



**KNOWLE DORRIDGE AND BENTLEY HEATH
FORUM CIO
NEIGHBOURHOOD PLAN MONITORING REPORT:
April 2023 to March 2024**



Introduction

The Knowle, Dorridge and Bentley Heath Neighbourhood Plan (NP) was 'made' (i.e. adopted) in April 2019. There is a commitment in the NP to undertake regular monitoring in order to test the effectiveness of its policies and to identify any necessary amendments. The first monitoring report of the KDBH NP was published in December 2021 and covered the period April 2019-March 2021. The second monitoring report covered the periods April 2021 to March 2022 and April 2022 to March 2023.

This report covers the period April 2023 to March 2024.

Background

The Neighbourhood Forum was established in 2015 for the purpose of preparing a Neighbourhood Plan for the Knowle, Dorridge and Bentley Heath Neighbourhood Area. The population is some 20,000. The NP was approved with a 34% turnout and 96% support at referendum.

The Forum became a registered charity in July 2020 with a focus on securing implementation of the Neighbourhood Plan for the benefit of our Neighbourhood Area.

Purpose of the monitoring review

Paragraph 1.5 of the Plan states that the purpose of the review is to:

- identify any material change in background conditions
- assess the success of the Plan in meeting the vision, objectives and target outcomes
- establish whether implementation has given rise to any unintended consequences
- determine whether the assumptions and objectives behind the policies are still relevant
- identify the need to amend or delete any of the policies or to prepare supplementary guidance.

Previous monitoring reports concluded that:

- the KDBH Forum team has put in place appropriate monitoring systems;
- there is now greater awareness and consideration of NP policies by both Solihull Council and developers. Whilst there has been some positive application of policies, the Council's interpretation of policies has not always aligned with that of the Forum;
- it would be premature to complete an update of the NP pending the outcome of the public examination of the Solihull Local Plan as this may affect some NP policies;
- there has been considerable consistency in relation to the overall number of applications in the KDBH area each year, the majority of which are for minor household improvements and are dealt with by the Council under delegated authority;
- the responses submitted by the Forum have been in respect of applications considered to raise issues of area wide significance. Key policy considerations have related to impacts on local shopping centres, inappropriate design or density, loss of trees and impacts on Conservation Areas. Parking and transport policies are also regularly referenced.



The experience of monitoring over the last 5 years has enabled the Forum to adopt a simpler report format this year. It still addresses the key monitoring commitments but with a clearer focus on the implementation of NP policies and where there may be a need to change the NP.

Material changes in background conditions

This section considers changes in the regulatory planning system that are relevant to the NP.

National level changes:

The Levelling Up and Regeneration Act 2023

This legislation introduced a raft of changes to the planning system. Many have yet to come into force (and their implementation may depend on the outcome of the General Election). Central to the legislation is the aim of delivering more housing. Whilst sweeping proposed changes are proposed, there is little that impacts directly on the KDBH NP.

Of note is that a new system of Local Plans is due to be introduced and any 'old style' plans need to be submitted for Examination by June 2024. This will have implications if Solihull Council decide to withdraw the draft Solihull Local Plan (see below).

The revised National Planning Policy Framework (NPPF) December 2023

In December to March 2022/23 the government consulted on proposed changes to the National Planning Policy Framework which aimed to strengthen neighbourhood plans, improve design and take greater account of constraints such as out- of -character density and Green Belt. The Forum, after consultation with residents, supported some of these proposals.

After months of deliberation, the Government published the revised NPPF in December 2023. The final version watered down many of the proposals and it was disappointing that, in the end, there was little change of relevance to either the KDBH NP or to the Knowle development proposals in the draft Solihull Local Plan.

As regards density of housing development, the NPPF now states that significant uplifts in the average density of residential development are inappropriate where it would be wholly out of character with the existing area. Whilst this appears helpful to local concerns about new housing development, it is dependent upon Local Authorities preparing local Design Codes to inform densities and it is not known when Solihull Council will do this. In the meantime, the Forum will encourage the Council to use the Design Code¹ prepared as part of the NP evidence base in reaching decisions on planning applications within the area.

The Forum welcomes the increased emphasis in the NPPF on achieving good design and 'beautiful' developments. Whilst 'beautiful' will be open to interpretation, the aim of improving design and layout is a central theme of the NP.

¹ Knowle, Dorridge and Bentley Heath Neighbourhood Plan Masterplanning/Design and Design Coding November 2017



Permitted development rights consultation – July 2023.

This government consultation covers changes to certain permitted development rights. This closed in September 2023 and a final decision on these is awaited.

Biodiversity Net Gain (BNG) Regulations- February 2024

The regulations came into force in February 2024, meaning developers will be required from that date to demonstrate at least a ten per cent benefit for nature on all major schemes in order to obtain planning permission. The mandatory 10% BNG requirement does not apply retrospectively.

The requirement for small sites (between one and nine dwellings) commenced on 2 April 2024. The government has also confirmed that significant on-site and all off-site gains will need a legal agreement with a responsible body or local authority to monitor the habitat improvements over a 30-year period.

These Regulations will be relevant in part to the large- scale development proposals at Knowle. However, the two planning applications that were submitted last year for the KN2 site in Knowle (see below) are not formally required to deliver the mandatory 10% BNG as they pre-date the introduction of the Regulations. Nevertheless, the Council has committed to pushing for the figure to be as high as possible and the draft policies to be recognised (see Cabinet Report July 2023).

Local level changes:

Solihull Local Plan (SLP)

The draft SLP proposes two large development sites at Knowle: site KN 1 at Hampton Road proposes 189 houses together with relocation of Knowle football club and site KN2, Land south of Knowle, proposes 660 houses together with redevelopment of the Arden Academy and provision of a new primary school.

The Examination of the SLP by independent Government Inspectors was ‘paused’ in March 2023 pending the Government’s publication of the revised NPPF. Following its publication in December 2023, the Inspectors wrote to the Council in January 2024 asking how they wished to progress the SLP. The Council responded in February 2024. It set out 3 options:

- a) continue with the SLP and make provision for further Green Belt releases to meet the shortfall identified by the Inspectors;
- b) withdraw the SLP and start again; or
- c) continue with the SLP without making any further Green Belt releases.

The Council favoured option c and a response from the Inspectors is still awaited. If the Examination continues, it is hoped that the Inspectors will hear further evidence regarding the future of Arden Academy in the context of the KN2 development proposals before finalising their report on the SLP to the Council.

Supplementary Planning Documents (SPDs)

In December 2023 the Council reported on existing SPDs and identified those proposed to be updated. They also proposed new SPDs to cover Biodiversity Net Gain, Climate change and car parking. These have yet to be published.



Review of planning applications by the KDBH NF

The Forum monitors how NP policies are being applied by reviewing decisions on planning applications in order to assess the success of the Plan in meeting its stated aims and identify any need to amend policies.

The Forum reviews all planning applications in the KDBH area using data supplied by the Council. The weekly planning application list is available on the Forum's web site. The Forum only responds to applications which are considered to have area wide implications for NP policies or where the Residents Associations or residents have requested our involvement.

The Forum responded to 16 planning applications. These are shown in the attached table.

The most complex applications relate to the submissions on the proposed KN2 site allocation – the 'Arden Triangle'. These comprise:

- a) An application for an integrated retirement village on land at Stripes Hill, submitted in February 2023. The Forum submitted an objection in March 2023 based on the application being premature ahead of the outcome of the SLP process and in the absence of a comprehensive masterplan for the KN 2 allocation. Many detailed points were also made relating to matters including protection of trees, housing density and layout. Since then, the Forum has submitted additional comments in November 2023 relating to the need for elderly persons accommodation. Further amended plans are expected before the application is determined by the Council.
- b) An application by Kler on the southern portion of land within the KN2 allocation for 450 houses. The Forum has made similar objections in relation to the need for a comprehensive approach to development of this site, including a solution to the Arden Academy issue, before the application can be determined.

These applications raise both strategic planning issues relating to implementation of the SLP as well as NP policy issues in respect of the proposed scale, design and layout. NP policies relating to housing mix (H3), density (H1), tree protection (NE1), layout and design (D3) and character and appearance of the area (VC1) have all been referenced in the Forum's objections. The Forum is following these applications closely with a view to monitoring how well these policies are adhered to.

The Forum is pleased to record that of most of the objections it has made have been upheld by the Council where the applications have been determined. However, the Gaelic Football Club application was approved despite Forum concerns about the scale of development in the Green Belt.

The Forum has had no involvement in appeals this year.

The Forum was involved in one enforcement action relating to 168 Station Road where action was taken to ensure Policy VC 5 Green Streets was respected. The Council followed this up and a revised application amending the frontage wall and fencing to include greenery has been submitted.



Assessment of monitoring outcomes:

Are the assumptions and objectives behind the NP still relevant?

Yes, the assumptions and objectives remain relevant. The desire to maintain village character, improve design, protect and enhance the local green environment and maintain the vitality and viability of the village centres remain at the heart of the NP.

Is success being achieved in meeting the vision, objectives and target outcomes?

There has been greater success in that developers and Solihull Council are referencing the NP and assessing developments against its policies. That does not necessarily translate into the Council agreeing with the Forum's interpretation of policies. However, in the last year, there has been greater alignment of interpretation, as demonstrated by the fact that the Council refused most of the applications to which the Forum had objected. This has been particularly positive in respect of smaller individual applications for development in the Green Belt, most of which have been refused.

Over the 5 years of monitoring, the policies where the Council has taken a different view from the Forum are mainly those relating to design and character of the area (D1, H1 and VC1).

The real test of the success of the NP will be in the coming months when the Council determines the applications for large scale residential development and associated infrastructure submitted on the KN2 site, and, in due course, applications on the KN1 site. The Forum has submitted strong objections to both the principle of these housing allocations (related to protection of the Green Belt and prematurity in respect of the need for a comprehensive approach to large scale development); and to the failure to comply with a number of NP policies, as described above. How developers and the Council respond to these objections, and the extent to which they are addressed, will determine the extent to which the objectives and target outcomes underpinning the NP are achieved.

Another important objective of the NP is to protect and enhance local employment opportunities, particularly in relation to the vitality and viability of the commercial centres within the NP area. Whilst the commercial centres of Dorridge and Bentley Heath appear to be faring well (despite the closure of Tesco Local in Dorridge), Knowle continues to struggle. The St John's Precinct regeneration proposals are no longer viable and interim shop improvements are in hand in an attempt to let the vacant units. The High Street has also seen closures including Feak La Chic and Timpsons.

The Government's changes to the Use Classes Order and Permitted Development Rights were an attempt to help ailing high streets by combining a wide range of commercial, business and service uses within one class (Class E) and enabling changes within such uses, including some residential use. These changes have, however, had implications for Policy E1 of the NP. The objective of this policy was to protect the prime retail frontages of Knowle from non-retail uses, thereby retaining a critical mass of shops. However, the introduction of a new Use Class E undermines the effectiveness of NP E1. This will need to be amended to be consistent with the latest planning regulations.

Has implementation led to any unintended consequences?

Policy E1 Retention of Shops and Services was intended to protect existing shops and commercial frontages from non-commercial uses unless evidence, such as through marketing for a period of time, is submitted to demonstrate that the use is no longer viable. The application for residential development on the Johnsons Garage site was approved without marketing evidence as the Council



took the view that the policy as written did not specifically require such evidence. The wording of this policy and its supporting text will therefore be reviewed.

How successful is the NP and are any changes needed?

The Forum can point to the success of its policies in relation to, for example:

- achieving positive revisions to the St John's Precinct application and support for that scheme (despite its subsequent lack of viability due to market conditions).
- support from the Council in respect of its policies on Green Belt, green streets (VC5), and village character (D1 and VC1).
- the community also enjoys enhanced Neighbourhood Community Infrastructure Levy (NCIL) within the NP area as a consequence of having a 'made' NP. The levy available has increased from 15% to 25%. The benefits gained by local infrastructure projects are recorded in the Chair's AGM report.

The final verdict on the success of the NP awaits the outcome of the Solihull Local Plan review process and the Council's decisions on the related major housing and associated development applications.

In the meantime, a number of the polices would benefit from an update and, in view of the ongoing delays in the SLP examination, the Forum has already commenced drafting an update to the NP.

KDBH NP Update

The proposed KDBH NP Update is intended to be a "quick" update to take on board some of the changes that have happened over the past four or five years as a result of NP monitoring, the expected new SLP and changes in the national planning system. These changes are not meant to change the nature of the NP and should not, therefore, require another referendum although the Update NP will be the subject of public consultation.

A complete replacement of the NP may follow later.

Local Housing Needs Assessment Update 2023

In preparation for updating the NP, the Forum commissioned, in June 2023, an update of the 2017 Housing Needs Assessment (prepared by AECOM as part of the evidence base for the 2019 NP).

The main purpose of the commission was to answer four specific questions relevant to preparation of an update of the Neighbourhood Plan. The questions were:

- Having regard to the advice in PPG what provision should be made in the NP for First Homes?
- Is there still justification for a higher percentage of shared ownership? What should be an appropriate percentage affordable housing split (First Homes / social rented / shared ownership)?
- Is the local market housing mix of Policy H3 still appropriate? Is there any justification for the Council maintaining a high proportion of 1- and 2-bedroom units within the Knowle area?



- Is the supply of purpose-built accommodation for the elderly and for dementia care now adequate to meet the area's needs? What policy provision, if any, should be made to meet future provision in these categories?

The report's findings informed some of the proposed policy changes in relation to housing, set out below. A copy of the Housing Needs Assessment Update is on the KDBH web site (www.kdbh-np.org).

KDBH Update Proposed changes

The main changes to the NP that the Forum is proposing, and the reason for the changes, are as follows:

Policy VC4: Green Space: In line with the NPPF and monitoring (and court decisions), this will be updated to say that development on Local Green Space should be consistent with Green Belt policy.

Policy VC5: Green Streets: It would be helpful to note the support in the NPPF for tree-lined streets.

Policy H2: Affordable Housing- this differs from the policy in the draft SLP and needs updating to prevent it being superseded. The NP policy will re-state the importance of the requirement for a strong local connection and the preference for shared ownership. The advice in PPG and the Local Housing Needs Assessment Update on "First Homes" can also be added.

Policy H3: Housing Mix- this differs from the Council's housing mix policy in the draft SLP so it is proposed that our local preferences are re-stated in this policy to keep them up to date and relevant. The "Local Housing Needs Assessment" enables the NP to include a policy on housing for the elderly. The absence of such a policy was noted in an appeal decision.

Policy D1: Design refers to our "Masterplanning/Design and Design Coding" document. However, the policy would be stronger, responding to monitoring, if the report was an appendix to the NP and NPPF advice on the topic is referenced in the supporting text.

A new policy, Policy D4: Climate Change can be added, following the Levelling-Up and Regeneration Act 2023.

Policy D3: Residential Extensions /alterations and development within the curtilage which covers backland development will be strengthened, in response to monitoring, with some guidelines and reference to the Council's "Supplementary Planning Document" on the subject.

Policy T2: Contributions to Additional Parking and Road Improvements now needs to refer to the Council's "Supplementary Planning Document" on Travel Plans.

Policy ECF6: Community Access and Management should confirm, in light of the Council's proposals in the draft SLP, that the policy will apply to the sports facilities at Hampton Road and to the schools on the Arden Triangle site.

Policy E1: Retention of shops and Services – this will be updated because of changes to the "Use Classes Order".

Policy E2: New Development in Village Centres - monitoring has shown that this policy has not always worked in the way intended (for example the Johnsons Garage application in Knowle). It would help to refer to requirements on marketing and viability.

A draft of the KDBH Update has been submitted to Solihull Council and their comments are awaited. It is the Forum's intention to progress the NP Update as soon as the Council confirms how it intends to proceed with the SLP. This may lead to some further revisions to the NP Update prior to progressing to public consultation and the formal stages required to complete the Update. It is expected that this process will be completed during the next monitoring year 2024/5.



PLANNING RESPONSES MADE 1 APRIL 2023 – 31 MARCH 2024

	Ref:	Address	Application Subject	NP Policies Referenced	Decision (Approved/Refused/Withdrawn/On-Going)
1.	PL/2023/00912/PPFL	41 Lady Byron Lane, Knowle, Solihull, B93 9AX	Demolition of existing house and erection of two detached houses	D1 VC1	Approved
2.	PL/2023/01337/PPFL	105 Darley Green Road	new build family dwelling on existing vacant land to north west of 105 Darley Green Road	D1 G/B	Refused
3.	PL/2023/01433/VAR	168 Station Road Knowle Solihull B93 0ER	Variation of Condition 1 - front wall/entrance	VC5	Approved
4.	PL/2023/01568/COU	51 Browns Lane Bentley Heath Solihull B93 9BE	Change of use of house and outbuildings to wellness centre.	Other - lack of clarity as to use	Refused
5.	PL/2023/01577/PN	Telecommunications Mast SOL142 Warwick Road Knowle Solihull	Prior notification for the installation of a 18 metre high monopole supporting 6 No. antennas with a wraparound equipment cabinet at the base of the column, the installation of 2 No. new equipment cabinets	U1	Approved
6.	PL/2023/01579/PPFL	Land South And East Of Langfield Road Knowle Solihull	Erection of 15 dwellings with associated public open space, landscaping, vehicular access off Langfield Road and associated works (Amended resubmission of planning application)	H3	O/G
7.	PL/2023/01634/MINFOT	Yew Tree Cottage Box Trees Road Dorridge Solihull B94 6EB	Stoned hardstandings and access drive for caravan pitches	G/B	Withdrawn
8.	PL/2023/01528/PPFL	28 Four Ashes Road Dorridge Solihull B93 8LX	Erection of 2 five bed detached houses on land adjacent to 28 Four Ashes Road	NE1	Approval



	Ref:	Address	Application Subject	NP Policies Referenced	Decision (Approved/Refused/Withdrawn/On-Going)
9.	PL/2023/01942/PPFL	1701 High Street Knowle Solihull B93 OLN	Demolition of existing store and construction of 2 No. 1 bedroom houses. Including Listed Consent	D2, E1, E2, NE1 and VC2	Withdrawn
10.	PL/2023/01964/PPFL	John Mitchels Gaelic Football Club Box Trees Farm 2153 Stratford Road Hockley Heath Solihull B94 6EA	Retention of existing sports pitch, change of use of agricultural land to sports pitches and erection of clubhouse, maintenance shed and provision of parking, landscaping, lighting columns, nets and associated external works	EC5 G/B	Approved
11.	PL/2023/01434/MINFHO	168 Station Road Knowle Solihull B93 OER	Front wall variation	VC5	Refused
12.	PL/2023/02294/PPOL	Land South of Knowle (Arden Triangle) Warwick Road Knowle B93 OFF	450 houses, provision of land for primary School, infrastructure, engineering works, open space and associated works	G/B, prematurity, lack of acceptable master plan, issues of density, scale, access, appearance landscaping, layout	O/G
13.	PL/2023/02255/PN	Radio Base Station Conker Lane Dorridge Solihull	Prior notification for the installation of an 21m lattice tower supporting 12 No. antennas, 2 No. 0.3m dishes, 2 No. 0.6m dishes and ancillary equipment; the installation of 6 No. equipment cabinets, 1 No. meter cabinet	VC4	Approved
14.	PL/2024/00325/MINFHO	168 Station Road Knowle Solihull B93 OER	Front wall variation	VC5	O/G
15.	PL/2024/00276/PIP	1817 Warwick Road Knowle Solihull B93 ODS	Permission in principle for the development of land for the construction of 3 No. detached homes.	G/B	Refused



	Ref:	Address	Application Subject	NP Policies Referenced	Decision (Approved/Refused/Withdrawn/On-Going)
16.	PL/2023/00222/MAJFD W	Stripes Hill House Warwick Road Knowle Solihull B93 0DT	Hybrid planning application for the construction of an integrated retirement community of up to 170 extra care units (use class c2)	G/B, prematurity, lack of acceptable master plan (incl Arden School redevelopment), density layout, landscaping	O/G