



# Knowle, Dorridge and Bentley Heath (KDBH)

## Neighbourhood Forum

### Response to Solihull Council Consultation

#### on Their Draft

#### Backland Development SPD

#### 1. SUMMARY

The KDBH Neighbourhood Forum, Knowle Society and Dorridge and District Residents Association are very supportive of the aims and objectives of this SPD. The SPD does, however, require some modification in respect of the following:

- a) Reference should be made to the role of Neighbourhood Plans where design policies are based on local character assessments and provide the basis for local communities to shape the nature of development in their areas. It is essential that backland development is thoroughly assessed in its neighbourhood context and to ensure adherence to the detailed layout and design principles.
- b) Whilst the text is encouraging, many of the illustrative 'good' examples are not. The examples suggest that backland development can proceed with little regard for the nature of surrounding development. We do not believe this to be the intent of the guidance. The Figures highlighted below should be removed, or replaced with examples that reflect the ability to respond flexibly to an area's characteristics.

While recognising the need for stronger principles in relation to backland development is long overdue, it is essential that application of the criteria set out in the SPD matches the text rather than the Figures; and also, that they support the principles and purpose of neighbourhood planning.

#### 2. Introduction and Background

This submission is made on behalf of the KDBH Neighbourhood Forum, the Knowle Society and the Dorridge and District Residents Association - referred to as 'we', 'our' below. All three organisations welcome the opportunity to respond to this draft guidance.

A considerable amount of backland development has taken place in recent years in the KDBH Area. This has largely been through erection of one or two big houses in the rear garden of large frontage plots within the residential area (tandem development). This is continuing and, in some places, giving rise to neighbour objections and adversely affecting local character.

Guidance to provide greater clarity over when, where and how such development will be permitted is overdue, and this SPD is therefore welcomed in principle. However, whilst much of the text appears to set out reasonable principles, we have serious misgivings as to the intended application of these criteria as illustrated by the examples of 'good' practice. We believe a greater distinction needs to be made between on the one hand backland development comprising vacant, underutilised or derelict land; and on the other hand, rear garden areas of established residential roads. A 'one size fits all' approach does not give sufficient weight to the surroundings and character of the location in which the backland development is proposed.

We provide more detailed comments on specific aspects of the draft SPD below.



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#### 3. Context and Objectives

The last objective is to 'promote good communities'. What does this mean and how could this be interpreted? Does the Council regard some communities as bad or inadequate? There is a suggestion in the document that low density areas would be improved by introducing smaller dwellings in a backland situation. Whilst it is accepted that communities as a whole should offer a range of house types and services, this does not mean that it is appropriate in principle to introduce a mix of smaller house types within any area characterised by larger plots. This is particularly the case in KDBH, where the Council is proposing substantial areas of new housing which will add greater variety to the housing stock. The densification of existing areas should not be at the expense of spoiling the distinctiveness and character of established areas.

This objective in the context of backland development should be deleted.

#### 4. Policy Framework

We welcome references to criteria for the assessment of backland development in Local Plan Policies P5 and P15 relating to design, density and local character and distinctiveness. Similar references to relevant provisions in the NPPF are also welcomed, particularly regarding the need to ensure that inappropriate windfall development of residential garden areas does not harm the local area (para 70).

Our experience in recent years is that increasing numbers of backland developments have been approved, sometimes in the face of local objections - to the extent that in some areas the character is gradually being eroded. The 'Golden Triangle' area in Dorridge is a case in point. This arises not only from the subdivision of existing large plots, but also from the loss of trees and other greenery that is often required to accommodate new development.

An important driver behind development of the KDBH Neighbourhood Plan (NP) was to strengthen design policies, as it was felt that the Council's interpretation of their design policies did not adequately reflect the character of our Neighbourhood Area. The Forum's detailed Heritage and Character Study and Design Coding and Masterplanning Study provide the evidence base relevant to the character of the KDBH Area. These studies underpin NP Policies D1 Design and NE1 protecting the Natural Environment which are particularly relevant to windfall developments that are often undertaken on backland sites.

Neighbourhood planning was introduced to give local communities more say over the nature of developments in their areas. Backland development is a prime example of the type of development on which local communities should have a strong voice. We are pleased to note that the Council has recently refused planning permission for two backland developments in the KDBH Area - 24 Lightwood Close, Knowle and the rear of 65 Knowle Wood Road, Dorridge - where the scale of development, impact on trees and poor access were material considerations.

It is particularly disappointing, therefore, that the Policy Framework section of the draft SPD makes no reference to relevant Neighbourhood Plan policies. This omission should be corrected.



## **5. Sites and Proposals Not Considered Suitable for Backland Development**

Recognition that not all backland sites will be suitable for development is welcomed. We agree that an analysis of site character and context is essential to determining if backland development is acceptable in principle. However, there is again no reference here to the role of Neighbourhood Plans and their supporting evidence bases in identifying areas of character.

With regard to the 'good example' in Figure 1.3 Proposal B, we note that a landlocked green space is left in the centre. Surely that is not a good design outcome?

## **6. Design Process**

In general, we support the design principles and requirements described in the text. However, the following comments on this section need to be taken into account:

- a) As regards the criteria for rear developments to be subservient to the frontage property: There are a number of examples, particularly in Dorridge, where the rear property is not subservient to the frontage property - No 46 Avenue Road being a recent example.
- b) Density and character: We strongly support references in 2.5 and elsewhere to the need to take account of both the site's character and its context. However, all the examples of 'good built form and layout' (eg. Figures 4.1 gentle densification, 5.1-5.3, 6.1 and 6.2, 8 and 10) appear to demonstrate a poor relationship between the new dwellings and the existing adjoining plots, resulting in relatively cramped layouts and overlooking of existing adjoining plots. These are out of character with the existing dwellings which set the context. In areas where the character is highly valued (both in visual and financial terms), it is unreasonable to introduce layouts of the sort shown in these Figures to the detriment of privacy and existing character. Once such layouts are introduced, they establish a precedent, which then leads to the inevitable erosion of the character that was so valued in the first place. The inclusion of these Figures provides the basis for developers to pursue such schemes that would be unacceptable in most parts of the KDBH Area. These examples do not give sufficient recognition to their surroundings and fail to provide the flexibility to respond to local character. They should be deleted.
- c) The general separation distance of 22m back to back (para 2.12) to protect privacy is inadequate when considering areas characterised by large dwellings in large plots. Again, 46 Avenue Rd is an example of an unsatisfactory relationship, where the rear of the front plot is dominated and overlooked by the dwelling behind. In such situations, it is important that spatial separation, garden size, privacy and overall plot size (of both the original and the new plots) adequately reflect the general size, layout and character of the area.
- d) Pages 18 and 19 appear to be missing.



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- e) External Space and Green Infrastructure: We support the words in this sub section, but again do not find Figure 8 a very convincing example of a good built and external site layout. The 5 dwellings to the rear of the listed building appear to have very little private space to front and rear, so do not appear to fit well with the scale and character of the adjoining dwelling. It is notable that the Council, in developing its masterplans for both the Hampton Rd and Arden Triangle draft site allocations, has placed great importance on protecting the setting of listed buildings. This was also a consideration in respect of the recent refusal at Lightwood Close. It is not clear to what extent this principle has been applied in the example provided.
- f) Figure 10: This backland layout may meet the criteria within the site as an independent development, but it fails to sit well within its wider context, causing overlooking and loss of privacy to existing dwellings and with an overall layout that does not reflect existing character.
- g) Access and parking, para 2.33: We support the principle of allowing enough green spaces for green verges and vegetation along access drives (Figure 13). A minimum separation of 0.7 to 1m is proposed as a guide for driveways and footpaths to be set away from exposed garden boundaries and to allow for new planting or retention of existing vegetation. However, we query if this is adequate to allow new trees and planting to thrive and mature.
- h) Car parking design, layout and provision: Figure 15 shows a well maintained frontage of a house in Avenue Rd, Dorridge. The frontage is surrounded by a neat, low hedge with other greenery and a feature mature tree in front of the house. We do not think this is a reasonable example of a poor frontage design and should be removed.
- i) Figures 16.1, 16.2 and 16.3. We support the use of planting to reduce the impact of cars, but it is important that this is well maintained. Reference should be made to the imposition of suitable conditions to ensure that such planting is maintained.
- j) Figure 16.5. This example of an unacceptable frontage parking arrangement is on the recent Middlefield Spring development. There are other examples of extensive courtyard parking surfaces on this development which are also unsatisfactory. It is ironic that the Council has identified these as unacceptable given that the Council approved this scheme relatively recently.
- k) Bins and waste collection: We strongly support the need for adequate storage to be designed as part of a development. This should apply to all new developments, not just backland, but has been lacking from recent developments in the KDBH Area.
- l) Page 36 is missing (or wrongly numbered).
- m) There is no reference in the draft SPD to topography. Changes in levels play a major role in the relationship between dwellings and can cause serious overlooking and loss of privacy.

## 7. Conclusion

The KDBH Neighbourhood Forum, the Knowle Society and the Dorridge and District Residents Association ask that these comments be actioned and appropriate changes made, in particular to the Figures, to add clarity and consistency to planning policy before adoption of this SPD.