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Mr M Preece
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2 August 2016

Dear Mr Preece

PI 2016/01535: Land between 39 and 79 Earlswood Road, Dorridge

Knowle Dorridge and Bentley Heath Neighbourhood Forum (KDBH-NF) is aware that an outline planning application for 45 residential dwellings has been submitted at the above site. KDBH-NF objects to this application for the following reasons:

- 1) The site is in Green Belt and the very special circumstances that have been advanced by the applicant do not outweigh the very substantial harm to the Green Belt in this location.
- 2) Development of this Green Belt site would set an unacceptable precedent, breaching a well-established and firm Green Belt boundary and leading to further undesirable development pressure.
- 3) The application is premature having regard to the progress being made by both Solihull Council and KDBH-NF in bringing forward a new Local Plan and a Neighbourhood Plan for the Area.
- 4) The submission indicates a density of 50 dph, which is out of character with the area and would lead to an unsatisfactory layout, with inadequate car parking and unacceptable loss of trees.

Our objections are explained in more detail below.

1) Green Belt Considerations

The site is in Green Belt in the adopted Solihull Local Plan. The Government attaches great importance to Green Belts and guidance in the NPPF is clear that development of the scale proposed is inappropriate in the Green Belt.

Development in the Green Belt should not be approved unless “very special circumstances” exist that outweigh harm to the Green Belt. The applicant cites: out of date housing policies; contribution to housing need; wider choice of housing; provision of affordable housing; maintaining and improving the vitality of the settlement; sustainability and contribution to infrastructure as “very special circumstances”.

In our opinion, none of these circumstances meet the test of being “very special” - indeed, all except possibly the first reason are entirely normal and to be expected of any new housing development.

As regards the policies (including Green Belt) being out of date: the applicant relies on the recent Richborough Estates Court of Appeal decision which concluded that if a Local Planning Authority cannot demonstrate a 5 year housing land supply then all policies relevant to the supply of housing are considered out of date. The Appeal Court Judges made it clear, however, that this does NOT mean that the policies are irrelevant - it is a matter for the decision maker as to how much weight should be given to such policies. In this regard, it is relevant to note that the Government has not changed its advice to Local Authorities in relation to Green Belt - namely that “unmet housing need is unlikely to outweigh harm to the green belt and other harm to constitute very special circumstances justifying inappropriate development”. It is important that Solihull Council gives significant weight to this advice and assesses the application on the basis that Green Belt policy remains highly relevant in this case.

In the Statement of Community Involvement (para 5.12), the applicants state that the site is surrounded on three sides by residential development. They conclude that there would therefore be “no wider impact on the openness of Green Belt”. We fundamentally disagree with this conclusion, as the development would clearly impact on the openness of the Green Belt in this vicinity, including the open feel experienced from the public footpath that crosses this site. The extent of harm to the Green Belt is not outweighed by the contribution made by additional housing - especially when alternative opportunities that may be less harmful are actively being considered.

2) Unacceptable Precedent

Approval of the application would set a very undesirable precedent. As part of the Local Plan Review, the Council recently undertook a "Call for Sites". This resulted in over 40 sites being put forward in the KDBH Area. Several of these sites are in the Earlswood Road area (including 199: Land at Four Ashes Road; and 026: The Orchard, Earlswood Road). If this application were to be approved, a precedent would be set for similar sites in this location. In circumstances where the direction of growth (if any) in the villages is yet to be determined, this would be completely unacceptable and contrary to the principles of sound planning.

3) The Application is Premature

Planning law and the National Planning Policy Framework (NPPF) are based on a plan-led system. Planning decisions should be in accordance with the development plan unless material considerations indicate otherwise. SMBC has acknowledged that the Solihull Local Plan 2013 requires updating and is actively progressing its new Local Plan. In tandem with this, and in the absence of a Parish Council, the KDBH-NF has been established to prepare a Neighbourhood Plan for the Area - a complex and time consuming task that resulted in the Neighbourhood Forum being officially designated in October 2015.

The NF is now engaged with the Council in preparing a Neighbourhood Plan. To date, we have actively engaged with, and involved, local people through a number of special events, including: a formal Launch event to explain about Neighbourhood Planning in November 2015; a presentation and resulting formal response to the Council’s ‘Scope, Issues and Options’ Consultation in January 2016; two Plan Visioning sessions in April 2016; a Residents Survey in May/June 2016; and a Developer Showcase in July 2016. All of these events are in addition to regular monthly Forum meetings.

The Developer Showcase, held on 16 July 2016, involved inviting all those landowners and developers who had submitted sites in response to the Council's "Call for Sites" to explain their proposals to local residents and hear their views. Over 400 residents attended the event, many of whom completed documented feedback on the various sites - including this Earlswood Road site, which attracted much adverse comment.

It has taken the Steering Group of the NF considerable time and effort to engage with, and explain planning processes to, local people. Our concern now is that this application, if approved, would seriously undermine the confidence and trust of local residents in our role and ability to help shape and influence development in our Area through the Neighbourhood Plan.

In our view, this application seeks to "jump the gun", and should not be allowed to do so ahead of proper and due consideration being given to future development in our Area by both the NF and the Council. We are proceeding as speedily as possible, given the complexity of the required procedures, and we should be given the opportunity to complete the development plan work without individual applications seeking to steal a march on other sites that are being assessed according to due process.

In this case we believe there are very strong grounds for citing prematurity as one of the reasons for refusal of this application.

4) Density, Trees and Layout

We note that all matters except access are reserved for later consideration. However, in assessing the suitability of the site for residential development, the applicants indicate that development of 45 units would represent a density of approximately 50 dph.

Setting aside the principle of loss of Green Belt for a moment, we recognise the importance of making efficient use of land. Nevertheless, local residents have made it clear, through the Residents Survey and other feedback, that they do not like the very tight layout and car parking issues that are evident in the new developments at Hampton Rd and Four Ashes - and appear likely to be replicated in the Taylor Wimpey development off Grove Road which is about to start. The proposed density of 50 dph would be significantly higher even than these recent schemes and would inevitably lead to a cramped layout, with inadequate parking, that would be entirely out of character for the area.

The proposed development would lead to significant loss of trees that make an invaluable contribution to the character and rural ambience of the area. This is a feature that ranked very highly in our Residents Survey as one of the most valued and distinctive aspects of KDBH to be protected, and one of the principal reasons people enjoy living here. The tree survey seems to give only limited weight to trees that have "only" a further 20 years of life.

In addition to the proposed loss of trees, the tight indicative layout shows that many of the dwellings would have small garden areas that would be heavily overshadowed by tree canopies. This will inevitably lead to pressure from new residents for the removal of trees as they seek to gain light and avoid leaf drop in their gardens. In our view this proposal will lead to much greater loss of trees than suggested by the applicants.

We therefore conclude from the proposed density and indicative layout that the application would result in an unacceptable scheme which would be out of character with the area.

In Conclusion

Even if Solihull Council were to conclude that there is a shortfall in the 5-year housing land supply of the scale suggested by the applicant, and that the relevant policies for the supply of housing should not be considered up-to-date, nevertheless the policies themselves, including Green Belt policy, remain relevant. Crucially, the adverse impact of granting planning permission, as demonstrated in our objections above, would significantly and demonstrably outweigh the benefit.

For this reason, KDBH-NF strongly urge the Council to refuse this planning application.

Could you please confirm receipt of this letter for our records. Thank you.

Yours sincerely

Jane Aykroyd

Chair
Knowle, Dorridge and Bentley Heath Neighbourhood Forum