



KDBH Neighbourhood Forum response to Langfield Road planning application ref. PL/2023/01579/PPFL:

Erection of 15 dwellings with associated public open space, landscaping, vehicular access off Langfield Road and associated works (Amended resubmission of planning application PL/2022/02413/PPFL).

The Knowle, Dorridge and Bentley Heath Neighbourhood Forum (the Forum) has reviewed the documents accompanying this planning application. It is pleased that the applicants have taken account of a number of comments made by the Forum to the previous application; however, some matters remain outstanding, and the Council is therefore requested to take account of the following:

1. Prematurity

One of the reasons the previous application was withdrawn was that some wildlife surveys had yet to be completed and a decision had not been made by the Council as to whether it merited Local Wildlife Status (LWS). It is understood that the surveys have now been completed but a decision has not been made by the Council. If the evidence supports its status as an LWS, then the proposed redevelopment will need to be reconsidered.

The Forum therefore considers that this application is premature pending clarification of its' wildlife status.

2. Flooding

Flooding remains the biggest issue for local residents in this vicinity with concerns that the development will increase the risk of flooding.

The Forum notes that the siting of the dwellings still appears to be very close to the brook and the trees and are not in the lowest areas of flood risk. Although it understands that the dwellings are themselves now sited outside the flood extents, the gardens remain within them.

The Forum acknowledges that additional measures are now proposed for flood risk mitigation:

- swales and increased underground water storage, have now been incorporated into the scheme.
- the development will offer enhanced and long-term maintenance of the brook with new maintenance corridors to access the brook for use by the Environment Agency.
- the development will also secure a supplemental maintenance regime for the brook undertaken by the management company on a 6 monthly basis.

The Forum notes that there is now a consultee response from the Environment Agency dated 1 August 2023 which confirms no objection to the application conditionally upon the implementation of flood risk mitigation measures. It is however also noted that there is an SMBC drainage consultee response in objection published/dated 15 August 2023 (although it references the withdrawn application, we presume in error).

The Forum lacks the expertise to assess the flood risk or to know if the proposed mitigation measures will be sufficient to manage any flood risk to the development and prevent additional flooding in the area. The Forum expects the Council and the Environment Agency to ensure that the existing flooding problem is in no way aggravated by the proposed development.

3. Soil Type: Dwelling/Tree Root Protection

The Forum notes that the Arboricultural Impact Assessment, July 2023 Report states as follows at Para 3.5.4:

3.5.4 Vegetation-Related Subsidence

The initial GoBV information suggests the presence of shrinkable clay-based soils onsite is possible (Section 2.3). The precise soil type can only be confirmed with further soil investigation/analysis. If shrinkable clay-based soils are confirmed, the design and size of dwelling foundations proposed to be built within the vicinity of trees may need to be considered in line with NHBC Standards - Chapter 4.2 'Building near trees'. Structures built on shrinkable clay-based soils, within the proximity of trees and on inadequate foundations, could be left at risk from tree-related subsidence damage.

As Knowle is an area where clay predominates, the Forum would wish this matter to be clarified prior to determination to ensure that pile foundations, or other foundation requirements, will not affect tree root protection areas or adversely affect the dwellings.

4. Nature conservation

In addition to the comments in paragraph 2 regarding the site's wildlife status, the Forum is concerned at the proposed above ground badger sett. It will be relatively exposed and accessible. As such it appears to lack the usual protection afforded to badgers. It is situated very close to the proposed houses, particularly the adjacent plot, which will the Forum considers could lead to conflict between garden planting and foraging areas.

The Forum also notes that there will be no net gain in bio-diversity on the site and that the applicants propose to offer a contribution to off-site provision. The Forum wishes to receive confirmation that such off-site provision will be made within Knowle.

5. Trees and TPOs

13 B category TPO trees are to be lost plus several C and U category trees and groups. However, the proposal is to provide 77 replacement trees on site which will be semi mature and increase species diversity. It is welcome that the applicants have agreed to plant heavy standard and semi mature trees.

As with our previous response, if the Council is satisfied that the loss of TPO trees is acceptable and is minded to approve the application, the Forum requests that these detailed landscaping proposals are approved as part of the application and that landscaping is not deferred for later consideration through a planning condition.

The Forum is still concerned that a number of gardens and dwellings (e.g., plots 4, 12 and 13) will be overshadowed by tree canopies, even after they are cut back, which could lead to later requests or applications to remove trees. A robust management strategy is essential and, in that regard, the proposed cyclical management regime is welcomed.

6. Housing mix

Policy H3 of the Neighbourhood Plan relates to applications of 20 or more dwellings; smaller development proposals such as this are to be considered on their merits.

If site is to be developed, then bungalows are welcome as they are in short supply locally. Restricting their occupation to the over 50's should be attractive to those seeking to downsize and thereby release larger homes for family occupation.

The introduction of some 3-bedroom houses also responds to a request from the Forum to do so as these may also appeal to downsizers as well as young families. The Forum had suggested that these should be instead of the two substantial 5-bedroom properties at the end of the cul-de-sac which appear out of scale with their surroundings. Smaller two or three-bedroom dwellings would still be preferred in this location.

There is no longer any proposal for affordable housing on-site. The applicant has explained that this is a consequence of the unwillingness of affordable housing operators to manage a small number of properties. The Forum therefore raises no objection to a financial contribution being made to make provision elsewhere.

7. Public open space and sports provision

The Forum would welcome clarification of what is proposed as public open space (pos) particularly in relation to access to the brook and the fenced area around the badger sett. There are inconsistencies in the documents in respect of what is considered to meet the Council's pos requirements.

The Forum notes the proposal to provide a financial contribution towards the delivery of off-site informal and formal outdoor sports, if required. The Forum wishes to be advised by the Council if this will be required and if so, what will be required and where will it be provided?

8. Other matters

The Forum is pleased that the applicants are willing to accept the removal of permitted development rights on these properties. This is essential to prevent encroachment into the flood plain by extensions towards the brook and also to ensure that the bungalows remain single storey dwellings. The Council is requested to impose a condition, or impose an Article 4 direction, removing permitted development rights.

With regard to access and parking, the access road is to be 5.5m wide. In view of the length of the cul-de-sac it is important that parked cars do not create any obstruction along it. It is appreciated that sufficient parking spaces are provided, however the Forum would ask that the parking arrangement to the rear of the front 3-bedroom houses is reconsidered as their configuration could lead to on street parking near the entrance to the development.

Conclusion

The Forum would prefer this site to be left as a wildlife corridor linking to other sites along the Purnells Brook. This depends upon whether there is sufficient evidence to support a LWS designation. At this stage, the application is premature pending confirmation of its LWS status, and the Forum is therefore submitting a holding objection.

If there is evidence to support a LWS designation, the Forum would expect the application to be withdrawn pending consideration of whether any development is feasible on this site.

If the LWS designation is not forthcoming, the Forum is pleased that the applicants have addressed some of their concerns in respect of the previous application. The reduction in housing numbers, housing mix including 3-bedroom houses and bungalows, the proposed removal of permitted development rights and the proposals to plant 77 semi-mature trees as replacement for the lost TPO trees are all positive measures. However, the Forum has also raised a few further detailed points it would like to be addressed if the Council is minded approving this application following a decision on its LWS status.

Roger Cook
Chair, Knowle, Dorridge and Bentley Heath Neighbourhood Forum