



Knowle, Dorridge and Bentley Heath (KDBH) Neighbourhood Forum

Appeal Response: Land between 39 and 79 Earlswood Rd, Dorridge, Solihull for the erection of an 81 bed care home with all matters reserved save for access

Planning Inspectorate Ref: APP/Q4625/W/19/3235654

Solihull Appeal Ref: AP/2019/00046/REF

Dear Sirs

Solihull MBC has notified the Knowle, Dorridge and Bentley Heath Neighbourhood Forum (KDBH NF) of the above appeal, which we note is to be determined by a hearing.

We understand that our previous objection letter to the application (ref PL/2019/00723/PPOL) has already been forwarded to you, but for completeness I am attaching a copy. We wish to maintain all the objections made and to add the following points for consideration by the Planning Inspector.

General

The Knowle, Dorridge and Bentley Heath Neighbourhood Plan (KDBH NP) was 'made' in March 2019 following a huge local effort taking over 4 years to come to fruition. The Plan covers a population of over 20,000 and was supported at Referendum by over 96% of residents on a 36% turnout. This appeal represents the first real test of the KDBH NP.

The KDBH NP had its origins mainly in local concerns about the poor layout and design of recent developments, the loss of greenery, the lack of supporting infrastructure and the Council's proposals for the removal of large swathes of Green Belt land around our villages to build over 1,000 new homes. Residents acknowledged the fact that they were unable to deal with large scale development of the Green Belt via the NP process, but felt empowered by the Neighbourhood Plan agenda to be able to take greater control of how development fits with our Neighbourhood Area. Indeed, the introduction to the Government's guidance on Neighbourhood Planning states:

'Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area. They are able to choose where they want new homes, shops and offices to be built, have their say on what those new buildings should look like and what infrastructure should be provided, and grant planning permission for the new buildings they want to see go ahead. Neighbourhood planning provides a powerful set of tools for local people to plan for the types of development to meet their community's needs and where the ambition of the neighbourhood is aligned with the strategic needs and priorities of the wider local area.'

We have developed a vision for our Area and a set of policies which we believe will lead to a better standard of development that will maintain and enhance the character of our Area. The KDBH NF believes that if its objections to this development are dismissed the credibility of the NP in the eyes of local residents will be seriously undermined and the effort of the last 4 years will be regarded by many as a waste of time.

We reiterate our objection to the loss of Green Belt land in this location. This site has never been regarded by Solihull Council as suitable for built development and has not been identified as a draft allocation for housing in the Draft Solihull Local Plan Review (LPR) (unlike the West Malling appeal that the appellants refer to).

Additional Detailed Observations

The following comments are made in relation to the five reasons for refusal. References are to the appellant's appeal statement by Knight Frank and to specific supporting documents.

Site Description

- 2.3 *"the surrounding character ...is primarily residential"*: the character is partly residential and partly rural countryside. Para 3.4 correctly refers to the setting as semi-rural.
- 2.5 refers to the site as a sustainable location. It should be noted that there is no bus service on Earlswood Rd. The nearest stop is on Grange Road, about 300 metres away, where the A7/A8 and the 513 buses stop. The A7/A8 service runs once an hour in each direction throughout the day (taking a circular route from Solihull going through Knowle, Dorridge, Dickens Heath, Shirley). The 513 bus service operates only on two days a week, providing a single service into Solihull and returning two hours later.

Green Belt

The appellant acknowledges that the development would be inappropriate development. It would therefore be harmful to the Green Belt (by definition). It should not be approved except in very special circumstances. The following comments relate to the very special circumstances case advanced in the appellant's appeal statement.

- 6.6 *'The form of the building... is designed to maintain openness...'* There is no doubt that the proposed development would have a significant effect on openness. This cannot be mitigated by a design that incorporates openness.
- 6.7 *'(vegetation, trees, hedges and landscaping) will help to mitigate the visual impact and in turn the openness...'* It is noted that the screening is limited even after 15 years. Reduction in harm cannot be regarded as a very special circumstance.
- 6.10 *'...the proposal would have a very limited impact on Purpose 2 (preventing neighbouring town from merging).'* Limited impact cannot be regarded as a very special circumstance. Also, Purpose 2 is intended to protect against gradual erosion of gaps through incremental development.
- 6.12 *Safeguarding the countryside from encroachment:* There would be a material encroachment into the countryside on the "outside" (open side) of Earlswood Road. This harm cannot be avoided by reference to the existing pattern of plot boundaries, existing development and mature boundaries.

6.15 - 6.21 *Unmet Need:* The KDBH NF acknowledges that there will be a need for care accommodation in KDBH. However, there is no evidence to suggest that any present need is exceptional. As indicated in our letter of objection to the application, there have been a number of developments catering to the needs of the elderly in our Area in the last 5 years. These include:

- two McCarthy and Stone developments (one in Knowle and one in Bentley Heath)
- a Churchill scheme currently under construction (and being marketed) in the centre of Knowle
- a 61 bed dementia home (Knowle Gate) and an extra care elderly persons scheme in Bentley Heath.

In addition, there are a number of large purpose-built developments for the elderly currently under construction, or with planning approval, all within 5 miles of KDBH. These include:

- **Eastcote Park:** Cinnamon Care plan to open 30 retirement apartments and 50 en-suite bedrooms on the former Wyevale Garden Centre site. This is under construction and lies in a rural location only 2 miles from the centre of Knowle.
- **Tanworth Court, Shirley:** A council-driven development which includes 60 places, 30 of which are affordable. The scheme is set to open in January.
- **Fountains Care Home:** Barchester Healthcare will be opening this 80-place facility in the spring. It is based on the former home of Shirley Aquatics, on Stratford Rd Shirley, 3.5 miles from the proposed site.
- **Solihull Village, Shirley:** A retirement development providing 261 one and two-bed apartments. It is being built on the old Powergen site and will be opening in 2021.
- **Tudor Grange House:** Planning permission was granted last year to turn the historic property in Blossomfield Rd into a new facility. It will consist of a 64-bed care home and 44 assisted living units.
- **Bythe Valley:** permission has been granted as part of this residential development for a large care facility of up to a 250 beds. This site is only 3.5 miles from Dorridge centre.

The extent of specialist development close to the Neighbourhood Plan Area demonstrates that any need for further local provision is not so urgent as to override the harm to the Green Belt and should form part of the plan led process. The Council is making planned provision through its LPR. In view of the large scale loss of Green Belt in the KDBH Area that the Council is promoting in its LPR to meet housing need, it is essential that no more land than is absolutely necessary is lost to new development. It is entirely appropriate that such changes to the Green Belt to provide for all housing needs are made through the Plan led system.

6.22 - 6.29 *Housing Land Supply*: The housing requirement figure (and hence the 5-year housing land supply position) is hotly disputed. As noted at Para 4.28 of the appeal statement, the housing requirement figure will not be established conclusively until the strategic policy is found sound at Examination in Public. One issue for the KDBH NF is Solihull's proposed contribution (2,000 dwellings) towards Birmingham's unmet need to 2033 given the conclusion of the Greater Birmingham HMA Strategic Growth Study¹ that much of the Green Belt in the Borough makes a "principal contribution" to the Green Belt purposes.

In all events, any small shortfall in the 5-year supply of housing land cannot be regarded as a very special circumstance.

6.30 - 6.32 *Alternative Sites*: See above re. the lack of exceptional present need. It is to be expected that provision will be made through the LPR.

6.33 - 6.38 *Release of Under-Occupied Family Housing*: **Any** new scheme could be expected to lead to the release of under-occupied family housing (of unevidenced quantity but probably quite small). This cannot be regarded as a very special circumstance. Further, in the KDBH Area, the more pressing need is for smaller two and three bedroom houses, rather than larger houses which are more likely to be released.

6.39 - 6.40 *Health and Well-Being Benefits*: **Any** new scheme could be expected to lead to health and well-being benefits. This cannot be regarded as a very special circumstance. The Forum understands from the local GP practice in Dorridge that the demands of such accommodation on GPs is substantial, creating potentially additional demand for their services equivalent to 800 persons because of care home occupants' higher level of needs. The Residents' Survey undertaken in developing the Neighbourhood Plan demonstrates concerns that existing GP services in the Plan Area are already stretched.

6.41 - 6.44 *Economic Benefits*: **Any** new scheme could be expected to lead to economic benefits. This cannot be regarded as a very special circumstance.

Landscape Character

6.57 *minor neutral impact on landscape character*: the landscape and visual appraisal concludes at para 2.15 that the landscape impact is neutral taking account of the mitigation by additional planting. It is noted that the mitigation is limited even after 15 years. In addition, the introduction of a large mass of building into an open area with the loss of a mature oak on the frontage will have a significant impact on the landscape and visual appearance of the site, which we do not accept would be neutral after planting.

Impact on tranquillity is also a relevant landscape impact consideration. Easy access to the countryside is a highly valued reason for living in the KDBH Area, as evidenced

¹ This February 2018 Study, including a full strategic review of the GB, post-dates the Solihull Strategic Green Belt Assessment Report 2016 referred to in the appellant's statement (Para 6.9).

by the Residents' Survey results. In their application submission, the appellants referred to tranquillity and concluded that the effect would be of '*substantial significance but neutral in nature*' (para 5.20 and 5.21 of Landscape Assessment). We struggle to understand this conclusion, as the impact of this scale of development on a Green Belt site must inevitably have a significant adverse impact on its tranquillity.

Such landscape impacts would be contrary to Policy VC1 of the Neighbourhood Plan.

Character and Appearance

Development on the "inside" of Earlswood Road, on the side opposite the appeal site, is characterised by "modern" detached two-storey houses and bungalows that are clearly on the edge of the main built-up area of Dorridge. On the opposite side, between the appeal site and Grange Road, there are some substantial traditional properties on large plots. However, notwithstanding the presence of a single extensive development to the west of the appeal site, the appeal site and land to the west has the undeveloped and rural appearance of countryside beyond the Borough's urban edge.

The development of the appeal site would blur this distinction between town and country. It would represent an obvious built intrusion beyond the natural limits of Dorridge and would fail to respect the general rural character of this part of Earlswood Road. The development is contrary to NP Policy D1 – Character and Appearance.

Trees

The arboricultural survey states that the oak tree in question is in decline with major crown dieback and deadwood formation - lifetime less than 10 years. It is noted that 5 other trees are to be felled to accommodate the development, with a further 5 to be retained only if the layout permits. As the layout remains a reserved matter, there is no certainty that these trees will be retained.

Policy NE1 seeks to resist the steady loss of mature trees that has been experienced locally and to that end seeks the retention of trees that contribute to local amenity. The loss of trees, in particular the oak, is detrimental given the significant amenity value in views along Earlswood Road (not to be best appreciated at a January site visit). The proposal is clearly contrary to NP Policy NE1: Trees, Hedgerows and Woodland.

We trust these additional comments will be taken into account in considering this appeal. The KDBH Neighbourhood Forum would wish to take part in the hearing if possible.

Yours faithfully

J E Aykroyd
Chair
Knowle, Dorridge and Bentley Heath Neighbourhood Forum