

SOLIHULL LOCAL PLAN REVIEW

Draft Local Plan Supplementary Consultation 2019 Respondent No. 2569

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77, Birchy Close, Dickens Heath, Solihull, B90 1QL

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Q1 Do you believe that there are exceptional circumstances that would justify the Council using an alternative approach, if so, what are the exceptional circumstances and what should the alternative approach be?

It is acknowledged that the methodology is imposed at national level and that utilising the 2014 based figures produces a higher figure than the latest projections (2016) indicate are necessary. This is a matter that the Council should continue to press the government on bearing in mind that it has potentially significant consequences for the loss of highly performing green belt, the protection of which is also a government priority.

The methodology produces an annual rate of house building for the Borough of 885 dwellings per year, allowing for a 2000 house contribution to the HMA shortfall. This rate of delivery is above the highest rate that has been achieved in the Borough in one year which was in 2005 leading up to the height of the boom. It is double the average rate of delivery over the last 10 years and it is above the cap that would apply if the calculation related solely to Solihull's housing need. It is inconceivable that such a high rate of delivery can be sustained as an average over the life of the Local Plan, not least because the house building industry does not have the resources to deliver such a rate even if planning permissions were quickly forthcoming. Therefore, if the 2016 based projection is used this would reduce the dpa for Solihull's need to 550 (taken from the GL Hearn Report) which would be a more realistic and deliverable figure. We believe that the Council can use "exceptional circumstances" to justify using the 2016 household projection figures under the NPPF2 Para. 60.

Q2. Do you agree with the methodology of the site selection process, if not why not and what alternative/amendment would you suggest?

No.

There are significant inconsistencies in the application of the methodology which undermine the integrity of the whole site selection process. The analysis of sustainability does not meet the standards as set out in the NPPF2 Para. 3.32. The Council should consider reviewing their Sustainability Appraisal in line with the criteria as set out in the Government's sustainability scorecard, see:- www.thescorecard.org.uk For example, when this analysis was applied to Site 4 at Dickens Heath, this site only scored a 30% sustainability rating which would have put it in the red not green category. Therefore there are sites that are inconsistent with Option G of the Spatial Strategy.

It is not possible to understand how some of the sites fall into the green category, "they have no

or relatively low impact on relevant considerations; or that severe impacts can be mitigated,” when they clearly do have high impact. Again, if an updated sustainability scoring was produced in line with recent Government Policy, the results on site selection would be different. Without this, the credibility and robustness of the process is undermined.

It is also noted that the assessment excludes a number of smaller sites from the Sustainability Appraisal. The Strategy continues to focus only on large scale Green Belt releases which is not consistent with government advice that a mix of sites should be encouraged. Some of the smaller sites should be reassessed to see if they could contribute to housing growth in a more sensitive way which has less overall impact on the Green Belt and on local character and are more readily deliverable.

Q6. Do you believe that Site 3 Windmill Lane should be included as allocated site, if not why not? Do you have any comments on the draft concept masterplan for the site?

No.

I wish to object to the Council's proposal to allocate Site 3, in Balsall Common, as part of the Local Plan. Although there are many reasons why the site is unsustainable, we are particularly concerned about the ecological impact the development of this site would have. The Green Infrastructure map Habitat Distinctiveness 2016 shows that this is an area of High Habitat distinctiveness, where development should be avoided (see p4 of the Ecological Assessment). However, these have not been fully respected when cross referenced to p23 of the master plans, particularly with regards to the 30m buffer around woodland. As such, although there is no doubt as to the high impact the site would have on biodiversity (p24), Solihull Council's proposed solution would appear to be around offsetting rather than preserving these precious habitats. There are other smaller sites that have a higher sustainability scoring and a lesser ecological value than Site 3. Site 3 should therefore be deleted from the proposed housing allocation.

Q11. Do you agree with the infrastructure requirements identified for Blythe, if not why not; or do you believe there are any other matters that should be included?

No.

Significant new development at Dickens Heath will not “add to the vibrancy and vitality of the settlement, whilst retaining the intrinsic character of distinctive villages separated by open countryside.” Please refer to comments made in Q12 below.

In connection with the Draft Local Plan Supplementary Consultation we do not agree with Para.132 regarding Improved Public Transport. The SUNN Report (See Appendix 1) notes that there are high levels of car ownership and use, particularly among the kinds of young families that buy into new developments. Even if the bus system was improved, it would seldom be used. The railway is already over capacity at peak times, so how could additional development be an advantage?

I do agree with Para. 133. – Cycling and walking links to Whitlock's End station as this should have been included as part of the original construction of the Dickens Heath Village. However, we do not see how cycling and walking provision can be made to the Village centre from Site 4 without

accessing the private road of Birchy Close. We are informed by the Birchy Close Residents' Association that they will strongly oppose legally any such attempts to publicly use their road on security grounds.

I strongly agree with Para 134 in that "It is likely that highway improvements will be required at various locations in the settlement." However, we do not see how these improvements could be made as the road is designed for only 20mph and access and junction improvements around development sites at the junction of Dickens Heath Road/Birchy Leasowes Lane cannot be carried out without loss of Ancient Woodland, which is against national policy. Detailed traffic studies have not been published as part of this consultation process which would surely show the significant traffic problems in this area. As traffic from the proposed development site would have to go through the densely developed central area, there is no room for any road improvements.

Para.135. Parking Improvements – "The provision of appropriate additional off-street parking may be considered in Dickens Heath." This is a vague statement and difficult, if not impossible to achieve.

Para. 138. Sports and Recreation –" Replacement of any lost recreation / sports provision as a result of development will be required to an equivalent or better standard, including access and use by the wider community where appropriate." As Site 4 is surrounded by Local Wildlife Sites and no firm alternative proposals have been put forward as replacement facilities, this is a major reason for not allocating Site 4.

I do agree with Para. 141 of the regarding Green Belt Enhancements, particularly the allocation of a country park on land at S. Shirley, previously Site 13.

Q12. Do you believe that Site 4 Land west of Dickens Heath should be included as allocated site, if not why not? Do you have any comments on the draft concept masterplan for the site?

No.

The Draft Local Plan Supplementary Consultation includes a proposed housing site allocation on land west of Dickens Heath, between Birchy Leasowes Lane to the south, Tilehouse Lane to the west, the Stratford-upon-Avon Canal to the north, and to the east Ancient Woodland and the privately-owned residential road Birchy Close. The revised proposal for the whole of Site 4 is for a development of 350 dwellings.

Further to my response submitted in December 2017, we are submitting further information and points on planning policy. They are on both the principle of the Site 4 allocation and the SMBC Illustrative Emerging Concept Masterplan.

Site 4 summary

The only reason for the choice of this site for new housing is its location close to Whitlocks End railway station but detailed analysis shows that it is not sustainable and should be considered as a red not a green site in terms of sustainability analysis. The combined significant adverse effects given below from developing the land west of Dickens Heath makes the proposal wholly inappropriate in terms of sound planning practise, and both national and local planning policies.

On the negative side, Dickens Heath has increased from the original design of 850 dwellings to

approximately 1,800 units today. However, the roads and infrastructure have not been improved to accommodate this increase plus the vast number of dwellings given planning permission in the general area in the last few years. Given the parking problems in the centre, the rural narrow roads and historic hedgerows, it will be difficult to make sufficient road improvements to take much more traffic. In addition, Site 4 is a high performing Green Belt site; there are the most Local Wildlife Sites surrounding than any other of the proposed allocations being 4 in all with protected species inhabiting the Site; there are ancient hedgerow; the land is liable to flooding as the sub-soil is deep boulder clay that does not allow adequate percolation; the site is not within walking distance from the facilities in the Village Centre; there would be a loss of character and identity as Site 4 is outside the confined boundaries; the Site is in an area of landscape sensitive to development; there would be a loss playing fields with no alternative proposals submitted.

No other proposed site in the Draft Local Plan has such adverse effects if developed and should therefore be removed from the proposed allocation for development.

This response covers the following subjects:

1. Reason for choice of location compared to other options
2. Residents' views (Dickens heath Parish Council survey)
3. Disproportionate housing allocation of development in Blythe area
4. Green Belt
5. Conflict with urban form of Dickens Heath new village
6. Unsustainable location
7. Traffic generation (and peak-hour congestion) on local roads and in DH plus car parking
8. Existing sport and recreation value and limited scale of replacement
9. Ecological value (4 Local Wildlife Sites affected)
10. Historic landscape (important hedges)
11. Conclusion

1. Reason for choice of location

1.1 I was informed at an earlier meeting with the Head of Planning Policy and the Planning Portfolio Holder on 28 February 2017 that the reason for the choice of this site for new housing is its location close to Whitlocks End railway station. This is the only reason this Site was selected and does not take account of the sustainability issues and "Strategic Objectives" and "Guiding Principles" which are set out in *Reviewing the Plan for Solihull's Future*, the Consultation Draft Local Plan Review (November 2016) at paras 96 page 33 and para. 104 Page 34. The allocation does not accord, or can be made to accord with the spatial strategy and sequential approach adopted in the Local Plan Review, the locational and accessibility criteria of Policy P7, and the criteria in Policy P8 for managing travel demand, reducing congestion and providing parking.

1.2 Para.72. of the Solihull LPR (2019) states that this Site 4 is categorised as Green – *"To be included in the plan as an intended allocation. This will mean the development of the site has either no or only a relatively low impact on relevant considerations."* However, the Council's

analysis of the sustainability and constraints of this Site are severely flawed and inaccurate.

1.3 Site 4 was included in the Consultation Draft Plan prior to the publication of the Green Belt Assessment Report 2016. In the Borough Vision document, Para. 93 states, "... it would not be right to suggest that accommodating growth at all costs is an appropriate response." The combined significant adverse effects given below from developing the land west of Dickens Heath makes the proposal wholly inappropriate in terms of sound planning practise, and both national and local planning policy.

1.4 The Vision for Dickens Heath is not followed through as the proposed housing site is not consistent with the paragraph on how settlements have green belt separating them, because this proposal will reduce the gap to one field only which is not green belt.

1.5 I agree with the Council's Vision for the Borough as set out but consider that there are some missed opportunities for smaller scale developments and some of the amber sites to come forward in other lesser performing Green Belt locations, which would assist the Council in reducing its reliance on windfall permissions. It would also assist in its visionary aim of ensuring that centres such as Knowle remain strong, vibrant places to live.

1.6 I strongly **oppose the allocation of Site 4 west of Dickens Heath** for residential development. We would **support**, however, the allocation of the large field (Site ref. **130**) between Tythe Barn Lane and the Stratford Canal east of the Akamba Heritage & Garden Centre as we fully understand the "special circumstances" of the housing need. This site has a less adverse sustainability rating as the land west of Dickens Heath, although has a high performing Green Belt score and village parking and increased traffic problems would be further increased, it relates better to the boundaries to the Village, and could accommodate approximately 100 dwellings. However, this land should only be developed in the later stages of the Plan period if needed, when other lower performing Green Belt sites have been developed first. The following comments therefore refer only to the part of Site 4 west of Dickens Heath.

1.7 I welcome the indication of the Akamba site as retained in the Illustrative Emerging Concept Masterplan, instead of use for playing fields and car parking for the proposed sports hub as shown in the 2016 Richborough 'Sports Hub' Plan. All comments below refer to the rest of Site 4: housing south of Tithe Barn Lane and the sports facilities proposed north of the lane.

2. Dickens Heath residents' views of proposed Site 4

2.1 A residents' survey was carried out by the Dickens Heath Parish Council in 2016-17 to obtain residents' views on the Local Plan review proposals for Site 4. The results of this survey proved overwhelmingly (over 90%) that the residents of Dickens Heath are strongly opposed to the proposed allocation of Site 4. In addition, a recent online petition by Councillor Ken Hawkins has over 1,300 names objecting to the allocation of Site 4.

3. Disproportionate housing allocation of development in the Blythe and South Shirley area

3.1 The Plan proposes to locate approximately 36% of all proposed new housing that the Plan Review adds to the Borough in South Shirley/Blythe Ward. This is an inordinate amount compared

with elsewhere in the Borough, so does not contribute to geographical distribution. I consider that this is an excessive burden placed on such a small area without the ability to improve the road network accordingly. Largely we agree with the Vision but think that the idea for housing and moving between housing and workplace is flawed. I particularly object to large percentage of housing around the Blythe area which has already taken a considerable amount of development between 2011-2018 being 2,250 dwellings given planning permission. Dickens Heath has increased from the original design of 850 dwellings to approximately 1,800 units today. However, the roads and infrastructure have not been improved to accommodate this increase.

3.2 In the NPPF2 Para. 104 states that *“Planning policies should:*

a) support an appropriate mix of uses across an area, and within larger scale sites, to minimise the number and length of journeys needed for employment, shopping, leisure, education and other activities.” As there is very little local employment in this area commuting to places of work creates traffic jams during peak times, and there is a large proposed housing allocation for the Blythe area, the proposals do not conform to this Policy.

4. Green Belt

4.1 The Government has consistently committed to protecting the Green Belt and stated that the single issue of unmet housing demand is unlikely to outweigh harm to the Green Belt. Green Belt is only to be released as a last resort, after the planning authority has demonstrated that it has examined fully all reasonable options for meeting their identified development requirements and the impact is to be off-set by compensatory measures.

4.2 The proposed allocation of Site 4 does not accord with Government Policy on the Green Belt and the policies contained in the NPPF2. Notably in paras 133, 134(b) and 135(c) which states, *“show what the consequences of the proposal would be for sustainable development.”* I will discuss below how this Site 4 is not sustainable.

4.3 Justification for the release of land from the Green Belt to meet the need for new development should be focused on those sites which perform least well against the functions of Green Belt and outcomes from the Borough's Green Belt Assessment. Areas of land which are assessed in the Atkins Green Belt Assessment as having a score of 7 or higher, such as this land around Dickens Heath (which scores 7 & 8), and thus perform best against the criteria for being in the Green Belt, should not therefore be removed from the Green Belt. Other “Amber” sites in the Borough with a lower Green Belt scoring are more suitable for development; no robust and detailed appraisal of alternative sites has been carried out in a sequential test. The Council has not fully examined the infrastructure requirements that would justify and mitigate altering the Green Belt in this location. Permanence is a feature of Green Belt and any decision to change its status should be considered carefully.

4.4 In the Consultation Draft Plan “Reviewing the Plan for Solihull’s Future” the Guiding Principles Generally Not in Support for future development would be where development would not protect the strategic purposes of the Green Belt or areas of the Green Belt that perform well against the purposes of including land in the Green Belt. Also, in the “Challenges” of the SLPR the development of Site 4 would not satisfy the challenges of “E” protecting key gaps between urban

areas and settlements (page 21). There would be an adverse impact on the function of the Green Belt, as there would be coalescence between Dickens Heath, Tidbury Green, Whitlock End and Majors Green.

4.5 In the Challenges and Objectives Addressed, Policy E protects key gaps between urban areas and settlements. This important objective has been ignored by the Council in proposing housing in this location.

4.6 In Reviewing the Plan for Solihull's Future Draft Local Plan Supplementary Consultation Solihull MBC - 66 - January 2019, Para 374 states,

"The extent of land to be released from the Green Belt should also be seen in the context of ensuring that it would not have an undue adverse impact as a whole on the purposes of including land in the Green Belt – i.e. that the integrity of the Green Belt remains at both a strategic and local level. This may result in the areas of Green Belt that remain being more sensitive to change and increasing their importance."

4.7 In summary, Site 4, although now reduced from 700 to 350 dwellings is still a large-scale housing allocation on Green Belt land at Dickens Heath, although an additional 100 dwellings in the long term (on site Ref. 130 at Tythebarn Lane) would be a more acceptable level. The additional 250 dwellings on the site west of Dickens Heath would have an undue adverse impact on its character and identity (see below), be a major expansion of the contained Village area and would reduce or remove key gaps between settlements such as Majors Green and Whitlocks End. It would conflict with the Green Belt Policy above and would be still more at odds with the Policy as strengthened by the NPPF2.

5. Character of Dickens Heath.

5.1 Only three miles from Solihull town centre, Dickens Heath new village was originally designed for only 700 dwellings (The UDP increased this figure to 850 dwellings) by London architects John Simpson Architects who devised a concept plan, which was developed and refined to become the approved Master Plan in 1995. Dickens Heath was conceived by the architects and the Council as a new village designed to set planning and design principles. It has attracted assessment and reviews by architectural and planning journals. The professional interest by outside bodies to the design and development of the new village give weight to the conclusion that it should not be subject to imposed change which would undermine its character and sustainability as a settlement. The four key elements of the Master Plan (John Simpson, 1991) were that the proposed new settlement:

- a) should have a clear identity which gives residents a sense of place and belonging
- b) echo the traditional features of village development including homes, employment, recreation, social and welfare facilities intermixed to create a cohesive whole
- c) provide a range of housing, from first-time buyer housing through to family housing and smaller units suitable for the elderly, thereby creating a mixed community of all ages and incomes and

d) create a safe and pleasing environment for pedestrians while still accommodating the motor car, but without allowing it to dominate the environment.

5.2 John Simpson gave evidence at the 1991 Solihull UDP Public Inquiry on the subject of the Dickens Heath new village and addressed the alternative site put forward by McAlpines, which forms most of the site now being proposed by the SMBC to be developed for an additional 700 dwellings (Housing site 4). The location and its extent was determined and tested by the UDP. Proposals for additions or additional growth were examined at later Inquiries and rejected and the original form of village confirmed by the outcome of these (UDP Inquiry 1995, UDP Inquiry 2004). These outcomes - recommendations by Inspectors accepted by the planning authority - are material to any new proposal to add to or extend the new village.

5.3 Dickens Heath was reviewed by the Sustainable Urban Neighbourhoods Network (SUNN) in April 2011:

"An underlying objective from the outset was to build a functioning village with a strong, visible centre, not just another suburban housing estate. In part this was a quid pro quo to nearby local residents, along with a new surgery and school in return for support for building on hitherto agricultural land. The design principles in summary were a clear identity, traditional features of a village, balanced mix of housing, safe and pleasant environment for pedestrians"

5.4 Development of Site 4, is not within the recognised walking distance (800m) of the Village Centre and is outside the strong natural boundaries of the Village would be contrary to these objectives above. There is a seemingly continuing approach to see Dickens Heath perform the role of taking more and more housing to avoid finding sites elsewhere and this approach, with the proposed expansion westward, goes way beyond the original intent of keeping the Village within 800m or so distance from the services in the Centre.

5.5 In paragraph 62 in the Plan Review, 'Vision for the Borough', there is a description of Dickens Heath:

"The modern, multi-award winning village of Dickens Heath was 'created' in the late 1990s and, guided by an architect-led masterplan. It has since undergone rapid expansion with a variety of architectural styles of development and a Village Centre. Whilst housing densities are higher around the Village Centre, the area has an attractive, mature woodland and canal side setting, with a few early cottages adding sporadic visual interest."

This is an accurate description. But the proposed major housing allocation of Site 4 would not be in accordance with the Challenges stated in Para.79 and would create an elongated "town."

5.6 Dickens Heath is a planned new village with clearly defined limits. It is unique in Solihull as having emerged through the Unitary Development Plan process as an entirely new community. It has an architectural character of its own and is a new Village Solihull Council is rightfully proud of. It is not an urban extension as it differs from previous urban development in the Borough of Solihull, planned and carried out in previous decades as large-scale urban extensions: Chelmsley Wood (1960s-70s) and Cranmore-Widney (1970s-80s).

5.7 The Landscape Character Guide of 2016 (Page 7) states,

"The narrow lanes and strong hedgerow structure lend an enclosed and intimate feeling.."

It goes on to say:-

“.. pressure for new housing in this attractive commuter area due to easy access to Solihull and the M42 corridor. Limited capacity to accept development without impact upon character.” I agree with this statement.

5.8 There is a Listed Building affected by Site 4 at Betteridge Farm and a restored farmhouse of local historic interest, Tithe Barn Farmhouse. Such farmsteads are considered as assets that contribute to the distinctive character and identity of rural areas, which asset would be diminished should development take place around them. The Landscape Assessment (2016) also states that the Blythe area has medium landscape value but high overall sensitivity to new development. As such, the draft concept masterplan proposes to retain historic landscape features, such as hedgerows and standard trees, and the meadows and woodland designated as Local Wildlife Sites.

5.9 Dickens Heath should therefore be identified in the Local Plan as having a particular character and design and that there should be limits to its continued growth in terms of numbers and direction; the Village should be protected and conserved as a “new village,” together with its character and setting in the countryside. The Site 4 extension would conflict with the section of the Borough Vision at para 87, because it would seriously undermine the principle of the Dickens Heath area given: of “retaining its intrinsic character of distinctive villages separated by open countryside”.

5.10 The housing proposals for Dickens Heath in the SLPR do not comply with the stated Policies as set out in both the existing adopted Local Plan and this Plan Review. Policy P16 of the SLPR states:

“Development will be expected to preserve or enhance heritage assets as appropriate to their significance, conserve local character and distinctiveness and create or sustain a sense of place.”

Site 4 would be unsustainable and would no longer make Dickens Heath a Village and “special place”.

5.11 The proposed major development of Site 4 would not be in accordance with either the Borough Vision or Policy P16. The attractive rural setting of Dickens Heath will be partly lost to development. In Dickens Heath Parish, access to the countryside and recreational opportunities will be reduced, not improved. In the “Objectives” (Page 20) of the Solihull Local Plan Review November 2016 states that proposed development should,

“Ensure high quality design and development which integrates with its surroundings and creates safer, inclusive, adaptable and sustainable places which make a positive contribution to the Borough’s sense of place, attractiveness and to people’s quality of life. Conserve and enhance the qualities of the built, natural and historic environment that contribute to character and local distinctiveness and the attractiveness of the mature residential suburbs and the rural area.”

5.12 The development is likely to have a significant adverse impact on the character of the Village and approaches to the settlement. The land presently provides for some of the purposes of Green Belt, but allowing development at this parcel would result in settlement coalescence, will not ‘fit’ the wider settlement pattern and will not provide a variety of opportunities for positive planning.

5.13 The form and design concept of Dickens Heath is of a new village surrounded by Green Belt with no part more than 800 m / 10 mins walk from village centre – Site 4 housing proposals are beyond this circle. The design concept by John Simpson 1990-1995 is of a complete settlement without provision for any extension except to south (Braggs Farm Lane – now being built). Site 4 undermines this concept. There are established boundaries – canal to east and north, and the line of woodland (Ancient woodland, LNR) on the north-west side and, as identified in the Landscape Assessment of January 2019 a strong landscape boundary to the west.

5.14 In addition the proposed Site 4 would not accord with NPPF2 Para 127 (d) as it would be isolated and not a part of the contained Village boundaries. It states,
“establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;”

6. An unsustainable location

6.1 The opening paragraph of the Solihull Local Plan Review November 2016 states:-

“At the heart of planning is the need to plan positively for sustainable development. One of the principal ways this is achieved is by having a local plan to guide the development of an area. Having a local plan is key to delivering sustainable development that reflects the vision and aspirations of local communities.”

6.2 The new NPPF2 is explicit that sustainability is achieved through the plan-making process and by the application of the NPPF as a whole and states that: *“the purpose of the planning system is to contribute to sustainable development, which includes the need to protect and enhance the natural environment.”* The proposed development of Site 4 would not be in accordance with this policy; See Section 7 below. It goes on to state in Para 3.32...

“Local plans and spatial development strategies should be informed throughout their preparation by a sustainability appraisal that meets the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives (including opportunities for net gains). Significant adverse impacts on these objectives should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where significant adverse impacts are unavoidable, suitable mitigation measures should be proposed (or, where this is not possible, compensatory measures should be considered).”

As there are significant and un-sustainable effects in developing this Site 4, the allocation for development of this site should be avoided. The Sustainability Appraisal Report for Site 4 is inaccurate and the analysis does not take account of the Government’s sustainability scoring (www.thescorecard.org.uk). When using this analysis for Site 4 it only achieved a score of 30% which would give a red not green analysis for sustainability.

6.3 One of the main design concepts of Dickens Heath was to create a village where people could get about without being dependent on the use of private cars. As previously stated above, this meant that all housing was to be within easy walking distance (800 metres) of the centre which is now recognised as the Library. John Simpson in the 1991 evidence to the Solihull UDP Inquiry explained: “A village works as one cohesive entity because the perception is that everything is

within easy walking distance”.

6.4 The emphasis in the village design is on accessibility; the majority of the residents will be no more than 5 minutes (800m) walking time from the centre. The majority of the proposed Site 4 development exceeds this walking distance; its residents would thus generally use private cars to reach the retail, educational and social facilities of the existing village - where car parking is already a major problem.

6.5 Although the illustrative Emerging Masterplan does not now show new footpaths onto the private road of Birch Close, it will be necessary to make the development sustainable in terms of walking distances to the Village Centre for there to be a footpath. However this footpath is undeliverable because they require use of private property, including certain residents' gardens which will be strongly resisted legally by the residents of Birch Close as they are concerned about their security.

6.6 The proposed housing allocation of Site 4 would not be in a sustainable location. It would add further congestion to the local road network at peak hours and further contribute to the already woefully inadequate car parking in the Village centre. This Site is not “highly accessible” as stated in the Sustainability Appraisal. While it would be close to Whitlocks End railway station, the overloaded rail service at that station gives access to Central Birmingham and to Stratford-upon-Avon. It does not provide a service to Solihull Town Centre, for which there is only a slow and indirect bus service, and there would be no public transport to the ‘UK Central’ location east of the M42 Junction 6. There would be no direct access from Site 4 to the services and facilities in Dickens Heath village itself, as there would be no direct road or cycleway to the village centre. Cycle and pedestrian access to the village centre was a core principle of the design for Dickens Heath.

6.7 In addition, as the proposed housing would be more than 800m from Dickens Heath Village Centre, it would not accord with Policy P7 of the Solihull LP which states:

“Accessibility and Ease of Access’ states, inter alia, that all new development should be focused in the most accessible locations and seek to enhance existing accessibility levels and promote ease of access. The policy sets out a list of accessibility criteria, which new housing development is expected to meet:-

- *Within an 800m walk distance of a primary school, doctor’s surgery and food shop offering a range of fresh food; and*
- *Within a 400m walk distance of a bus stop served by a commercial high frequency bus service (daytime frequency of 15 minutes or better) providing access to local and regional employment and retail centres; and/or*
- *Within an 800m walk distance of a rail station providing high frequency services (3 or more per hour during peak periods) to local and regional employment and retail centres.”*

6.8 Only the criteria for access to a railway station would be met, and the rail service does not give access to ‘local’ employment and retail centres; only those in Central Birmingham and this service is unsustainable. As there is very little local employment in the area there would be a further

increase in road travel on the already very congested and unsuitable roads in the peak hours.

6.9 Site 4 does not comply with this policy above. The land is deep boulder clay. To build houses on Site 4, there would need to be extensive piling because of the evidence of a deep, boulder clay belt in this locality. There is evidence from neighbouring sites - the adjacent residential road Birchy Close - that piling for new houses would be necessary down to depths of around 8 metres owing to the presence of deep boulder clay. Houses without piling have needed extensive and costly underpinning. (Evidence can be provided to substantiate this statement.)

6.10 The cost of developing this site may therefore also be unsustainable. A considerable amount of fill material would have to be brought in as the site is liable to flooding during sustained wet periods every year. However, as there are no properties on this land, the flooding has not been accurately recorded and only shows that it is in a Zone 1 when it should qualify for a Zone 2 flood plain. The Environment Agency has expressed concern about the flood risks in this location and are proposing to make this area a "Critical Drainage Area." If the Site was to be developed a large area of land would need to be used as a balancing lake further reducing the developable site area. Therefore this would not take into consideration Para.178 of the NPPF2 *"Planning policies and decisions should ensure that a site is suitable for its proposed use taking account of ground conditions..."*

7. Traffic generation and car parking

7.1 The Local Plan Review (2016) is clear that the Dickens Heath and Tidbury Green area is not well-served by public transport and is car-dependent. Para 62 (page 17) states: *"As a whole, the sub-area suffers from poor public transport provision with limited bus services between settlements, which perpetuates travel by private car."*

7.2 In transport terms Site 4 would only meet the access by rail criteria; and the rail service gives no access to the local main centre, Solihull. It fails on road access, bus service and cycling and pedestrian accessibility. The traffic that 350 new houses would generate would place a new and heavy burden on the local road system which is purely country lanes. There is no main road (A or B class) near Site 4. As this increased traffic would place an unacceptable burden on the already inadequate, congested road system and the existing Village centre car parking, the proposals could not meet 'Challenge H' of 'Increasing accessibility and encouraging sustainable travel'. It cannot meet the objectives set to:-

- Reduce the need to travel.
- Manage transport demand and reduce car reliance.
- Enable and increase the modal share of all forms of sustainable transport.
- De-couple economic growth and increase in car use.

(Local Plan Review 2016 pages 22-23).

7.3 The highway network for the original John Simpson design of the Village was for only 700 dwellings and the UDP increased this figure to 850 dwellings. The village was in fact built more densely, and has a long term maximum of 1,500 dwellings, within the original 800 metres walking distance. However, this figure has already been further increased with recent development so that the overall number of households is now over 1800, an increase of 210%. The current highway network is unsuitable for further housing development. It will be put under more

pressure in the next few years when the when the Lowbrook Farm and Tidbury Green Farm developments are completed (now over 500 dwellings at both sites) with 2,250 dwellings granted planning permission between 2011-2018.

7.4 Site 4 would depend on the use of narrow rural roads which still currently retain the character of countryside. If Site 4 were developed, major road improvements would have to be carried out as stated in Para 152 of the Draft Local Plan Supplementary Consultation *“Highway improvements will be required to the surrounding roads..”* This will require the removal of established and important hedgerows and mature trees which greatly add to and enhance the character and setting of the Village on its western side. In addition, at the junction of Dickens Heath Road and Birchy Leasowes any improvement to that junction, which would be necessary to facilitate the development of Site 4, would involve the part removal of ancient woodland either side the junction which is against policy contained in the NPPF2. It would not be possible to widen this road build a footpath or cycle-track along Birchy Leasowes Lane because of this constraint. The road network within the village was not designed for more car traffic than is currently generated; it is not possible to upgrade the internal Village road network through which additional traffic would have to travel. The existing Village road design aims to discourage through traffic by narrow roads and sharp bends; the buses have difficulty using some of the village roads.

7.5 The SMBC Emerging Master Plan which the Council has kindly provided shows road improvements:-

- along Tythe Barn Lane
- at the junction of Tythe Barn Lane and Tilehouse lane (this would affect an LWS)
- Tilehouse Lane/Birchy Leasowes Lane
- Along Birchy Leasowes Lane

7.6 Tythe Barn Lane is a narrow lane (less than two lanes wide) where chicanes have been installed to require cars to give way and assist cycle and pedestrian movements. While quiet in the midday period, it is used as a commuter route from Drakes Cross and Hollywood in Worcestershire to the large number of jobs in Solihull and becomes congested in the morning peak-period. This deters cycling and walking from Dickens Heath to Whitlocks End station so causes more use of cars – such that the station car park is now full by 08.00. That then discourages off-peak rail use.

7.7 The Peter Brett Associates Report on access and transport (for the 2016 SHELAA) has certain serious concerns about Site 4:

“The review focused on Solihull Strategic Housing and Employment Land Availability Assessment 2016 Volume A: Main Report – November 2016 in which local access by road considered the quality of the local road network and the areas through which the roads pass. If access requires vehicles to pass through a village or along a narrow lane it will be assessed as ‘poor.’ As the traffic associated with this Site would have to travel through the Village and the quality of the local roads is inadequate, the quality of the local road network is considered to be “poor.”

7.8 When one takes into account that the roads surrounding and leading to Site 4 are country lanes, some less than two lanes wide, development of a further 350 additional dwellings would have a cumulative severe adverse impact. ‘Improvements within the transport network that could

cost-effectively limit the significant impacts of the development (NPPF para 32) could only be carried out by widening all the roads and removing their rural character. The internal road system within Dickens Heath was specifically designed to deter through traffic with narrow roads and sharp bends that even the local bus or lorries have to cross the centre line to navigate. Parked cars on the road create long tailbacks and considerable congestion is caused at peak times. Therefore Site 4 can justifiably be rejected because the effects of it on the local roads would be severe.

8. Sports and recreation value of the Green Belt

8.1 Site 4 would cause the loss of a substantial area of playing fields with no adequate alternative facilities being identified. This would be contrary to Para. 97 of the NPPF2.

“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.”*

8.2 In addition the Peter Brett Associates analysis of the Site 4 location in the SHELAA (Site No.176) states that “suitability is adversely affected by impact of replacing the sports pitches.”

8.3 The loss of the playing fields is contrary to Policy P18 of the Local Plan Review which states that “New development proposals will be expected to promote, support and enhance physical and mental health and wellbeing. Healthy lifestyles will be enabled by:

*“Facilitating opportunities for formal and informal physical activity, exercise opportunities, recreation and play through access to well-maintained open spaces;
Supporting the retention and protection of facilities which promote healthy lifestyles such as open space, including public rights of way to open space, playing pitches and allotments.”*

8.4 The threat to the various sports clubs has produced considerable public objection to Site 4 from club members and users from a wide geographical area. Sport England has previously objected to the allocation of Site 4 (e-mail to Solihull Council of February 2017).

8.5 It is welcome that the Illustrative Emerging Concept Masterplan now protects both the Akamba garden and leisure centre and the wetland to the west of Akamba (which is an LWS). This however makes the potential sports facility small, and unable to replace the extensive playing fields south of Tythe Barn Lane which under Site 4 would be lost to new housing.

8.6 Site 4 has more playing fields than any other location proposed for development and removal from the Green Belt under the Local Plan Review. These playing fields cannot be replaced in the terms of the NPPF, Sport England’s policies, and the 2013 Local Plan Policy P18. This is a strong reason for deleting Site 4 from the Local Plan review.

9. Ecological Value

9.1 In the Local Plan Review 2016, 'Challenge K, 'Protecting and enhancing our natural assets' (page 24) sets out the following objective. The Plan seeks to promote an ecosystem approach to biodiversity conservation aimed at:

- *Halting and reversing decline and loss by conserving and enhancing biodiversity and habitats of value;*
- *Contributing to local and sub-regional initiatives to improve the natural environment;*
- *Reviewing and updating biodiversity information and the network of local wildlife and geological sites;*
- *Addressing gaps in the strategic ecosystem network to support wildlife and green infrastructure; and*
- *Promote a landscape scale approach to protecting and restoring the landscape of the Borough and its characteristic features.*

9.2 The development of Site 4 would conflict with these objectives above. The proposed development west of Dickens Heath would have a profound adverse effect on the wildlife in general in this area which has 4 LWS, the most of any of the proposed sites, and particularly on the LWSs of Little Tyburn Coppice (ancient woodland) and Tythebarn Meadows (wetland which drains into the Stratford Canal), adversely affecting the ecological connectivity of this area.

9.3 In the NPPF2 Para 177, 2019 version says. *"The presumption in favour of sustainable development does **not** apply where the plan or project is likely to have a significant effect on a habitats site (either alone or in combination with other plans or projects), unless an appropriate assessment has concluded that the plan or project will not adversely affect the integrity of the habitats site."*

As no such evaluation has been carried out. It would also be contrary to Policy P10 of the Local Plan Review as such harm cannot be fully mitigated, especially to ancient woodland.

9.4 The Warwickshire Wildlife Trust have visited this area and strongly oppose the allocation of this Site as there are protected species including bats, badgers, grey heron, sparrow hawks and buzzards noted, plus foxes and deer. The small fields south of the playing-field area, north of Birchy Leasowes Lane, are likely to be particularly rich in such wildlife.

9.5 The Council's Woodland Strategy aims to *"maintain and wherever suitable restore natural ecological diversity."* The Illustrative Emerging Concept Masterplan shows some limited buffer width separating the ancient woodland, LWS and important hedgerows from the proposed development, but this would not prevent serious loss of habitat.

9.6 At the junction of Dickens Heath Road and Birchy Leasowes Lane, woodland on both sides is identified as Ancient Woodland. The NPPF2 Para.175 strengthens protection of Ancient Woodland.

9.7 In Solihull Council's Sustainable Community Strategy for Solihull 2008-2018 it is stated under

Aims & Objectives: *“Conservation & enhancement of the character of the countryside, the natural & historic environment, landscape, habitats & wildlife. Protect & enhance ecosystem services.”*

These objectives would not be realised as there would be a significant negative impact on local biodiversity and rural character due to loss of important hedgerow, mature trees and ponds, together with the interrelationship of these ecosystems, should this land be developed.

9.8 There is no other site in the Local Plan Review which has such significant designated land of natural conservation value; 4 Local Wildlife Sites and Ancient Woodland. This degree of ecological value is a strong reason to delete Site 4 from the Local Plan Review.

9.9 It is clear Government Policy that important habitat sites should be protected. In the Prime Minister’s statement January 2018 on the Government’s 25 year Environmental Policy she states, *“We hold our natural environment in trust for the next generation. By implementing the measures in this ambitious plan, ours can become the first generation to leave that environment in a better state than we found it and pass on to the next generation a natural environment protected and enhanced for the future.”* Indeed, The Chancellor in his recent Spring budget 2019, re-iterated this commitment. If this proposed housing on Site 4 goes ahead adjacent to 4 Local Wildlife Sites, reducing their important interconnectivity, this Government aim will not be fulfilled.

10. Historic Landscape

10.1 This Site 4 is within a landscape character area of high sensitivity to development. The Local Plan Review Policy P10 (Natural Environment) emphasises the Arden Landscape:

“The Council will seek to protect, enhance and restore the diverse landscape features of the Borough and to create characteristic habitats such as new woodlands, copses, hedgerows and standard trees, species-rich grassland and wood pasture. To halt and where possible reverse the degrading of the Arden landscape and promote local distinctiveness.”

10.2 The Site 4 proposals in Dickens Heath Parish conflict with Policy P10. They would degrade the Arden landscape and protection and enhancement of it would not be possible if the 250 houses proposed in this area were constructed.

10.3 In the Council’s Woodland Strategy the aim is stated:

“Landscape Quality and local distinctiveness - maintain and where appropriate improve aesthetic value and local identity.”

Development on Site 4 would not conform to this strategy.

10.4 The appearance of a hedge on a Tithe Map dated before 1845 (all of those now existing are on the 1840 Map and shown on the Plan in Appendix 2) indicates that these hedges in the area are protected by the 1997 Regulations which has been accepted by the Council. This evidence of historic landscape with well-referenced details of field names, ownership, and farm units in the early Victorian period is a strong ground for deleting Site 4 from the Local Plan Review.

11. Conclusions

11.1 Dickens Heath has experienced considerable development until recently and cannot take much more development. More development is happening at Tidbury Green following recent Appeals. Just because there is a nearby railway station is not enough to justify further major development of Dickens Heath. Every other planning factor points to the unsuitability of Site 4 for development. The cumulative adverse effect of the range of evidence set out above make Site 4 contrary to a range of local and national planning policies.

11.2 I therefore strongly urge Solihull Council to:

- **delete Site 4, west of Dickens Heath, from the emerging Local Plan Review for the many reasons given above, and**
- **retain the field between Akamba, Tythe Barn Lane and the Stratford Canal as land for a sustainable long-term extension of the existing village.**

APPENDICES

Appendix 1 Sustainable Urban Neighbourhoods Network (SUNN) report on Dickens Heath new village (2011).

Appendix 2 Historic hedges.

Q15. Do you believe that Site 26 Whitlock's End Farm should be included as allocated site, if not why not? Do you have any comments on the draft concept masterplan for the site?

Yes.

To compensate for the loss of Site 13. It is very important that there is more land as open and accessible space south of Woodloes Road as part of the Green Belt compensation enhancements with access improvements and habitat creation in this area to help offset the loss of Green Belt to the west.

Q34. Should the washed over Green Belt status of these settlements/areas be removed, and if so what should the new boundaries be? If not why do you think the washed over status of the settlement should remain?

Tidbury Green should be retained as a "washed over" Green Belt status as there has more an excess of recent development which has adversely affected the character of the settlement.

Widney Manor, Whitlocks End and Cheswick Green should be removed from the "washed over" allocation to allow for some smaller developments that would not affect the openness of the Green Belt and add to the housing land supply.

Q37. What compensatory provision should be made for land being removed from the Green Belt?

Where relevant please give examples that are specific to individual sites proposed for allocation.

A country park should be created on the site of the former allocation 13 S. Shirley as mitigation for loss of Green Belt in the Blythe area.

Q38. Do you have any comments on these amber sites, i.e. is it right they should be omitted, or do you believe they should be included, if so why?

As Sites 3 & part of 4 should be deleted from the allocation it will be necessary to use most of the amber sites for development, as most are easier to develop in the short term, being smaller sites they require less infrastructure, are more sustainable and of a lower green belt rating. However, the Blue Lake Road site (Ref. A5) and Site 59 at Kixley Road (Ref A4) should not be developed. All the other amber sites should be proposed for development.

Q42. What is the best way of measuring developable space for this purpose: bedroom numbers, habitable rooms or habitable floorspace?

Habitable floorspace.