



Knowle, Dorridge and Bentley Heath (KDBH)

Neighbourhood Forum

Written Representation :

Planning Committee Meeting, 5 January 2022

PL/2021/01000/MINFOT - 2 Station Approach, Dorridge.

Planning Application

In the 9 months following the submission of this application, only minor amendments to the previously unacceptable scheme are proposed, together with an extension of opening hours.

The KDBH Neighbourhood Forum (referred to here as 'the Forum') had hoped, and indeed expected, the Council and the applicant would achieve a satisfactory resolution which more closely reflected the conclusions of the independent Inspector. Regrettably it does not and therefore the Forum stands by its previous representations.

The Forum wishes to emphasise that the Neighbourhood Plan supports and welcomes local businesses that comply with relevant Plan policies and other relevant policies and guidelines. The Forum does not agree that these minor modifications to the refused scheme means that the development now complies with the policies of the KDBH Neighbourhood Plan as stated in the Conclusion section of the Planning Committee Public Document Pack Agenda Item 8. In addition, the report also only identifies the Solihull Local Plan as part of the Development Plan. The KDBH Neighbourhood Plan is also part of the Development Plan and its policies should carry substantial weight as they post-date the Local Plan.

It is surely a reasonable expectation that applicants respect and abide by planning rules and regulations as failure to do so undermines the integrity of the planning system and sets a bad precedent. The current development is unlawful (as stated at p17 of the report) and it appears the applicant has not complied with the enforcement notice which we understand is a criminal offence.

Within the Planning Committee Public Document Pack reference is made to a non-planning matter alleging the Forum is not representative of the wider community. No opportunity was afforded to respond prior to publication of the report. A full explanation of how the Forum operates is available on its website and a link to that page is provided below⁴; we ask that a copy of this document is made available to all Planning Committee members.

Due Process

Publication of the Planning Committee Report Pack on 22nd December 2021 with a deadline for any response to Committee of noon on the 4th January 2022 has allowed minimal time for consideration of the lengthy report and due process (i.e. review, prepare and agree a response) at a time encompassing the festive holiday period. This is clearly unreasonable, inhibits transparency and has been an unacceptable intrusion into family time over the holiday period. It is also in sharp contrast to the generous time afforded to the applicant throughout this process who has been allowed:

- 6 months to comply with the enforcement notice (upheld on 2 October 2020)

⁴ https://3745c0ed-cf52-4aee-a64b-709d5f119234.usrfiles.com/ugd/3745c0_af5d2d245d604b95b3c1ac82d0e53f83.pdf



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- to submit a second retrospective planning application on 7 April 2021; followed by 8 months to submit planning documents (most recently on the 10th and 20th December) resulting in only minor modifications.

The recent consultation expired on 20th December (truncated from the original 29th December). The publication of the report 2 days later indicates that the consultation was irrelevant to the officer's recommendation.

Conclusion

This application is not, in the Forum's view, materially different to the previous application that was refused and dismissed at appeal. The Forum remains concerned about the precedent that would be set by an approval and by the process that has been followed in consideration of this application.