



Knowle, Dorridge and Bentley Heath (KDBH) Neighbourhood Forum CIO

INTEGRATED RETIREMENT COMMUNITY, STRIPES HILL
(Ref. No: PL/2023/00222/MAJFDW)

DRAFT RESPONSE OF KNOWLE, DORRIDGE AND BENTLEY HEATH NEIGHBOURHOOD FORUM

INTRODUCTION

The Knowle, Dorridge and Bentley Heath Neighbourhood Forum ('The Forum') has reviewed the above application for the following development:

'Hybrid planning application for the construction of an integrated retirement community of up to 170 extra care units (use class c2) with ancillary communal and care facilities and green space consisting of: (a) Full planning application for approximately 48 extra care units including the village centre (Use class c2), means of access, landscaping, open space and all other associated works and infrastructure; and (b) Outline planning application (all matters reserved except access) for up to approximately 122 extra care units with ancillary community space, gardens, green space, landscaping and all other associated works including demolition of stripes hill house and infrastructure.'

This response outlines a number of matters that remain outstanding and need to be resolved. Notwithstanding these matters, the Forum then sets out reasons why this application should be refused.

The Forum wishes to be consulted on any amendments that may be submitted.

UNRESOLVED MATTERS

1. Absence of adequate Context Masterplan

The need for comprehensive masterplans covering the major areas allocated for development in the emerging Local Plan has been a central plank of the Council's deliberations. It is also a requirement of Policy H1 of the Knowle, Dorridge and Bentley Heath Neighbourhood Plan whereby it is expected that, for the whole of the strategic allocation, "a concept or masterplan or design brief including design coding will have been prepared in consultation with the Neighbourhood Forum prior to submission of a planning application".

In an attempt to fulfil this role, but in a manner fashioned to meet developer ambitions, the applicants have submitted a "Developer Consortium Framework Masterplan" for the KN2 allocation. The Forum regards this masterplan as inadequate and unacceptable for the following reasons:

- It has not been subject to public engagement, has no status, shows no phasing and no indication of overall contributions to ensure delivery of key infrastructure.
- It differs markedly from a masterplan included in the Design and Access Statement, Para 3.2 Pre application advice. That masterplan is entitled "Solihull long term Development Plan" and shows considerably more gardens and open space. There is no explanation of the status of this plan in the pre-application advice process.

- It is not comprehensive.
- There is no site for a primary school and no plans for the future of Arden Academy. The applicants suggest elsewhere that this can all be provided within the existing Academy grounds - a matter disputed by the Council and the Academy.
- The housing numbers have increased to 810 dwellings across the allocation. It appears that this includes the dwellings on the application site. This increases the total residential scheme by 35% above the original 600. The emerging Solihull Local Plan indicates a requirement of 808 for KDBH (Page 76). This allocation alone exceeds the perceived need for the KDBH area.
- The densities shown are 37.5 dph (higher) for the vast majority of the KN2 allocation and 32 dph (lower) for a small area to the south. It is not clear if this is gross or net density. These densities are considerably higher than the prevailing local character.
- The sensitive transition required by the development plan would be absent. Instead of densities reducing in an easterly and southerly direction across the Arden Triangle, the application site would be characterised by a high-density development more typical of the Miller development on Hampton Road and the Taylor Woodrow scheme to the southwest.
- The structural landscaping is inadequate.
- The allocation boundary includes land in the southwest corner that forms part of the public open space of the Middlefield Spring development. This public open space should not be double counted.
- The Green Belt and biodiversity off-setting provisions are inadequate and the loss of the mature hedgerow on the application site is not acceptable.

It is of fundamental importance that, in providing for the proper planning of the wider area, agreement to the key elements of an agreed, comprehensive masterplan precedes any piecemeal development.

2. KN2 Allocation and Compliance Statement

In their KN2 Allocation and Compliance Statement, the applicants assess their application proposals against the development principles and infrastructure requirements of draft Policy KN2 and argue that it is compliant. However, in advance of resolution of the matters raised at the examination of the Local Plan in respect of the KN2 allocation, such a conclusion is not valid. In particular, assessment against the developer's "Framework Masterplan" is premature given its lack of status.

3. Developer Contributions

The applicants do not offer a contribution to education on the basis that the development does not generate children of school age. The Forum does not accept this. The development is targeted at elderly “downsizers” who will vacate family homes. The inevitable direct result will be more families coming into the area with children of school age. There will therefore be an increase in the number of pupils. The development should make an appropriate contribution to educational provision.

Similarly, the applicants offer no contribution to affordable dwellings. The Council has said in its submissions to the examination that such schemes should make a 20% contribution with all such provision being on a shared equity basis (Para 139 of Council submission to the Examination, Matter 7, October 2021).

Clarification is requested regarding a contribution to healthcare. Local GP facilities are under considerable pressure and although the applicants argue that extra care developments ease pressure on healthcare, it is noted that they refer to providing transport for residents to GP appointments.

4. Statement of Community Involvement

The Forum asks the Council to read this document with considerable caution for the following reasons:

- The literature sent to residents presents the site allocation as a “given”. In other words, residents are likely to have assumed that the allocation has been approved and is therefore a certainty. This is incorrect and misleading. Clearly the responses might have been different if the facts were known.
- Most of the questions asked of residents in the survey would produce a positive response. It is somewhat disingenuous to then attribute those responses to a positive for the proposed development.
- In any event, the response rate was very low and most were negative. A high number of “hits” should not be interpreted as a positive outcome for the proposals or a successful consultation.
- The Forum did not engage in consultation with the applicants on the basis that, until the outcome of its representations to the Inspectors was confirmed and a decision reached on the Local Plan, such discussions were premature.

The response from residents and local organisations to this planning application will show if the SCI is a fair reflection of local feeling.

MAIN REASONS FOR REFUSAL

Notwithstanding the above unresolved matters, there are a number of clear reasons for refusal.

1. Prematurity

The appropriate context for the determination of this planning application will be the Solihull Local Plan which is currently at its examination stage. Amongst other things, the Local Plan will determine the policy that will govern future development of the area within which the application site is located (Policy KN2, South of Knowle (Arden Triangle)). The policy is intended to address matters that include land uses, principles of development, infrastructure requirements, Green Belt enhancements and master-planning.

Representations covering matters that include densities, structure planting, developer contributions, access to enhanced bus services, retention of rights of way, adherence to a concept masterplan document and coverage of planning obligations have yet to be determined.

The proposed development would fail to accord with key aspects of the emerging policy and the matters addressed in the representations. Bearing in mind the Secretary of State's guidance (NPPF, Paras 49 and 50), the scale of the proposed development and the significance of the knock-on effects, the plan-making process and decisions on the key identified matters would be unacceptably undermined.

In addition, in the absence of an agreed framework for the future planning of the area, it is not possible to reach sound conclusions on matters such as the cumulative effects of traffic from the KN2 developments, including the impact of the application proposals.

On an additional but related matter, the Government has proposed changes to the NPPF which clearly signal that Green Belt boundaries need not be reviewed or altered when making plans in order to meet objectively assessed need in full. The Council has announced that it has asked the Inspectors to pause the Local Plan examination to allow consideration to be given to the implications of such changes. If that is agreed, the Forum will submit representations to the Council. In this context, this application is premature pending confirmation of the proposed changes to the NPPF and their implications for the Solihull Local Plan.

Formal Reason for Refusal:

The Solihull Local Plan is at an advanced stage of its preparation. The Plan addresses in comprehensive terms the planning of the area (Arden Triangle) within which the application site is located. The proposed development would be contrary to the provisions of Policy KN2 of the emerging Local Plan, to representations that have yet to be determined and to key master-planning requirements. Bearing in mind the scale and nature of the proposed development as well as the knock-on effects for the planning of the Arden Triangle as a whole, determination of the application at this stage would unacceptably prejudice the outcome of the plan-making process and the proper planning of future development within the Arden Triangle. Determination of the application is also premature in the light of proposed Government changes to national planning policy.

2. Green Belt – Absence of Very Special Circumstances

“Very special circumstances” are addressed in Section 7 of the applicants’ Planning Statement. The principal circumstance can be summarised as meeting a recognised need for specialised housing for older people.

In regard to the above, the Statement notes (Para 7.1.3) that the supply of specialist housing for older people is substantially below the national average. However, reference to the applicants’ Social Need Report (Para 1.16) shows that provision of the various forms of sheltered and retirement housing in Solihull available to either rent or buy is **above national rates**. The national average is 125.5 units per thousand population aged 74+. The figure for Solihull (without allowance for recently approved schemes) is 177.9. The figure for KDBH is estimated to be 192.1 (227.5 with the Wyndley scheme).

The Planning Statement continues by saying (Para 7.1.3) that there is a consequent shortfall in the level of provision needed to achieve an adequate supply *for older homeowners wishing to maintain their tenure when transferring to specialist accommodation*. By this (as evidenced by the Social Need Report), the author means market extra care accommodation that can be purchased leasehold.

When the figures are broken down by tenure (units to rent or units for sale) the ratio for retirement housing for sale is 102.7. That for retirement housing to rent is 523.97. The applicants use these figures to conclude that older homeowners are very significantly disadvantaged in securing the specialised accommodation they need (Social Need Report 1.17).

Adopting ratios set out in the referenced publication “Housing in Later Life” (the methodology for which is challenged), the applicants project a current requirement for 687 market extra care units (933 by 2040) against a supply of 377 units. Higher figures are set out for later years and for different scenarios.

However, this supply of 377 units is the count for “market extra care” (only) units in the borough. It ignores all other types of market housing for older people (market age exclusive housing; market retirement housing; and market enhanced retirement housing). If these are added, the total rises to 1,933. In addition, there are 962 beds in registered care homes providing personal care; and 687 in homes providing nursing care (Social Need Report, Appendix 2). In-home domiciliary care is a further option.

The Forum disputes the appropriateness of determining need for extra care accommodation for sale (leasehold) mainly on the basis that most older people in Solihull would wish to maintain their tenure when transferring to specialist accommodation. There are plenty of other options available. Indeed, it could be argued that purchase / leasing is an inflexible and expensive commitment given the circumstances in which many older people and their relatives find themselves. The expense of purchase, insufficient release of equity, high management costs and the possibility of re-sale in order to access more care are all issues that have been raised as reasons inhibiting such a move.

With regard to need in the local area, the Planning Statement (Para 1.2.2) refers to need within Solihull *and at Knowle* whilst the document “Housing in Later Life” (p 6) stresses the importance of being “Within a catchment area with a specific need for this form of accommodation and able to support the proposed tenures”.

Using the same criteria as the applicants, the “need” in KDBH would be 72 units of extra care accommodation for sale. Existing provision within the area is 51 units. A further 85 units have planning permission (Wyndley scheme). With a total of 136 units, local need would be exceeded by 89%. In addition, Knowle is served by the Wyevale scheme at Eastcote, Barston which has 34 units and is currently being marketed. Local supply would stand at 170 units.

Taking into account provision above national rates and the absence of justification for extra care

housing for sale in Solihull and at Knowle in the quantities stated, there is no very special need to provide extra care housing at the application site. If there is no very special need, it matters not whether alternative sites are available.

Other claimed very special circumstances include the promotion of physical and mental health and wellbeing; the provision of specialist features and management services; compliance with emerging Policy P4E; absence of harm to character and appearance; suitability of the site; provision of jobs; support to the local and wider economy; social care benefits; and environmental benefits.

To a greater or lesser extent, these attributes are to be expected from a typical care village development. There is nothing very special about them such that they would justify the development proposed on the Green Belt application site.

Formal Reason for Refusal:

The proposed development would constitute inappropriate development in the Green Belt. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The reasons given in support of the planning application, whether individually or cumulatively, do not amount to very special circumstances. The proposed development would be harmful by definition and would unacceptably affect the openness of the Green Belt as well as the purposes for which the Green Belt was defined. The proposal is contrary to Policy P17 of the Solihull Local Plan 2013, Policy VC1 of the Knowle, Dorridge and Bentley Heath Neighbourhood Plan and Policy P17 of the emerging Solihull Local Plan Submission Draft.

3. Housing Mix

Policy H3 (Housing Mix) of the Neighbourhood Plan is supportive of specialist institutionalised housing under Class C2 or C2A of the Town and Country Planning (Use Classes) Order 1987, which would include extra care housing, where it meets an evidenced need and complies with relevant Plan and Solihull Local Plan policies. As indicated above, the applicants have failed to demonstrate a need for additional extra care housing in Solihull and within the KDBH area. This is in circumstance where, as “inappropriate development”, the onus to demonstrate need rests with the applicants.

Formal Reason for Refusal:

The proposal is contrary to Policy H3 of the Knowle, Dorridge and Bentley Heath Neighbourhood Plan in that there has been a failure to provide adequate evidence of the need for further extra care accommodation in Knowle, Dorridge and Bentley Heath.

4. Design, Character and Appearance

With regard to the Knowle, Dorridge and Bentley Heath Neighbourhood Plan, Policy H1 (Housing on Allocated and Larger Sites) and Policy D1 (Character and Appearance) were both written in anticipation of the emerging Solihull Local Plan and with the aim of providing a policy framework to guide future development and achieve higher standards of built development that meet Plan objectives.

Amongst matters to be addressed under Policy H1 are setting, topography and design. The provisions state, “Any development on the edge of the built settlements should respect the low landscape capacity and include a sensitive transition between the built environment and the open countryside or Green Belt to avoid the appearance of overdevelopment...”.

In terms of Policy D1, relevant criteria include a requirement for development to be in harmony with the village character and sit well in the landscape; also, where on the edge of the built-up area, a sensitive transition should be achieved between the built environment and the open countryside. The development should also be in keeping with the scale, siting and appearance of nearby buildings, be of a density characteristic of the area and reflect layouts characteristic of the area.

At present, the application site has a rural setting. When approaching Knowle from the south, the experience is one of passing through open countryside populated by occasional properties until the built-up area is encountered at a distinct gateway at the top of Stripes Hill, in the vicinity of Milverton Road. This experience would be totally compromised by the proposed development. With no attempt at structural planting along Warwick Road, the conspicuous built form of the development would be exposed to view to the serious detriment of the character and appearance of the area.

In addition, whilst the Planning Statement states that the layout seeks “to respond to both the edge of settlement rural context as well as to that of the village’s built form” (Para 5.1.12), it is notable that both phases of development show 2 and 3 storey blocks close to the Warwick Road frontage. This urban edge does not achieve the necessary rural transition and would significantly harm the character and appearance of the area.

With regard to the density, scale, layout and design of the proposed development, the proposals give rise to the following concerns:

Density: 170 units on 4.2 ha is a gross density of 41dph. Phase 1 is 30dph and Phase 2 would be 47dph (on the steepest part of the site). The net density is not provided but clearly would be higher. This needs to be established. Even so, it is apparent that the overall density is out of character with the local area.

Scale: The Design and Access Statement confirms that the prevailing building height in this vicinity is 2 storeys. The proposed building heights range from single storey to 4 storeys. There is inconsistency in the documents; for example, the “Initial Concept Masterplan Diagram” in the Village Design Strategy (Page 66 of the Design and Access Statement) proposes buildings of 1 to 3 storeys with the majority being 3 storeys. Elsewhere in the application documents, the building heights are described as between 1 and 2 storeys on the northern part; 2 and 3 storeys on the southern part (Page 72, Design and Access Statement); and reference is made to 4 storey development on the lower part of the site (Design and Access Statement, Para 2.4 and Page 58).

Without a clear plan showing block numbers and building heights it is difficult to determine exactly what is proposed. This plan should be provided. Nevertheless, a scheme that is predominantly 3 storeys, with potentially 4 storeys, does not respect the prevailing building height in the vicinity nor the transition to rural character.

Topography, massing and layout: The topography of the southern part of the site is sloping, steeply in parts. The Design and Access Statement, at Para 2.4, states that “the massing across the site would propose to accommodate two-storey accommodation to the high part of the site and three/four storey to the south part of the site”. The applicants state that the proposal respects the topography of the site by locating single storey buildings at the top of the hill (Para 8.2.2, Planning Statement). They add (Para 8.2.9) that the site is capable of accommodating 3 storey development “whilst also accommodating a range of lower single storey structures that can provide the necessary articulation on the hillside”.

The Forum disputes that the proposed massing and layout respect the topography of the site. Buildings at the top of the hill are mostly 2 and 3 storeys in height. Buildings on the hillside are almost entirely 3 storey blocks and some appear to be 4 storeys. Only 2 single storey units are shown on the hillside and these are set behind a large 2 and 3 storey block on the frontage. The cross sections AA and BB (Section 4.7 of the Design and Access Statement) seem to show 4 storey development on village apartments B18 and B24 and potentially B8 and B10.

As indicated above, the building heights need to be confirmed. On the basis of what is currently shown, the proposed building heights and siting do not reflect the applicants' statements and do not respect the site topography; rather, they exploit the site to maximise building heights and numbers. The buildings do not step down the hillside as they should.

Because the buildings do not respect the topography, they do not sit well in the landscape. Moreover, as indicated above, there is no real attempt at structural planting to bolster the Warwick Road frontage. Parts of the existing frontage will be removed in Phase 1 together with a number of mature trees and a mature hedgerow within the site. This is contrary to Neighbourhood Plan Policy NE1 which seeks to protect significant trees and hedgerows. The site will be more open and visible, adversely affecting the rural setting of Knowle village.

Village centre building: This is a substantial 3 storey building. The applicants acknowledge that the visual mass and height need to be broken down (Design and Access Statement, Para 6.3). The Forum does not consider the attempts to do so are enough to achieve a building of an appropriate scale and massing to be in keeping with the character of the area, particularly bearing in mind its length and prominence. Both the scale and massing should be reduced.

Formal Reason for Refusal:

The proposed development by reason of its conspicuous nature; failure to provide a sensitive transition between the built environment and the surrounding Green Belt / open countryside; and its unacceptable density, scale, layout and design would significantly harm the character and appearance of the area, contrary to the provisions of Policies H1, D1 and NE1 of the Knowle, Dorridge and Bentley Heath Neighbourhood Plan.