

Directors: A list of Directors is available at the Company's Registered Office
Regulated by RICS

RECEIVED

15 JAN 2016

Secretary of State for Communities and Local Government
National Planning Casework Unit
5 St Philips Place
Colmore Row
Birmingham B2 PPW
8th January 2016.

Dear Secretary of State,

Compulsory Purchase Order 2015

Compulsory Purchase of Land and Rights in Solihull Town centre

The deadline of December 24th (Christmas Eve) imposed for the appeals against the CPO was unreasonable.

At this time of the year many residents of Solihull were not at home.

We object most strongly to the attack on the Conservation Area and the Listed Buildings and their setting which would happen if the unwanted extension went ahead.

We are particularly concerned about the Manor House and its environs on the High Street and the cottages and environs facing the war memorial.

Yours sincerely

Signed by two other persons

M. A. Gales
P. J. Gales

f

l

10 DEC 2015

61, Riverside Drive
Solihull
West Midlands
B91 3HR

Telephone 0121 704 9323

December 14th 2015

Dear Secretary of State for Communities and Local Government,

TOUCHWOOD PLANNED EXTENSION, SOLIHULL

Compulsory Purchase Order 2015

Compulsory Purchase of Land and New Rights in Solihull Town Centre

I write to object most strongly to the above Compulsory Purchase Order on the basis that at the Planning Meeting at Solihull Council House on 4th November the Committee Members, and the many members of public present, were seriously misled by the 'information' given in writing to them by Council Officers.

After hearing the objections from 10 of the affected parties, and one in support, the Planning Committee discussed their concerns for approaching two hours. A Councillor then proposed deferment to allow time for design changes which would be acceptable to more members. The Chairman did not allow a vote on this issue and a counter proposal for acceptance, with some conditions added, was passed by just 5 votes to 4. The meeting ended in a shambles as there was no discussion on what these conditions should be and the Minutes were not issued until just the before the next monthly meeting.

Matters on which Councillors were misled:-

1. At no point in the meeting did the Chairman, or any Council Officer, declare any interest. The Developer is demolishing large Council buildings and funding many changes to the remaining Council properties as part of their agreement to the benefit of SMBC.
2. The Council's Conservation Advisory Committee had met in September and "recommended refusal of the above four applications to the Planning Committee". But in the meeting documents issued this is just described as "concern raised", which is therefore misleading and untruthful.
3. In his letters of 29 July 2015, the Principal Inspector, West Midlands Office, Historic England, Mr Nicholas Molyneux, sums up with a recommendation "Your authority's determination of the planning application should be deferred until the design issues have been addressed in order to reduce the harm to the historic environment". But the meeting documents states "No objection in principle", which is again misleading and not accurate.
4. I also object to the Council's claim that the works around the Grade II* Manor House will cause 'less than substantial harm'. Access to the car park would be lost, which will have a major effect on their lettings income, and furthermore that area would be part of the Compulsory Purchase Order. Taking into account my points 2 & 3 above I submit that The Manor House must be allowed to keep all of their land and that the proposed adjacent shop unit be deleted, as this would certainly cause 'less than substantial harm' to the overall development.

Yours faithfully,



Peter Handley

Secretary of State for Communities and Local Government at the National Planning Casework Unit,
National Planning Unit, 5, St Philip's Place, Colmore Row, Birmingham, B3 2PW



107 St Barnabas Road
Olton, Solihull
WEST MIDLANDS
B92 7BW

9th January 2016

Secretary for Communities
and Local Government
National Planning Casework Unit

Dear Sir or Madam,

Compulsory Purchase Order 2015. Purchase of Land
and New Rights in Solihull Town Centre

I wish to object to the above compulsory purchase order which is associated with the development of Touchwood Phase 2 in Solihull town centre. I do not have an interest in this land as owner or tenant but am simply a resident of Solihull.

The case for the Touchwood Phase 2 development has not been made (there are many empty shop units or ones of short tenancy eg charity, in Touchwood, High Street and Melb Square). Therefore the requirement for compulsory purchase of land and properties has not been made either. Much of this land and properties is within a conservation area and quite a few properties have listed status, and these CPO's flagrantly ignore the requirements to protect these properties and their setting.

In particular the properties from the Manor House

(and grounds) to the square including the older properties in High Street and the former cottages facing St Alphege are an important historical part of Solihull town centre and should be retained.

I trust that you will take these views into account when considering these C.P.O's and

I ~~am~~ urge you to refuse these orders for the reasons set out above.

Yours faithfully,

David Lingard

Secretary of State for Communities & Local Govt
National Planning Casework Unit,
5, St. Philip's Place,
Colmore Row,
Birmingham,
B3 2PW

Fred Towers,
34, St. Helen's Road,
Solihull,
B91 2DA

11. 01. 2016

Dear Sir,

Re Compulsory Purchase Order 2015, Compulsory Purchase of Land and New Rights in Solihull Town Centre with particular reference to properties fronting the High Street (eg The Manor House) and The Square.

As an "other person" I would like to lodge an objection to the above-mentioned Compulsory Purchase Order. Many of the properties due to be affected by this order are Listed Buildings, covered by a legal obligation to preserve not only the buildings but also their setting.

The properties form part of the last surviving vestiges of the traditional Solihull town Centre. They would be sacrificed in order to carry out a proposed development which I believe is unnecessary and certainly undesirable. The close vote of 5 to 4 at the meeting of the Council Planning Committee held to discuss the proposed development, shows that there is also considerable opposition in the Council itself to this development.

I believe that priority should be given to preserving this last remaining part of the old Solihull Centre and if there is to be any further development in or near the centre, perhaps some suitable apartments could be considered to enable more people to live in the centre and get to the shops and other commercial premises without using their cars.

Yours sincerely,

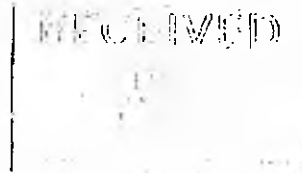


Fred Towers

RECEIVED
11 JAN 2016

43 Chelveston Crescent, Solihull, West Midlands, B91 3YH

National Planning Casework Unit,
5 St Philips Place,
Colmore Row,
Birmingham,
B3 2PW



9th January 2016

Dear Sirs,

Compulsory Purchase Order 2015:

Compulsory Purchase of Land and New Rights in Solihull Town Centre

I am writing to oppose the application by Solihull Metropolitan Borough Council (SMBC) for Compulsory Purchase Orders for land and property in the Solihull Town Centre Conservation Area, as well as at the rear of all the properties which front the High Street from The Manor House to the Square and at the rear of properties fronting on to The Square.

In making the application, it is the intention of the SMBC to demolish some of these properties, despite the fact that many of them are Listed Buildings which there is an existing legal requirement to conserve. As became clear at the meeting of the SMBC Planning Committee, attended by many Solihull residents who oppose the proposals, demolition would also affect the structure and stability of neighbouring buildings, also listed. Furthermore, the SMBC's proposals for development would damage the environment around those buildings which would remain, principally the Manor House, and are entirely out of keeping with the Conservation Area. They should not be allowed to proceed further.

Yours faithfully,

Margaret Cund

Margaret Cund

ROBERT HARBOTT
5, MERRYFIELD CROFT,
SOLIHULL,
WEST MIDLANDS.
B92 9PW.

9th January, 2016.

Dear Sir,
ROBERT HARBOTT, OTHER PERSON.

Re: " Compulsory Purchase Order, 2015,
Compulsory Purchase of Land and New
Rights in Solihull Town Centre with particular
reference to properties fronting the High Street
(eg. The Manor House) and The Square .

Please register my objection to the
above.

Yours faithfully,
Robert Harbott.



11 January 2016

Secretary of State
for Communities and Local Government

National Planning Network
5 St Philip's Place
Colmore Row
Birmingham B3 2PW

Compulsory Purchase Order 2015
Compulsory Purchase of Land and New Rights
In Solihull Town Centre.

Various buildings fronting High Street and The Square in the vicinity of St Alphege Church.

I wish to object to the granting of CPO's on the grounds that some of these building are covered by a Conservation Order or are Listed Buildings. Planning permission was only given by a 5 to 4 vote by the Planning Committee.

If CPO is granted then large illuminated panels will be put up facing the ancient church.

I object further to a modern intrusion in to The Square.

Yours faithfully,

Other person.

R. J. Herd

ROBERT HARBOTT
5, MERRYFIELD CREST,
SOLIHULL,
WEST MIDLANDS.
B92 9PW.

9th January, 2016.

Dear Sir,
ROBERT HARBOTT, OTHER PERSON

Re: "Compulsory Purchase Order, 2015,
Compulsory Purchase of Land and New
Rights in Solihull Town Centre with particular
reference to properties fronting the High Street
(eg. The Manor House) and The Square.

Please register my objection to the
above.

Yours faithfully,
Robert Harbott

14th January 2016

106a Widney Manor Road
Solihull
B91 3JJ

Tel: 0121 705 5870

Mob: 07973 814416

Email: david.r.patterson@btinternet.com

Secretary of State for Communities and Local Government
National Planning Casework Unit
5, St. Phillip's Place
Colmore Row
Birmingham B3 2PW

Dear Sir

Compulsory Purchase Order 2015

Compulsory Purchase of Land and New Rights in Solihull Town Centre

I am writing as an 'other person' to object most strongly to the proposed CPOs which affect land to the rear of properties fronting on to the High Street, from the Manor House (No.126) to The Square and to the rear of the former cottages facing the War Memorial i.e. Warwick Court.

Many of these properties are Listed Buildings where there is, as you know, a legal obligation to preserve not only the buildings but also their settings:

The Manor House, 126 High Street. Built in 1495, this is a fine timber framed building, grade II*, and the oldest and most significant domestic building in the Solihull Conservation Area. The Touchwood Extension plans would take about one third of the land to the rear of the house, taking its parking area for 8 to 10 cars, and removing any vehicular access. It is owned by a Charitable Trust and its income comes entirely from letting its rooms to professional tenants and from the very popular tea room. The parking area and vehicle access is essential to the continuation of these activities. To achieve the Extension plans a CPO has been formed by SMBC. There is absolutely no justification that Lend Lease's plans should have any priority over the irreplaceable importance of this property and its setting. The Manor House has already lost part of its land to a CPO in 1962 and again in 1999. It is entirely wrong that a developer, together with the Council, should regard the Manor House as a convenient source of extra land. It should be regarded as sacrosanct, the house and its setting.

Warwick Court, 2-6 The Square. These listed buildings are early 16th century timber framed cottages now used as significant Estate Agents, Solicitors and other small businesses. The car park (for 36 cars) is vitally important to the function and the prosperity of these companies. The CPO would take from them the whole of their car park. As the setting of the listed buildings it should be protected. Lend Lease's plans are to build 5 units (retail and restaurants) in this space, immediately behind and close up to the listed buildings. Again there is no justification that Lend Lease's plans should be considered as more important than these listed buildings and the livelihoods of their occupants.

I am aware that Solihull Metropolitan Borough Council are influenced by the S106 agreement that they have with Lend Lease but they, as the Authority, have to demonstrate that the taking of land is necessary and that there is a compelling case in the public interest.

When one considers the damage that would be done to the setting of these and other listed buildings, to the Conservation Area and to the livelihoods of all those who work in these properties, there seems to be no possible justification for these CPOs to be granted in this very special Conservation Area. It is difficult to comprehend why Lend Lease and their architects should consider it acceptable to develop their plans with complete disregard for listed buildings and a Conservation Area.

I hope that your considered thought will lead you to the same conclusions which I have outlined above.

Yours faithfully



D.R.Patterson

P.S. I should be most grateful if this letter can be received and recorded despite being sent after the 24th December

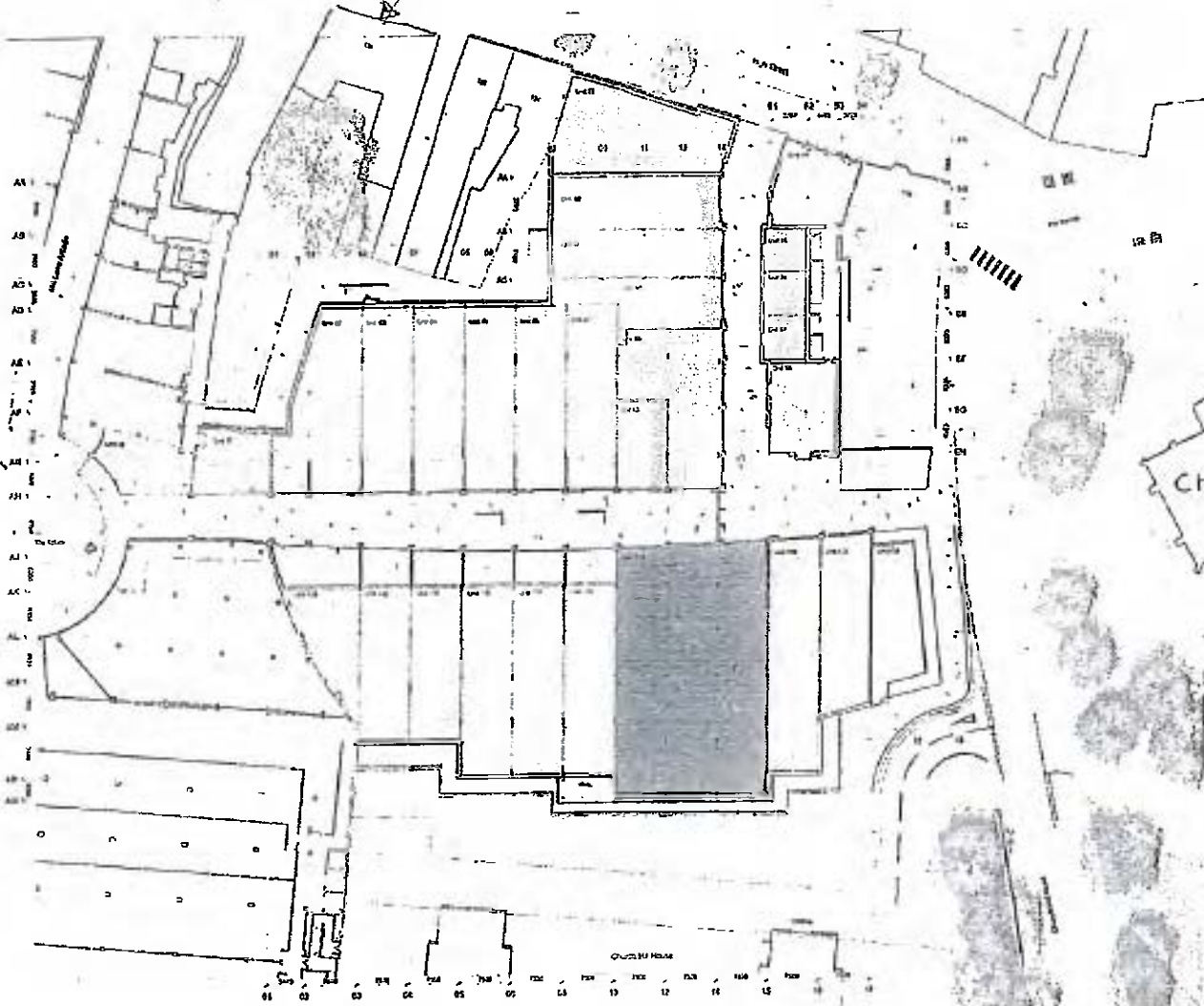
I am enclosing:

two plans which are relevant to my letter and which detail Lend Lease's Proposals.

and

two pages from Solihull Local Plan, marked for sections of particular relevance

126, HIGH STREET
MANOR
HOUSE



NOTES

1. ALL WORK TO BE DONE IN ACCORDANCE WITH THE PROVISIONS OF THE BUILDING REGULATIONS AND THE PROVISIONS OF THE LOCAL ACTS.

2. THE PROPOSED WORK IS TO BE DONE IN ACCORDANCE WITH THE PROVISIONS OF THE BUILDING REGULATIONS AND THE PROVISIONS OF THE LOCAL ACTS.

3. THE PROPOSED WORK IS TO BE DONE IN ACCORDANCE WITH THE PROVISIONS OF THE BUILDING REGULATIONS AND THE PROVISIONS OF THE LOCAL ACTS.

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11. THE PROPOSED WORK IS TO BE DONE IN ACCORDANCE WITH THE PROVISIONS OF THE BUILDING REGULATIONS AND THE PROVISIONS OF THE LOCAL ACTS.

12. THE PROPOSED WORK IS TO BE DONE IN ACCORDANCE WITH THE PROVISIONS OF THE BUILDING REGULATIONS AND THE PROVISIONS OF THE LOCAL ACTS.

13. THE PROPOSED WORK IS TO BE DONE IN ACCORDANCE WITH THE PROVISIONS OF THE BUILDING REGULATIONS AND THE PROVISIONS OF THE LOCAL ACTS.

14. THE PROPOSED WORK IS TO BE DONE IN ACCORDANCE WITH THE PROVISIONS OF THE BUILDING REGULATIONS AND THE PROVISIONS OF THE LOCAL ACTS.

15. THE PROPOSED WORK IS TO BE DONE IN ACCORDANCE WITH THE PROVISIONS OF THE BUILDING REGULATIONS AND THE PROVISIONS OF THE LOCAL ACTS.

16. THE PROPOSED WORK IS TO BE DONE IN ACCORDANCE WITH THE PROVISIONS OF THE BUILDING REGULATIONS AND THE PROVISIONS OF THE LOCAL ACTS.

17. THE PROPOSED WORK IS TO BE DONE IN ACCORDANCE WITH THE PROVISIONS OF THE BUILDING REGULATIONS AND THE PROVISIONS OF THE LOCAL ACTS.

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20. THE PROPOSED WORK IS TO BE DONE IN ACCORDANCE WITH THE PROVISIONS OF THE BUILDING REGULATIONS AND THE PROVISIONS OF THE LOCAL ACTS.

CHURCH

PLANNING

FILE: RMCHUWOOD

DATE	BY	NO.	STATUS
12/90	25/01/15	83	83

PROJECT: Southwood Christian Centre

SCALE: Proposed 1st Floor Plan

DATE: 12/90

BY: 25/01/15

NO.: 83

STATUS: 83

30
R810

DATE: 12/90

BY: 25/01/15

NO.: 83

STATUS: 83

- To pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

11.4.2 The Council recognises the importance of the historic environment to the Borough's local character and distinctiveness, its contribution to the five distinct 'places' of Solihull and its cultural, social, environmental and economic benefits. In light of this, Policy P16 defines the special characteristics which the Council considers make a significant contribution to Solihull's local distinctiveness and advocates strong protection of those qualities and the Borough's wider historic environment. The policy also ensures that all development preserves or enhances heritage assets in a manner appropriate to their significance, as defined in the evidence base for the Local Plan.



11.4.3 To conserve the heritage assets and sense of place within Solihull, all development proposals affecting heritage assets will also be expected to adhere to current established guidance. At present this includes PPS5: Planning for the Historic Environment - Planning Practice Guide and all other relevant English Heritage publications such as Conservation Principles, Policies and Guidance (2008).

11.4.4 A substantial body of evidence on the historic environment has been collected and informed the development of the Local Plan, its strategy for the Borough's historic environment and the selection of sites allocated for development. Key pieces of evidence such as the Warwickshire Historic Landscape Characterisation (June 2010), Warwickshire Historic Farmstead Characterisation Project (August 2010), Warwickshire Landscape Guidelines: Arden (November 1993), Solihull Characterisation Study (December 2011) and Solihull Historic Environment Record have been used to develop an understanding of Solihull's historic environment, local distinctiveness and its heritage assets; those parts of the historic environment which have a particular value or significance. Solihull's Heritage at Risk registers, Conservation Area Appraisals and Management Plans have also identified current threats to the Borough's historic environment and one of the purposes of Policy P16 and the delivery strategy is to focus on addressing such threats.



DAVID ROBERTS
7 ETTINGTON CLOSE
DORRIDGE
SOLIHULL
B93 8RR

TELEPHONE 01564 774900
E MAIL: davidhilarYROBERTS@yahoo.co.uk

18 Dec 2015

Compulsory Purchase of Land and New Rights
in Solihull Town Centre - Tonclwood Extension

"other person submission".

Sir

I write to request that you uphold the legal obligation of preservation of listed buildings and their setting in the High Street and Square in Solihull Centre.

The application to extend the Shopping Centre-Tonclwood is excessive in its requirement. The development proposed has wider impact than the public have been given notice of and the applicant was promised permission ahead of its submission.

The old library should be a listed building and its demolition proposed should also be refused.

Yours
David Roberts

7

KWVA

NO. 11

Secretary of State for
 Communities & Local Government
 National Planning Casework
 Unit 5
 St Philips Place,
 Colmore Row
 Birmingham B32 1W.

from

MRS. Eileen Dowe
 1, Knightley Rd
 Solihull B91 3PP.

Dear Sirs,

I am writing to object
 against the approval for
 compulsory purchase orders
 for land in the conservation
 area at the rear of all the
 properties which front the
~~properties~~ ^{High St.} from the Manor
 House to the Square and
 at the rear of the former

Cottages facing the War Memorial. Many of these are listed buildings

I have lived in Solihull over 50 years and object strongly against the compulsory purchase.

I am "the other person" having not objected before. I am now 88 yrs of age and am just sorry I didn't do it before.

Signed Eileen Dowe.

14/01/2016.

14/ 01/2016

Secretary of State for
Comm. and Local Gov
National Planning Casework
Unit, 5 St Phillips Place
Colmore Row, Birmingham B3 2PW

Re: CPO2015 CP of Land & New Rights in Solihull Town Centre, New Rd The Square and Churchhill Rd.

Dear Sir

I strongly oppose the above referenced proposed changes to our Town Centre, it will completely change its character. The approach to the town from Warwick Rd, up New Rd. m be the most charming view of Solihull, with St. Alphage and the War Memorial on one side a the Black and White former cottages in the centre. it is surely quintessentially English and worth preserving

I have yet to speak to anyone who is enthusiastic or even approves of these changes; the money would be better spent on preserving our history and our heritage that is what will bi visitors to Solihull.

Yours Truly



Kenneth C Massey (Other Person)

25 Malvern Park Avenue

Solihull B91 3EA

Secretary of State for
Comm. And Local Gov
National Planning Casework
Unit, 5 St Phillips Place
Colmore Row, Birmingham B3 2PW

14/01/2016

Re: CPO2015 CP of Land & New Rights in Solihull Town Centre, High St and the Square

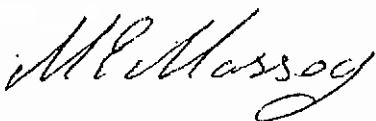
Dear Sir

I strongly oppose the above referenced changes to our Town Centre, it will completely change its character. One of the pleasures of living here is the combination of old and new buildings.

The Mall that we have seems to me to be perfectly adequate. Many recent studies have indicated that "on line" shopping is the future, so why more shops? at the cost of destroying the charm of Solihull. Having lived in the USA for many years I was frequently told that the attraction of England was its history and its charm, they want a precious break from Shops and Malls.

I have yet to speak to anyone who is enthusiastic or even approves of these changes, the money would be better spent on preserving our history and our heritage, that is what will bring visitors to Solihull.

Yours Truly



Margaret E. Massey (Other Person)

25 Malvern Park Avenue

Solihull, B91 3EA

RECEIVED

25 JAN 2016

21, St. Johns Road

Softhull

B91 2TB

19.01.16.

Dear Sir, Re: Compulsory Purchase Order 2015. Hand & New
Rights in Softhull Town Centre, particularly to
properties on the High Street & The Square.

As an 'other person' I would like to lodge an objection
to the above mentioned C.P.O. Many of the properties due
to be affected by this order are listed Buildings & as
this is about the only part of old Softhull, adjacent to
St. Alphege Church left, let us the residents keep something
of our heritage, especially the Manor House & GARDEN intact.
The proposed development is unnecessary. We have more
than enough retail outlets & cafes already, with also a
Waitrose store now being built in the centre.

It is obvious that there is division in the Council itself
so perhaps someone unconnected with the Town can see
where the opposition is coming from & see beyond what
some see as a wonderful development for the Council
& listen to the people who live here.

Yours faithfully,
Joan Myring.

(Mrs. JOAN MYRING.)

f

t

175A Ulverley Green Road

SOLIHULL

B92 8AA

7 January 2016

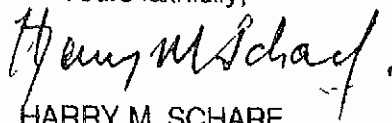
Dear Sir,

May I add our names to objections regarding extending Touchwood shopping centre.

Don't allow Solihull to become just another town centre without a "personality" here in the form of its listed buildings by the church and the square. What is the point of conservation if it can be ignored when only one vote allowed for the desecration of the conservation area?

Much shopping is by the internet so there is no need for more shops.

Yours faithfully,



HARRY M. SCHARF

163 Donidge Road
 SSOihull
 B93 8BN

Ref. Compulsory Purchase Order
 2018 " " " " Land and
 New Rights, SSOihull Town Centre

Dear Sir,

27 JAN 2018

I am writing to say how disappointed I feel about the new proposed extension to 'Tondwood' in SSOihull.

The only buildings with any character in SSOihull Town Centre are being obliterated by a new modern facade. It would have been better to blend in the older properties to give a contrast to a very ordinary High Street.

Also, the Manor House in particular and its garden should be preserved as a 'historical' interest and provide a quality tea room for visitors to the town as this isn't being met at the moment.

The Plans for the Manor House garden are hideous with the planned high wall. The garden should also be a feature in this bland Town Centre. Visitors are not

always coming to visit the shops which
are virtually the same ones in every
town now.
Please try to provide a compromise -
some new shops but also a few older
properties to give an added dimension
to Salford.

Yours sincerely

Bill Osborne

(other person)

RECEIVED

02 FEB 2016

33, Wellington Grove,

Solihull

B91 1EA

26.1.16

Secretary of State for Communities & Local Gov.

National Planning Casework Unit,

St Phillip's Place,

Colmore Row,

Birmingham B3 2PW

Dear Sir,

I am a freeholder living in Solihull and I object most strongly to the proposed extension to the Touchwood Shopping Centre.

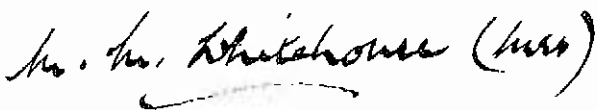
There are already many empty premises ready for development and indeed many which could be opened there without any need for change. The Planning Committee passed the plans by a majority of 5 to 4. Hardly a resounding approval of plans affecting the very heart of Solihull. Why extend an area for which there is no demand and which involves taking the land around many listed buildings? Is there not a legal obligation to preserve not only the buildings but also their settings? I am particularly concerned about our lovely old manor house and its garden. Among other functions the house offers a very pleasant tea room and we want to be able to continue enjoying meals outside in fine weather. It is an even greater pleasure to those living in apartments. If the plans go ahead the garden will be spoilt by a high, intrusive brick wall.

To facilitate the plans, approval is being sought for Compulsory Purchase Orders for land in the whole of the Conservation Area. I beg you please, DO NOT grant this order.

The future of this most attractive village lies in your hands. Please don't let us down.

Thank you.

Yours faithfully,



M.M.Whitehouse



Secretary of State for Communities and Local Government
National Planning Casework Unit
5 St Philips Place
Colmore Row
Birmingham B2 PPW
8th January 2016.

Dear Secretary of State,
Compulsory Purchase Order 2015
Compulsory Purchase of Land and Rights in Solihull Town centre

The deadline of December 24th (Christmas Eve) imposed for the appeals against the CPO was unreasonable.

At this time of the year many residents of Solihull were not at home.

We object most strongly to the attack on the Conservation Area and the Listed Buildings and their setting which would happen if the unwanted extension went ahead.

We are particularly concerned about the Manor House and its environs on the High Street and the cottages and environs facing the war memorial.

Yours sincerely

Signed by two other persons

M. B. Gates
P. J. Gates

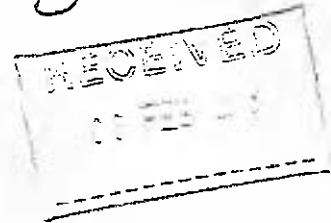
6

6

22 Stanton Road
Shirley Solihull
B90 2DU.

10 January 2015

To: Secretary of State
for Communities and Local Government
National Planning Casework Unit
5 St Phillips Place
Colemore Row
Birmingham B3.



Dear Sir

RE: Compulsory Purchase Order 2015
Compulsory Purchase of Land and New Rights in Solihull
Town Centre.

I am most concerned that the Council have flagrantly ignored the preservation order on land at the rear of properties fronting on to the High St from The Manor House to The Square. If this extension to Touchwood is allowed to go ahead this 50ft high wall will blanket all sunlight from the Manor House Garden and ruin the only bit of Solihull left, ruin the aspect from the church. and for what - more shops and restaurants in an already oversubscribed shopping centre, which has little parking available and no drop off for disabled in the plans. The turning circle is so vital to users who have special needs and the elderly who have walking difficulties.

I feel I need to object strongly to this extension. These buildings are a connection to our past and should be prized.

Yours faithfully

Ann Hunter

Homeholder.

8

8

18, Woodbury Grove

Hillfield

SOLIHULL

West Mids B91 8XA

February 1st 2016.

Secretary of State for Communities
and Local Government.

Dear Sir/Madam,

I wish to submit a protest about 'compulsory Purchase of Land and new rights in Solihull Town Centre'.

We must preserve the setting at the end of the High Street with particular reference to the shops at the front and their ~~not~~ area access and gardens.

Also I am concerned about fire regulations. Most people living in Solihull do not want an extension to Touchwood Shopping Centre. We do not wish to compete with Birmingham. Already enough people are coming in to Solihull.

Any extension now is based on greed and not on the character of the area. Also if more people use on-line shopping, which looks likely, the town will have empty shops.

We also need more information from the Council members who say very little to ordinary people.

Yours faithfully

Marysa Ford.

TO 1409107

~~1409107~~

To 44 Sambourne Close
Solihull B91 2SA
Darren McCreery 22-2-2016

Planning and
Compulsory Purchase

To The Right Hon Greg Clark, M.P.
The Secretary of State for Communities
Dear Sir

I would like to raise a
complaint against Solihull Borough.
Council's application for a Compulsory
Purchase order for land in Solihull
for Land Lease, to ruin the ambience
of Solihull's town centre.

Some buildings also opposite our
beautifully old church St Alphege, are also at
threat

In Germany when they develop towns
they always build to suit the area,
not to about at it.

Please let us keep our history, Who are
Land Lease, with bribes to Solihull Council
to build them a New Townhall free.

Where do they live !!?

Why should Solihull
making money?

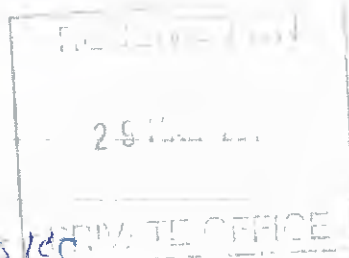
Please cons
purchase is no
really doesn't

With the ren
change hands
cannot pay the
Even our

Yours very

I am a born Gil
children, 2 grand
and great grandchild





25, Ladbrook Rd
Solihull,
B913RN.

0121-705-1485

24th March 2016

Dear Minister

I am writing to complain of Lend Lease's proposed extension of The Touchwood Shopping Mall into the Square and the High St.

I am not hostile to modern architecture and I am not opposed to Touchwood's Shopping Mall but I am opposed to its intrusion into the High St and its affect on the Square. Specifically I am concerned with the placing of the "dropping off" area in the Square and the High St. Church Hill and the Square are very busy with traffic as they are part of Solihull's "inner ring" road. The Square is also an area for bus stops for people to get on and off buses and is busy as a result. There just is the space for the dropping off area without affecting the Conservation Area round the Parish Church of St Alphege. It takes time for the Frail and elderly and children to alight from vehicles and is not sufficiently safe.

The previous dropping off point in Manor Square was ideal but Touchwood needs it to expand. If Touchwood accepted the loss of two/three shop units at the top of Church Hill/the Square the new dropping off ^{there} zone would be much safer and secure than where proposed and an ageing population of Frail and elderly increasing in numbers would be amply accommodated.

Yours Sincerely
J. England

