

759 Kenilworth Road  
Balsall Common  
Coventry  
CV4 7AL  
25/2/2019

Dear Sir/Madam,

Please consider this as my objection to the allocation of site 3, Windmill Lane, Balsall Common.

I would firstly like to express my complete dismay at SMBC's latest proposal to develop three of the brownfield sites proposed by the BARRAGE action group in addition, rather than as alternatives, to sites 2 and 3. The council has sought to actively engage residents in the many consultations over the past 6 years, and BARRAGE has done so in a constructive and positive manner, not only in offering detailed, evidenced-based and policy driven arguments as to why sites should not be developed, but also to offer **alternative** sites, based on planning policy, which would lead to a sound and deliverable Local Plan. For the council to behave in such a disingenuous fashion beggars belief. Indeed, the decision to continue with the allocation of these sites must inevitably raise questions as to the extent to which this plan was pre-determined.

Cllr Courts has made it clear, that it is not so much the volume of objections which makes the difference, but the quality of the argument. As neither seems to have been respected by the council, BARRAGE has decided to reserve participating in the consultation process until the final statutory round, when all objections will be seen by the inspector, and we look forward to the examination in public. As such, please consider this as my personal response to this latest proposal.

The response is in three parts:

- 1) Issues relating to the DLP in general
- 2) Issues relating to the allocation of site 3
- 3) Issues relating to the concept plan

## 1 DLP

- 1.1 An holistic perspective has not been taken to site allocations across the borough. Whilst acknowledging that Balsall Common was identified by SMBC as a settlement suitable for significant expansion, to increase the housing units from circa 3900 to around 5700 is totally disproportionate. (7 large allocations including the Riddings Hill site). In contrast, the settlement of Dorridge, which is probably one of the most sustainable settlements in the borough in terms of public transport and local amenities, currently has no site allocations at all. This imbalance is somewhat curious, especially given the recent investment in that settlement, and is, therefore open to serious challenge. At the very least, amber site Ref A5 (Blue Lake Road) should be allocated.
- 1.2 The scale of extension to the settlement, and the resulting impact on the greenbelt, flies in the face of the G L Hearn report. This report, far from recommending an extension of the settlement, proposed that a new settlement be created “around Balsall Common”, with the indication that this would be located well beyond the current northern limits and approximately. 2km from the railway station. This reflects the fact that most employment centres are to the north. This proposal had, in fact, already been proposed by Berkswell PC and has been essentially disregarded by the council. Given that the plan now extends to 2035, it is totally unacceptable for SMBC to put this in the “too difficult” pile, particularly as government funding would appear to be available (p272). The G L Hearn report recognised the importance of both the strategic and local separation afforded by the green belt in this locality and there is nothing in the council’s latest proposals, which explains why this has been ignored. Indeed Balsall Common was deemed to be “wholly within an area making a Principal Contribution to Green Belt purposes”.
- 1.3 There is no “plan” in terms of timing. To manage the scale of growth proposed for Balsall Common, in addition to the construction of HS2, would require skilled Programme and Project management to ensure that the settlement was able to continue to function. The infrastructure needed, such as additional or expanded schools, shops and the bypass, would need to be phased alongside the housing sites and HS2. Educational provision, in particular, is of paramount importance, as the village attracts many families. As such, it would be expected that a “Placement Sufficiency” strategy is available to assure capacity at both primary and secondary levels, certainly for the next 10 years, if not throughout the plan period.

Given the complexity and criticality of such an holistic, integrated plan for the village, it is essential that this is included within the evidence base for the Local Plan to demonstrate the viability, and therefore soundness for this proposition. There is no indication that this has been understood and addressed, which is deeply concerning to businesses and residents alike.

- 1.4 As yet, I cannot find any evidence to indicate that a detailed Highways Assessment has been undertaken. Given the emphasis on the need for an integrated and effective transport system, this must surely be an essential part of the evidence base. The BARRAGE action group have been requesting this for nearly two years now. I understand that an initial “in house” assessment is being made and that further modelling of the cumulative impact from multiple developments is

being done. I would request that any information regarding this is shared with consultees at the earliest opportunity. This is very late in the day for such a vital piece of work.

- 1.5 I would remind the council, once again, that Balsall Common does not meet with SMBC's own criteria regarding "high frequency" public transport, in respect of either rail or buses. In respect of the former, this will not change in the foreseeable future and the increase in a bus service provision is not assured. As such, the only reliable data is that which currently exists. Balsall Common is not suited to expansion on the scale being proposed and all the assessments regarding public transport scoring are wrong.
- 1.6 There is no Ecological Assessment included within the evidence base, despite one being referred to in the concept plans. Why is this not being made transparent? Although I have now been furnished with the assessment for Site 3, having made the request, I would urge the Council to share all the Ecological Assessments as an essential part of the consultation process.
- 1.7 Please note that Balsall Common is 4 form entry, not 3 form. Given that this is a key piece of the evidence base, to have made such a fundamental mistake is unacceptable. This is particularly alarming as SMBC is responsible for Education within the Borough. This inevitably leads to questions as to the reliability of data within the DLP and therefore the validity and soundness of the plan.
- 1.8 Finally, well over 20% of the original SHELAA assessments are wrong. BARRAGE look forward to hearing the Council's explanation for this fundamental error at the examination in public. Given that this is a key piece of evidence underpinning the Local Plan, the implications for the soundness of the plan are profound. Revisions to the SHELAA assessments will be needed, which will require a re-evaluation of all sites to ensure that of those being included within the plan are justified.

## 2 Issues relating to the allocation of site 3

These were largely covered in the BARRAGE action report 28/01/17 and I would therefore ask you to please refer to that for the relevant details, especially with respect to the incorrect scoring of the greenbelt. There are several additional aspects and updates, however, which I wish to highlight.

- 2.1 **Site 3 is not sustainable.** The original Sustainability Appraisal identified 4 positives and 6 negatives (1 significant). Following the last consultation, I have been advised that SA9 and SA10 have been corrected such that there are now 8 negatives (1 significant). However, having now had the access points for the site defined on the Concept Master plan (one on Windmill Lane and two entering at the north and south boundaries of site 22) a quick analysis using Google maps demonstrates clearly that SA2a (distance to Primary School) and SA17b are also incorrect. The nearest point to the Primary School is 950m. As such, SA2a should be grey. The nearest point to the Holly Lane playing fields (the closest amenity) is 900m. As such, 17b should also be grey. Finally, according to the council's own Site Assessment report (as part of this consultation), Site 3 is identified as a mineral safeguarding area for coal. As such, 4b changes from grey to amber. The upshot of this analysis leads to the ACTUAL situation being that **Site 3**

**scores only 2 positives and 9 negatives (1 significant). Given the weight of this evidence and the unequivocal conclusion that the site is not sustainable, Site 3 must be removed from the DLP. Otherwise the Local Plan cannot be considered sound for this reason alone.**

It should be noted that even this rating is generous, due to the location, shape and size of this site which extends well beyond the current boundary of Balsall Common. For most residents, the distance to any amenities would be significantly greater than this “nearest” point. Moreover, the distance to Balsall Common Primary School is largely irrelevant, as the school is already virtually full at 4-form entry, so other than for children joining reception, it is most unlikely that there would be spaces available for any other year group. This is another reason why timing is so critical. Until a second primary school is built, the village has very little capacity to educate any more children at primary level.

- 2.2 The council refer to the inspector’s report to justify the inclusion of site 3 on the basis that sites 22 and 23 were not considered “so remote” as to justify their omission. This argument is flawed and biased for the following reasons:
- a) Sites 22 and 23 were deemed by the inspector to meet “the minimum sustainability criteria” – no more.
  - b) The proposed site 3 *extends well beyond sites 22 and 23*, both in terms of distance and remoteness from the Balsall Common settlement. As such, it is not sustainable (as also demonstrated by the Sustainability Appraisal).
  - c) The justification for site 22 was largely due to the PDL nature of the site. This does not apply to site 3.
- 2.3 I have lost count of the number of times the Leader of the council, and indeed now Mayor Andy Street, have vowed to protect the Meriden Gap. Given that the development of site 3 would create the narrowest gap between Balsall Common and the closest settlement, Burton Green, these words are exactly that – just words. Moreover, because of the Great Crested Newts (GCNs) and poor ground conditions, the development of site 3 would represent neither efficient nor effective use of land. Only 6 of the 11 hectares can be developed, much of this being taken up with the creation of corridors for the newts or SUDS ponds, both of which are prohibited access to the public and have low amenity value (as can be seen already with sites 22 and 23). As such, the loss of such a significant area of greenbelt land, in terms of size and location, cannot justify the resultant relatively low housing yield.
- 2.4 The council appear to be justifying the loss of greenbelt as being acceptable, as the development of sites 22 and 23 have already undermined the purposes of the greenbelt and therefore this somehow justifies building on the rest of the “triangle”. Notwithstanding the irrationality of this argument – if anything the need to protect the remainder of the triangle should be even more important - the boundary for the greenbelt analysis does not include sites 22 and 23 and therefore the argument does not hold. Please refer to p22 of the concept master plans for the boundary definition. I would also reiterate the finding in the BARRAGE response to the last consultation, that this site scores 2, not 1 against Purpose 3 of the Green Belt Assessment. It is generally characterised by countryside, is adjoined by countryside and has

limited development. The overall scoring of 4 is therefore wrong. At the very least it should be 5, rising to 7 based on the descriptors relating to criteria 4 in the Atkins report.

- 2.5 The ground conditions are such that, based on sites 22 and 23, these units would necessitate pile driving. Such invasive work, in the vicinity of the Grade 2\* Listed Berkswell Windmill, risks causing long-term damage to this historic monument. It would also disrupt the numerous species of local wildlife, including birds of prey (notably Red Kites), owls, woodpeckers, song birds, hedgerow birds, game birds, foxes, small mammals, deer, butterflies, numerous insects (including bumble bees), amphibians, bats and, of course, the GCNs.

The impact of the relentless noise and vibrations from this building process on residents as well is indescribable. It is impossible to work from home, which many residents do and not always out of choice. This, in itself, should be justification for not developing site 3, or indeed any site with similar ground conditions. Balsall Common residents will be under significant stress from the impact of HS2 construction as well as housing development, not least with the never-ending temporary traffic lights and road closures. To add this noise into the melting pot is not acceptable.

### 3 Concept Plan

Firstly, there are many discrepancies and inaccuracies within the evidence provided in respect of site 3 and I suggest that the council reviews the material included in the recent documents and corrects accordingly.

My main concerns with the Concept Plans are as follows:

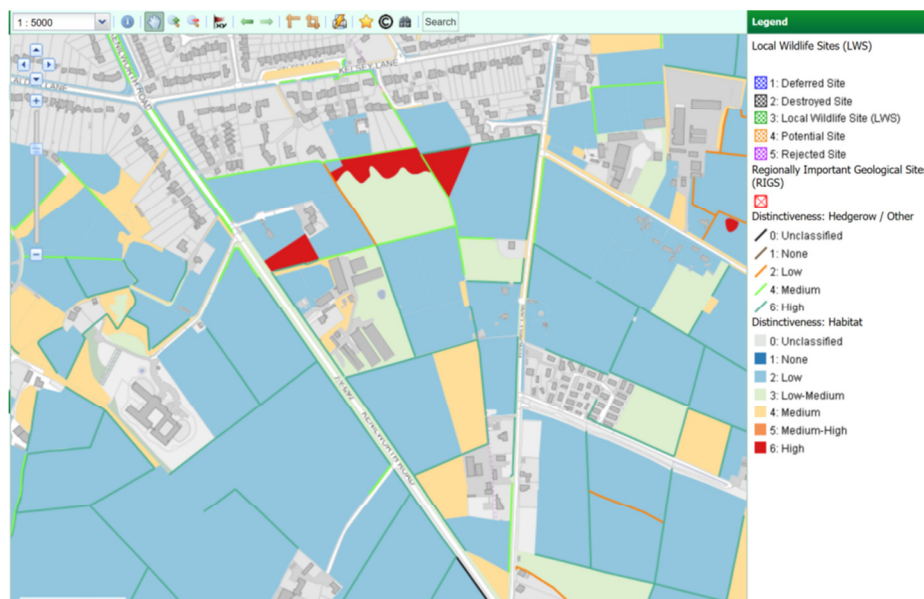
- 3.1 The site is known to be inhabited by Great Crested Newts, a protected species. Designated areas were included within sites 22 and 23 as a result. The proposal for site 3 includes additional corridors to protect the newts' habitat. Although it is unclear as to whether the plan on p24 has been superseded by that on p25, it would appear that there are to be multiple connections between the discrete parcels across the GCN protection areas. P24 shows this quite clearly. P25 omits to show how the parcels will connect, although there is clearly one road which crosses the protected area. As a concept plan, it is insufficient in that it does not demonstrate how the site will function. Although I'm not familiar with the ability of newts to safely cross roads, this proposal seems to be showing as much respect to this protecting this species as the council is showing to preserving the Meriden Gap and indeed to residents.
- 3.2 The only additional access point onto the road network would appear to be onto Windmill Lane. Otherwise traffic is expected to access the highway via Meer Stones Road and possibly Drovers Close onto the already congested A452. Given that most of the employment sites are to the north, and it is virtually impossible during peak times to turn right onto the A452 (1 vehicle every 3 seconds), many residents, myself included, default to turning left and then use Windmill Lane as a "back road". Not only does this add to the already significant volumes of traffic down this country lane, but there is also a very difficult corner to negotiate where Windmill Lane intersects with the A452. This is compounded by traffic seeking to turn right

into the lane from the northbound carriageway of the A452. A rigorous Highways Assessment (unlike that done for the previous Local Plan), is essential to demonstrate the sustainability, or otherwise, of this site. Whereas the inclusion of a bypass is noted, unless this site is developed after the bypass has been built, the site is not currently sustainable in this regard. The impact on air quality has not been considered either.

- 3.3 Biodiversity – The Ecological Assessment, referred to in the Concept Plans, indicated that this site is home to an abundance of wildlife which, as residents, we are very much aware of and delight in. Yet, rather than seek to preserve that through the provision of nature reserves, as the council has done on both sites 1 and 2, the solution here appears to be “offset” the loss elsewhere. This is not an acceptable strategy. There should have been provision made for substantive nature reserves to ensure the survival of the many species of wildlife that live here.

Following an initial request to SMBC for the Ecological Assessment, I was first provided with the following link, which details the habitat distinctiveness for the site (see extract).

<http://maps.warwickshire.gov.uk/greeninfrastructure/>



A further request for the Ecological Assessment lead to the provision of the, “Solihull Metropolitan Borough Council Additional Site Options Ecological Assessment: Windmill Lane and Kenilworth Road” which includes the constraints map below and shows consistency in the evidence:

## Constraints

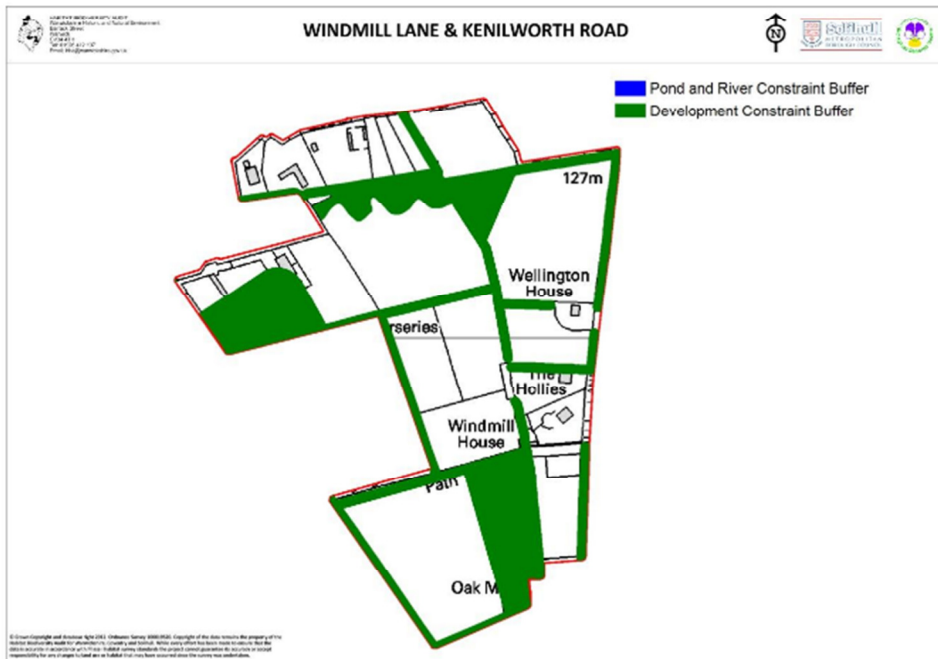
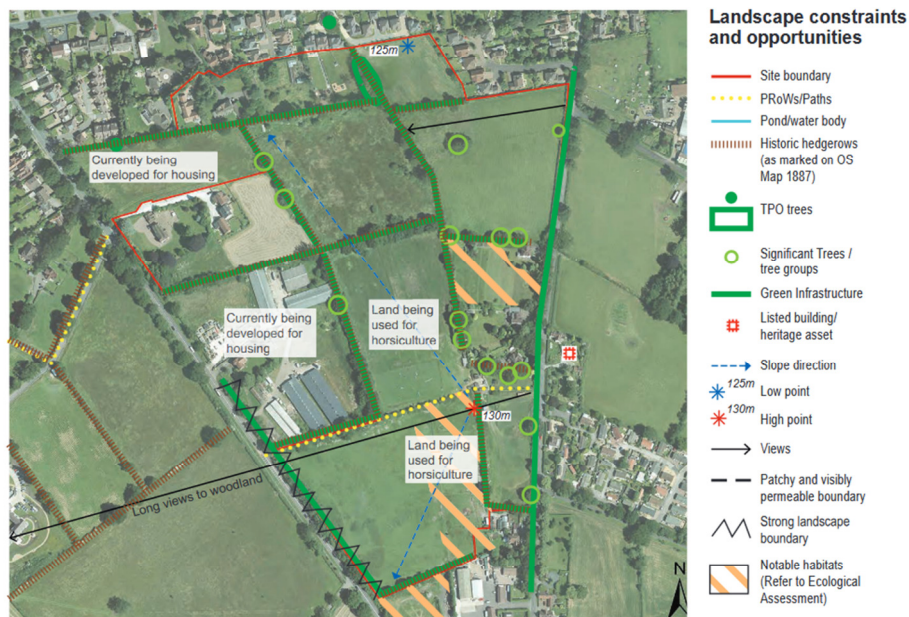


Figure 2 Constraints Map

The areas marked in green and blue on the above constraints map indicate where development should be avoided and ecological enhancement encouraged.

Yet the concept plan only defines the orange hatched areas as being “notable habitats” (see below), ignoring all the red (first map)/dark green (second map) to the north of the site!

## Landscape Assessment





Whereas the concept master plan does recognise those areas along the northern boundary as not being developable areas, the area between sites 22 and 23 (marked RED in the first map, DARK GREEN in the second) has been included for housing, as indeed has the area marked orange/ dark green to the south of Windmill House. As such, there are indisputable inconsistencies here between the evidence and the proposed concept plan.

### SMBC Illustrative Emerging Concept Masterplan: Site 3 Windmill Lane

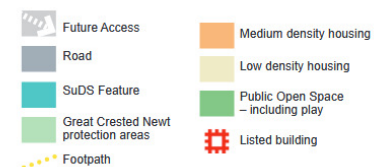


The density across the site ranges from 30 – 40 dph. The site can accommodate 220 homes. The layout promotes perimeter block development to maximise natural surveillance and encourage active streets.

The site contains important ecological habitats, as well as Great Crested Newt (GCN) mitigation areas from the previous adjacent developments. These mitigation areas are not suitable as areas of Public Open Space; given the known newt population it is likely that additional mitigation areas will be required.

The layout proposes one link to the Kenilworth Road site across the GCN protection area and one link onto Windmill Lane. Links to the existing housing development on the Kenilworth Road are also proposed in order to integrate the developments.

The 1.4 ha of public open space will be required much of this has been located where it complements the setting of the listed Berkswell Windmill opening up views of this historic building in Balsall Common. A play area can be designed to be in keeping with the semi-rural location and can enhance the visitor experience of Berkswell Windmill.



This all adds to the mounting body of evidence that Site 3 is not sustainable and must be taken out of the Local Plan. On a wider basis, it must call into question the extent to which the evidence is actually being used to allocate sites and inform the concept plans. I'm also curious, now, having finally managed to access the Ecological Assessment, as to why this has not made available as part of the evidence base.

- 3.4 Density and amenity – The proposal to build medium density housing adjacent to existing residents does not respect the local character (see map above). Whilst recognising that there is a general move towards increasing housing density to ensure efficient use of land, the amenity for existing residents must surely still be respected, either through the inclusion of a substantive green “buffer” and/or applying densities to parcels of land which reflect that of neighbouring properties. The density of the development comprising no.s 755, 757 and 759 Kenilworth Road is 19 dph (just the houses and the gardens) reducing to 11.5dph if the courtyard and drive are included. To build medium density (40dph) right up to the boundaries of our properties (not to mention in our back gardens) feels vindictive. Indeed the density and height of buildings on sites 22 and 23, together with no significant public green space and a lack of pavements on site 23, creates the impression of houses being crammed in to the developable area, with little consideration given to the well-being of residents.



- 3.5 Grade 2\* Listed Berkswell Windmill – Having read the draft heritage report, it is noteworthy that no assessment has yet been made of the impact of housing on the prevailing wind, to enable this tower windmill to function. Nor has the considerable visual amenity afforded to road users of the A452 been photographed. I trust the picture below is helpful to addressing this issue.



In summary, I would urge that the council take note of this response and remove Site 3 from the Draft Local Plan. There is no doubt, based on SMBC's criteria, that the site is not sustainable. I am, however, becoming increasingly concerned that this Plan is not being policy-lead and rooted in sound evidence, but developer-driven and possibly even politically motivated. It does give the impression of being pre-determined.

The action group BARRAGE went to great lengths to identify several brownfield sites in response to the council's repeated plea of, "If not here then where?", three of which have now been allocated. Given the emphasis by central government, along with West Midlands's Mayor Andy Street and Cllr Bob Sleigh, Leader of SMBC, on developing brownfield sites in preference to greenfield, it is clear that the council could not have justified omitting these brownfield sites whilst continuing to allocate greenfield sites. Given that the threat of legal action by developers is no doubt a real possibility, and recognising the financial implications of defending the removal of sites previously included for allocation, it is clearly an easier (and cheaper) solution for SMBC to continue with such allocations. The total number of housing units, which will be delivered through these brownfield sites, is 460. This could have avoided having to develop sites 2 and 3 completely and could also have reduced the requirement for site 1. Why has site 3 not been taken out already?

I urge the council to remove Site 3 as I cannot see how it can possibly stand up to scrutiny in the Examination in Public, given all the evidence, and has the potential, therefore, to render the Local Plan unsound. This is a risk the council cannot afford to take.

Yours sincerely

Wendy Wilson