

DRAFT SUBMISSION PLAN REGULATION 19 RESPONSE

SOLIHULL COUNCIL LOCAL PLAN REVIEW

LAND AT FOUR ASHES ROAD, DORRIDGE

ON BEHALF OF L&Q ESTATES

L&Q Estates

**TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004**

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1. INTRODUCTION

1.1 These representations are made by Pegasus Group, on behalf of L&Q Estates (formerly Gallagher Estates) in response to the Solihull Local Plan Review, Draft Submission Plan Regulation 19 consultation (October 2020). This representation relates to land at Four Ashes Road, Dorridge where L&Q Estates has an interest. Representations were made to previous consultations, and this submission should be read in conjunction with these. These representations should be read alongside the accompanying:

- Site Location Plan (**Appendix 1**)
- Housing and Economic Growth Paper (**Appendix 2**)
- Vision Document (**Appendix 3**)
- Landscape and Visual Statement with Green Belt Review (**Appendix 4**)
- Transport Sustainability and Access Note (**Appendix 5**)

1.2 The representations are framed in the context of the requirements of Local Plans to be legally compliant and sound. The tests of soundness are set out in the National Planning Policy Framework (NPPF), paragraph 35. For a development plan to be sound it must:

Positively Prepared – providing a strategy which, as a minimum, seeks to meet objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

Consistent with National Policy – enabling the delivery of sustainable development in accordance with the policies in the Framework.

- 1.5 These representations also give consideration to the legal and procedural requirements associated with the plan-making process.

2. BACKGROUND

Duty to Cooperate

- 2.1 The statutory Duty to Co-operate requires local planning authorities to work together to identify and address relevant strategic matters. Effective and on-going working is integral to the production of a positively prepared and justified strategy. In order to demonstrate that this has been undertaken, national Planning Practice Guidance (PPG) states that Statements of Common Ground should be prepared.
- 2.2 The Council has published its Regulation 19 Draft Local Plan Overall Approach Topic Paper, which contains a chapter on the Duty to Co-operate. However, whilst this sets out a timeline of events, it does not contain information on any agreement reached on key strategic matters with partner local authorities or key stakeholders, and no Statements of Common Ground are evident.
- 2.3 One of the key strategic issues needing to be dealt with by the Borough Council is the provision of sufficient housing not only to meet Solihull's own needs, but also to contribute to addressing a shortfall across the wider Greater Birmingham and Black Country Housing Market Area (the GBBCHMA).
- 2.4 Pegasus Group has prepared a Housing and Economic Growth Paper (**Appendix 2**) which considers the ongoing matter of the shortfall in detail, including Solihull's role addressing the matter. This appended Paper forms an integral part of these representations and must be treated as such however the key points are summarised below.
- 2.5 Solihull is one of 14 local authorities within the GBBCHMA. The Birmingham Development Plan (BDP), adopted 10th January 2017, identified a shortfall of 37,900 homes, which would need to be met within the wider HMA over the period 2011-2031.
- 2.6 The HMA Authorities commissioned a joint evidence base, cumulating in the Greater Birmingham HMA Strategic Growth Study (the SGS), published in February 2018. This covered a longer timescale than that of the BDP, running to 2036 in acknowledgement of the differing stages and timescales of local plan production across the partner authorities, and the requirement of the National Planning Policy Framework for Local Plans to have a minimum 15 year clear

timeframe from adoption. The report concluded an outstanding minimum shortfall of 28,150 dwellings to 2031 increasing to 60,900 dwellings to 2036.

- 2.7 Progress on delivering the shortfall across the authorities has been monitored and published via position statements although these have only been produced sporadically, with the most recent statement being issued in September 2020 after a gap of two years
- 2.8 Previous statements covered a short-term period 2011- 2031 and the longer period 2031 to 2036, reflecting the Strategic Growth Study. The previous statement (September 2018) showed that the shortfall by 2031 was 10,696, with the 2031 – 2036 period showing a much greater overall unmet need at 60,855 dwellings across the HMA, primarily (but not exclusively) relating to Birmingham.
- 2.9 This latest position statement only covers the period up to 2031, and states that the shortfall for this period has now reduced to just 2,597 although the statement does not link to any evidence to show how this figure has been reached. There is no detail in relation to the period to 2036 although it does say there is likely to be a continued unmet need beyond 2031 mainly relating to the Black Country Capacity Review Update (December 2019) which shows a shortfall of 29,260 to 2038 with at least 20,000 of this occurring after 2031.
- 2.10 The attached Paper demonstrates how some of the Local Authorities are addressing the shortfall, testing the recommendations of the SGS and the Areas of Search recommended by the study, and justifying the figures they are proposing based on the evidence jointly produced by the GBBCHMA authorities.
- 2.11 In comparison, Solihull has offered up a figure of around 2,000 homes but has provided no links to the evidence nor any rationale behind this offer. This is welcomed as a starting point, but as the attached Paper demonstrates, the figure should be far higher than this, with at least 11,500 additional homes being provided for to address the shortfall. This would reflect the active growth and further economic ambitions of the Borough as clearly set out in the Regulation 19 Plan, and would demonstrate that due regard has been had to the shared evidence base in fulfilment of the Duty to Co-operate.
- 2.12 The Area of Search for South of Birmingham Airport/NEC – Site 21, is one of the four Areas of Search that the SGS considers perform the strongest and is

recommended to be taken forward for future assessment as a New Settlement. However, paragraph 10.49 of the SGS sets out that due to the significant lead in time to deliver large strategic sites, given the requirement for technical work, masterplanning, establishing the policy framework, progressing planning applications, and bringing forward development and infrastructure which can take 10years +, there is a need to progress further technical and feasibility studies considering the potential for strategic development in these areas now. There is no evidence to show that this has been progressed, nor that any alternatives have been explored to this option.

- 2.13 The need to bring forward a mix in size and types of sites is therefore key to meeting local housing needs, and in the absence of a new settlement being explored and progressed, reasonable alternatives must be explored. If these are not, then this pushes higher levels of the shortfall to other parts of the GBBCHMA which will then create unsustainable patterns of growth. This could include skewed commuting patterns from residents of the GBBCHMA having to travel further to access the huge employment expansion in Solihull due to insufficient housing being provided in the locality, or increased pressures upon more environmentally sensitive areas within the HMA area, as can be seen from the detail of the SGS.
- 2.14 Whilst a start has therefore been made under the Duty to Co-operate, there is still much work to be done in fulfilling the purpose of the evidence base in collectively addressing the shortfall. Statements of Common Ground should be readily available showing that partner authorities are in agreement with any approach being undertaken. The apparent lack of these at this present time is a major issue and implies that there is no agreement. The approach taken by Solihull also appears to contradict the approach taken by other LPAs within the HMA who have advanced local plan reviews. This needs to be explored in detail as there are major implications for the plan's legal compliance otherwise.
- 2.15 Land at Four Ashes Road, Dorridge is geographically well related to the as yet unfulfilled Area of Search and should be considered as a reasonable alternative to delivering increased growth through a new settlement, as part of a comprehensive programme of exploring a range of additional, smaller sites which would be deliverable during the plan period.

3. PROPOSED POLICIES

Policy P1 UK Central Solihull Hub Area

- 3.1 It is clear that the Local Plan aims to capitalise upon the continued growth success which is evident in the area, and this policy covers Birmingham Airport, the National Exhibition Centre (NEC), Birmingham Business Park and Jaguar Land Rover, stating:

...each of which are key economic assets in their own right. This Plan seeks to support the future aspirations of the key economic assets in a holistic, well connected way, and to bring forward development of the area surrounding the HS2 Interchange Station at Arden Cross.

- 3.2 The emphasis of this policy, which falls within the 'Sustainable Economic Growth' chapter of the draft Plan, is to clearly support economic growth in this location, including demonstrating the Exceptional Circumstances required to release some Green Belt in order to be able to deliver the proposals.

- 3.3 However, the explanatory text to the policy suggests a somewhat confused situation in relation to the delivery of residential development. Paragraph 85 advises that the Hub Framework Plan (2018) could provide 'up to 4,000 homes' to 2047 'with about 1,000 delivered by 2033', but that the Urban Growth Company in its Hub Growth and Infrastructure Vision (2019) estimates 'up to 5,000 new homes'. Paragraph 89 states:

For purposes relating to housing land supply it has been assumed that across the whole UKC Solihull Hub Area there will be 2,740 dwellings coming forward in the plan period. This will be 2,240 at the NEC and 500 at Arden Cross based on the NEC masterplan (2018) and the emerging Arden Cross masterplan (2020).

- 3.4 However, these figures are only included in the supporting text. There needs to be a commitment in policy to quantifying the amount of residential development to be delivered by the hub, and specific referencing to the detail as to where this should go to ensure that the plan's deliverability is clearly evidenced, and to provide certainty in terms of the context and justification for the need to deliver additional land for housing as set out in Chapter 2 of these representations (Duty

to Co-operate) and the supporting Housing and Economic Growth Paper (**Appendix 2**).

Recommended change to Policy P1

- It is recommended that the policy is amended to specify the quantum of growth which the hub will deliver over the plan period.
- It is recommended that the policy is linked to clear plans showing where the residential growth will be delivered within the hub boundaries in order to show deliverability.

Policy P4A Meeting Housing Needs – Affordable Housing

- 3.5 Policy P4A will require the provision of 40% affordable homes on sites of 10 or more homes or where the site has an area of 0.5 hectares or more. The policy has been worded to reflect the current definitions as set out in the NPPF. It also references a future Supplementary Planning Document to be regularly updated so it can 'respond to the introduction of new tenures quickly and effectively if required'.
- 3.6 The flexible wording of the policy, including references to viability, is welcomed. However, it is recommended that further flexibility is built in the policy to account for any further changes which the Government may make (for example in relation to 'first homes').
- 3.7 It should be noted that the sheer scale of the affordable housing need highlights the duty of Solihull in needing to deliver additional housing over and above the standard method baseline and the requirement currently being proposed.
- 3.8 Recommended change to Policy P4A
- Amend paragraph 1 to state that affordable housing is defined by national policy. Including a current list in the policy itself could render the policy out of date if the national definition changes.

Policy P4B: Meeting Housing Needs – Rural Exceptions

- 3.9 This policy is supported, however as shown through the attached paper on housing (**Appendix 2**) the scale of the need is much higher than that currently

being planned for: not planning sufficiently for affordable housing as part of an increased housing requirement at the necessary strategic scale will place more pressure upon local communities to allow exceptions sites. 'Exceptions' should be just that: occasional sites to meet a particular local need, not further sites to address deficiencies in a strategic borough-wide plan.

Policy P4C – Meeting Housing Needs – Market Housing

- 3.10 The principle of the policy is supported, however this needs to be considered in the context of a greatly increased housing requirement over the plan period, as set out in the response to Policy P5 (Provision of Land for Housing) and the accompanying Housing and Economic Growth Paper (**Appendix 2**)

Policy P4D – Meeting Housing Needs – Self and Custom Housebuilding

- 3.11 The proposed policy will require developers of allocated sites to make a 5% contribution to Self and Custom Build Housing (open market dwellings) on residential sites of 100 units or more, but taking into account site specifics such as site size, viability and whether such provision would compromise other elements of the scheme. The plots would be offered for sale with outline planning permission, fully serviced to the boundary, with unconstrained access to the highway. The plots would be offered for sale for a period of 12 months to those registered on Solihull's Self and Custom-build Housing Register.
- 3.12 Taking into account all of the other policy demands upon delivering housing schemes, delivery could be seriously compromised by such a requirement. The flexibility provided within the policy, which enables case by case assessment of matters such as viability and the impact upon other requirements of the scheme (such as the ability to deliver an appropriate housing mix) sounds sensible in principle. However, this approach would only be workable if such detailed consideration on a case by case basis was to be allowed at the planning application state.
- 3.13 Given that the current system now generally discourages debate on viability at the decision-taking stage, with such matters expected to be addressed when plan-making, it cannot be assumed that this policy would work in practice.
- 3.14 There is nothing in the explanatory text to demonstrate how the matter has been considered in more detail at this point. The Local Authority cannot simply rely

upon developers to provide for all self and custom-build housing in fulfilment of its legal duty and should be exploring other options for delivery. Without evidence of other options having been thoroughly explored, L&Q Estates object to this policy.

Policy P4E – Meeting Housing Needs – Housing for Older and Disabled People

- 3.15 The policy takes forward the recommendations of the HEDNA, which, taking into account the ageing population of the Borough, concludes that the optional standard relating to Category M4(2) of the Building Regulations should be applied to all new development. At least 5% of housing on major development sites must be wheelchair user dwellings to M4(3) of the Building Regulations. All developments of 300 dwellings or more must provide specialist housing or care bedspaces in accordance with the Council's most up to date statement of need on older person's accommodation.
- 3.16 It is understood that these are the recommendations of the HEDNA, and the flexibility in the policy is welcomed in principle to allow case-specific matters to be considered. However, as with the policy on self and custom-build homes, the current system now generally discourages debate on viability at the decision-taking stage, with such matters expected to be addressed when plan-making. Therefore, it cannot necessarily be assumed that this policy would work in practice. Further justification is required to provide the necessarily elaboration.

Policy P5: Provision of Land for Housing.

Quantum of growth

- 3.17 The policy allocates land for 'at least' 5,270 net additional homes to deliver 15,017 additional homes in the period 2020-2036. The average target is 938 net additional homes per annum. New housing will be supported on 'windfall sites in accessible locations'. Housing will be 'a mix of small and larger sites'. Nationally Described Space Standards are to be applied. Density will take account of local context, accessibility by sustainable transport, the appropriate housing mix and the need to maximise efficient use of land.
- 3.18 In terms of the quantum of growth, L&Q Estates object as the 2,105 home additional contribution, whilst welcomed as a starting point, is simply not

sufficient to address the shortfall in the wider Greater Birmingham and Black Country Housing Market Area (‘the HMA). This is set out in detail in the Housing and Economic Growth Paper (**Appendix 2**). This Paper illustrates the current situation on the shortfall, the approach being taken by other Local Authorities, the implications of the HEDNA and the potential impacts of Government proposals to reform the planning system. The Paper should be read as an integral element of these representations.

- 3.19 In summary, however, the Paper concludes that the Solihull Local Plan should be, at the very least, testing the provision of a minimum of 11,500 additional homes to address the unmet need across the HMA instead of the circa 2,000 it is currently proposing. Without this additional housing growth to provide a sustainable balance with the level of economic expansion in the area, the plan has far reaching implications in terms of creating unsustainable patterns of growth and commuting across the HMA.

Housing Land Supply

- 3.20 The Solihull Local Plan identifies a housing target of 15,017 net new dwellings between 2020 and 2036, equating to an average of 938 dwellings per annum. This requirement includes a contribution to the GBBCHMA shortfall of 2,105.
- 3.21 The contribution to the GBBCHMA of 2,105 dwellings equates to the difference in the LHN and the proposed supply (including significant windfall allowance). This approach is fundamentally unsound. The housing requirement should be expressed as a minimum requirement, inclusive of any cross-boundary provision to provide certainty as set out in NPPF paragraph 65 which states:

Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (and any needs that cannot be met within neighbouring areas) can be met over the plan period.

- 3.22 Policy P5 falls short of committing to the delivery of 2,105 dwellings to meet needs arising within the wider HMA – instead this element of the full housing requirement equates to the flexibility in supply proposed. Such an approach is not consistent with national policy and the firm commitment that should be made in order to satisfy the duty-to-cooperate.

- 3.23 The Local Plan must provide certainty on this issue and the appropriate contribution must be included within a comprehensive housing requirement for the Borough. To be positively prepared, it is fundamentally important that Policy P5 of the Local Plan be redrafted to explicitly commit the Council to deliver the additional 2,105 homes (or any updated contribution to the unmet needs of the GBBCHMA) through this Local Plan as part of a comprehensive housing requirement. To provide certainty the housing requirement (including cross boundary housing commitment) can be delivered, further housing land supply must be identified.
- 3.24 The Council should allocate around 20% more housing land than that required to deliver the housing requirement to provide the necessary flexibility for non-delivery of sites and to boost significantly the supply of housing. An over allocation of up to 20% was suggested by the Local Plans Expert Group which reported its findings to Government in March 2016¹. Therefore, to provide certainty that the housing requirement of 15,017 homes will be delivered between 2020 and 2036, a further supply of land to deliver approximately 3,000 should be identified.

Trajectory

- 3.25 The housing land supply position is based upon the LHN and does not factor any uplift necessary to ensure the delivery of the cross boundary provision. The 5 year housing land supply calculation should be recalculated on the basis of a housing requirement incorporating any cross-boundary commitment.
- 3.26 Further evidence is necessary to justify the proposed stepped trajectory.

Windfall

- 3.27 The inclusion of a windfall allowance of 200 units per annum in respect of supply is not supported. This equates to nearly 20% of the proposed housing land supply to 2036. If the Council is promoting a fully Plan-led approach to delivering growth, then there is no need to include an allowance in the housing supply from windfall sites. The Local Plan should allocate sufficient land to meet the total housing requirement without any reliance on windfalls. Reliance upon windfalls

¹ <https://www.gov.uk/government/publications/local-plans-expert-group-report-to-the-secretary-of-state>

does not allow the Council to appropriately plan for the provision of necessary supporting infrastructure and form a robust spatial strategy. Furthermore, there is a danger for overreliance on windfall sites within the supply with overly optimistic completions rates particularly when the larger allocated sites are expected to start delivering. Making an allowance for windfall development provides no certainty of delivery and a housing supply strategy based upon a heavy reliance of windfall sites cannot be deemed as sound.

- 3.28 The Council references the increase in windfall supply within the Borough since 1992, however this is unsurprising on the basis the current development plan for Solihull is out of date and plan-led supply opportunities for development have diminished over time. Therefore, the average windfall supply in the past cannot be accurately projected forward. There is no 'compelling evidence', as required by NPPF paragraph 70.

Nationally Described Space Standards

- 3.29 The Technical Housing Standards (Nationally Described Space Standard) was published by the Department of Communities and Local Government on 27th March 2015. Its publication was accompanied by a Planning Update issued as a Written Ministerial Statement to Parliament by the Rt. Hon. Sir Eric Pickles MP on 25th March 2015. Further notes for clarification were added on 19th May 2016. It is now published under the Planning Practice Guidance.
- 3.30 The guidance is clear: that such standards are optional and can only be introduced when there is evidence to justify the case. The guidance states:

Local planning authorities have the option to set additional technical requirements exceeding the minimum standards required by Building Regulations in respect of access and water, and an optional nationally described space standard. Local planning authorities will need to gather evidence to determine whether there is a need for additional standards in their area and justify setting appropriate policies in their Local Plans. (Paragraph: 002 Reference ID: 56-002-20160519, Revision date: 19 05 2016).

- 3.31 Furthermore, the guidance then goes on to state that

'Local planning authorities should consider the impact of using these standards as part of their Local Plan viability assessment. In considering the costs relating to optional Building Regulation requirements or the nationally described space standard, authorities may wish to take account of the evidence in the most recent Impact Assessment issued alongside the Housing Standards Review.' (Paragraph: 003 Reference ID: 56-003-20150327 Revision date: 27 03 2016).

- 3.32 There does not appear to be any evidence to justify a blanket introduction of such standards, and the viability assessment simply states 'applies to all sites' (page 9). The policy is clearly not compliant with national guidance which requires evidence to justify policy. L&Q Estates therefore object and request removal of this element of the policy.

Density

- 3.33 The flexibility afforded to the section of Policy P5 on density is supported. However, it is not certain how such a policy would be impacted should all of the various standards be implemented, including Nationally Described Space Standards. This policy and its implications need to be considered in the round, including assumptions used for determining the capacity of sites being put forward for allocation.
- 3.34 The Council should be demonstrating how this policy will be implemented in practice, and should be providing evidence to show that it has allocated enough land to deliver the stated number of homes taking into account all of the aforementioned standards, without recourse to the need to make further allocations (notwithstanding the matter of the need to increase the requirement). Without this evidence, the plan is not considered to be sound.

Policy P17: Countryside and Green Belt

- 3.35 Part 2 of this policy references Green Belt designation as identified on the Policies Map. However, this policy must be looked at 'in the round' with the other matters which the plan must address, including the need to release further Green Belt to address unmet residential need over the plan period as set out elsewhere in these representations. The Policies Map would therefore need to reflect this.

- 3.36 The NPPF, paragraph 139 c) states that when defining Green Belt boundaries plans should:

Where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period.

- 3.37 As set out in the Housing and Economic Growth Paper at **Appendix 2**, it is clear that there is a significant and unresolved need across the housing market area stretching in to the latter years of the plan period, and far reaching consequences in relation to the growth agenda as set out by the White Paper. It is clearly necessary for the plan to safeguard land, which could be brought forward as a series of reserve options to provide flexibility and a balanced approach for delivering sustainable development both within and beyond the plan period.

Policy P17A: Green Belt Compensation

- 3.38 This policy should be removed. Paragraph 138 of the NPPF clearly states that it is for the plan-making process to

set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land

- 3.39 This is a matter to be tested as part of the justification for providing the Exceptional Circumstances to release sites from the Green Belt at the plan-making stage. The Council needs to demonstrate compensatory provision relative to the Green Belt release, it is not for the developer to undertake this exercise at the planning application stage.

Settlement Policies: Knowle, Dorridge and Bentley Heath

- 3.40 Two allocations are proposed for the Knowle, Dorridge and Bentley Heath area. The first, KN1(Hampton Road) lies to the north east of the settlement. The second, KN2 (Arden Triangle) lies along the eastern edge. Further detail is included in the Concept Masterplans which accompany the policies.

Policy KN1 (Hampton Road)

- 3.41 This allocation, for 180 dwellings, lies across two sites to the north eastern edge of Knowle covering 13ha in total. The concept masterplan seems to point to the delivery of a sports hub being a key driver for the development, with the existing sports provision on both the north and southern sites being relocated northwards into the Green Belt, to facilitate the current playing pitches in these locations being developed for housing and removed from the Green Belt accordingly.
- 3.42 The concept masterplan highlights that there are significant challenges to overcome with the delivery of this site.
- 3.43 A portion of the northern site incorporates the Local Wildlife Site Purnell's Brook and Woodland. The setting of the Grade 1 listed Grimshaw Hall opposite the site to its east is a significant consideration. Development must also have regard to potential flood risk areas which are highlighted.
- 3.44 The Concept Masterplan demonstrates that there are major concerns with the proposals. On page 80 it is stated:

The Council acknowledged the amount of consideration given to the design approach however suggested there was a need to check off-set distances along Purnell's Brook and the LWS. A request was made for more detailed information to inform the deliverability of the sports pitches and the likely impact of this given the significant level changes across the site and the likely ecological impact on Purnell's Brook and the Canal. The visual impact of the sports facilities and the impact on the setting of the listed building was also raised.

- 3.45 Furthermore, on page 81 it is stated:

Harm to the setting of the Grade 1 listed Grimshaw Hall should be avoided. Only if harm cannot be avoided should mitigation be considered, and then it should be fully justified and demonstrated to be successful in reducing harm.

- 3.46 Furthermore, Policy KN1 reflects the text of the concept masterplan stating:

Development of the site should be consistent with the principles as shown in the concept masterplan, which include: i) Preserving the setting of the Grade 1 Listed Grimshaw Hall. Development should be set back from the immediate locality to avoid harm. Only if harm cannot be avoided should mitigation be considered, and then it should be fully justified and demonstrated to be successful in reducing harm;

3.47 This approach is objected to. Harm can wholly be avoided at the plan preparation stage, by not allocating the site. It should not be left for a planning application to address. The building in question is the highest category of listed building. The Council should be addressing this matter properly and transparently and should instead be allocating sites to this settlement which will demonstrably cause less harm.

3.48 Policy KN1, Hampton Road, Knowle should be deleted

Policy KN2 (Arden Triangle)

3.49 This allocation is for 600 homes plus redevelopment of the Arden Academy secondary school and provision of a primary school. Our client has a number of concerns with this allocation.

3.50 In terms of deliverability, the trajectory for Policy KN2 states that the 600 homes would be delivered across two phases, 0-5 years and 5-10 years. Yet it is difficult to see how this can be achieved.

3.51 The Glossary at Annex 2 to the NPPF states:

To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years.

3.52 The site, however, is in fragmented ownership. The concept masterplan shows a complex area, with several different issues to overcome. These need to be addressed as a whole, to ensure a properly co-ordinated approach which can be delivered in accordance with the requirements of Policy KN2. There appears to be little evidence to show a) how each SHELAA site is deliverable within the period indicated and b) how the process will be co-ordinated in fulfilment of the stated

trajectory and in line with NPPF paragraph 72 which sets out expectations for the delivery of large developments.

- 3.53 Without this evidence policy KN2 is not justified, not robust and therefore unsound.
- 3.54 Policy KN2 also makes clear that the allocation of this site should deliver a series of Green Belt enhancements which include woodland planting, improved landscaping, on site green and blue infrastructure that is multifunctional and accessible, public open space, access improvements to the wider Green Belt beyond the site boundary, biodiversity enhancements and any other compensatory improvements that are considered acceptable.
- 3.55 Policy KN2 also requires the Concept Masterplans to be read alongside the policy.
- 3.56 It is difficult to see how such enhancements could be achieved given the amount of built development being proposed for this allocation. The appears to be no off-site mitigation proposed and indeed that would be difficult to secure and is unnecessary given that such matters should be dealt with strategically at the plan-making stage. This is also set out in our response to Policy P17A: Green Belt Compensation.
- 3.57 It is clear from the concept masterplan that there have been concerns raised through consultation about potential development to the southern section of the proposed allocation in terms of the ecological designations, heritage setting, the need to retain hedgerows and trees and the lack of open space.
- 3.58 It would seem, therefore, that the capacity of the proposed allocation needs to be reduced to ensure that the site can deliver a sustainable development which protects the heritage and ecological designations and provides adequate compensation for Green Belt release at source and in line with the requirements of the NPPF. Further capacity can be found elsewhere in the settlement to accommodate the reduced numbers from this allocation, such as Land at Four Ashes Road as set out in Chapter 4.
- 3.59 Policy KN2 and the associated concept masterplan should be revised to reduce the capacity of the site and provide adequate compensation for the loss of Green Belt. Deliverability must also be clearly demonstrated to ensure that the policy is sound.

4. LAND AT FOUR ASHES ROAD, DORRIDGE

4.1 Site Location

4.2 L&Q Estates is promoting land at Four Ashes Road to the south of Dorridge for housing development, SHELAA reference site 199. The land being promoted is split into two sections, which sit to the north and south of Earlswood Road. The northernmost section (Site A) is 2.89 hectares in size and could accommodate c. 60 dwellings. This is the main priority in terms of the land being promoted and can be considered as an option on its own merits. The southernmost section (Site B) is 1.8 hectares in size and could accommodate c.35 dwellings. This section is to be considered as a potential extension to site A, but not as a standalone option. A location plan is attached at **Appendix A**.

Site Description and Context

4.3 The site comprises two parcels of land which are located to the north and south of Earlswood Road to the south western side of Dorridge.

4.4 The larger parcel is located to the northern part of the site and is a triangular parcel of land bounded by Box Trees Road to the west, Four Ashes Road to the east and Earlswood Road to the south. It comprises of two fields currently in agricultural use, the site is bounded by hedges and contains a number of mature trees.

4.5 The smaller parcel is broadly rectangular in nature and is delineated by Earlswood Road to the north and to the east and well-defined hedgerow boundaries to the south and west. This comprises of one agricultural field bounded by hedgerows and mature vegetation.

4.6 Dorridge is one of the Borough's larger rural settlements and is located in the south of Solihull Borough and to the south east of the main urban area. To the east of the northern part of the site, Four Ashes Road is characterised by existing residential development along its entirety with properties fronting Four Ashes Road and further residential development to the east. Immediately to the north of the northern site there is residential development along the western side of Four Ashes Road which continues northwards. To the east of the southern site there is residential development fronting Earlswood Road, there are also occasional

properties located south of the southern site on the western side of Earlswood Road.

- 4.7 The site is wholly within the West Midlands Green Belt and has a public footpath running along the northern boundary of the northern parcel. The public right of way runs east to west connecting to Four Ashes Road to the east and Box Trees Road to the west. There are no listed buildings within or adjacent to the site, with the closest listed building sited 0.4km to the north-east beyond existing built development in Dorridge, as such, there are no known heritage constraints to the development of the site.
- 4.8 The site falls within the Environment Agency's Flood Zone 1 (Land having a less than 1 in 1,000 annual probability of river or sea flooding). Topographically, the site gradually rises from the junction of Earlswood Road and Ettington Close to the north-west corner of the site which borders Box Trees Road.
- 4.9 Aside from the site being within the Green Belt, there are no statutory or non-statutory landscape designations covering the site.
- 4.10 Dorridge is one of the Borough's larger rural settlements and is highly accessible within easy access of the motorway network, accessible to both the M40 and M42. The settlement also benefits from the centrally located Dorridge railway station which provides passengers with a regular service to central Birmingham. As one of the Borough's larger rural settlements, Dorridge and Knowle provide a range of services and facilities.
- 4.11 **Proposed Development**
- 4.12 As set out at the start of this chapter, the land being promoted is split into two sections, which sit to the north and south of Earlswood Road. The northernmost section (Site A) is 2.89 hectares in size and could accommodate c. 60 dwellings. This is the main priority in terms of the land being promoted and can be considered as an option on its own merits. The southernmost section (Site B) is 1.8 hectares in size and could accommodate c.35 dwellings. This section is to be considered as a potential extension to site A, but not as a standalone option.
- 4.13 The details of the proposed development can be seen in the Vision Document attached at Appendix 3, chapter 4 which includes the illustrative masterplan at Fig. 4.1.

Sustainability

- 4.14 The site is located within a 15 minute walk of Dorridge Village Centre, ensuring convenient access to local amenities such as a supermarket, bank, ATM, petrol station and pharmacy. Local primary schools are located within 2km of the site, with a large secondary school situated in the neighbouring village of Knowle.
- 4.15 The roads surrounding the site are suitable for cycling, this includes an off-road shared use cycle route, available to the southwest of the site, accessed via Box Trees Road. This route runs parallel to the A3600 and crosses the M42 via the bridge access into Blythe Valley Park. The cycle route continues to the north to provide a connection to Monkspath and to Solihull. All of Dorridge is within convenient cycling distance of the site.
- 4.16 The nearest bus services to the site route along Grange Road to the southeast of the site. These stops are served by the A7 and A8 South Solihull Circular services which run hourly. Additionally, the hourly A3 Solihull to Dorridge service which routes via Widney Manor is available from bus stops close to the railway station.
- 4.17 Dorridge railway station is located approximately 1.4km to the east of the site. The station has 3 platforms. Platform 1 serves southbound Chiltern Railways and West Midlands Railway services to Warwick, Leamington Spa, London Marylebone and Stratford-upon-Avon. Platform 2 serves northbound trains towards Birmingham, Stourbridge Junction and Kidderminster and platform 3 is used by terminating West Midlands Railway services.
- 4.18 The train station is located within convenient walking distance of the site and is likely to be a key destination for residents. The available pedestrian and cycle routes between the site and the station provide a good opportunity for travel by this mode of transport. The station also benefits from 30 cycle parking spaces located outside the main entrance to the station. The site is therefore highly sustainable.
- 4.19 The Transport Sustainability and Access Note at **Appendix 5** contains further details to demonstrate the sustainability credentials of the proposals.

Demonstrating Deliverability

- 4.20 The glossary to the NPPF states that in order to be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years. The paragraphs below demonstrate how the site is suitable, available and achievable to accommodate residential development.

Availability

- 4.21 L&Q Estates has demonstrated through the continued active promotion of the site that they are supportive of the development of the site to deliver much needed new homes.
- 4.22 As such, there is nothing to prevent this site from being delivered immediately upon its removal from the Green Belt and the receipt of the necessary consents. The site can therefore be considered to be available.

Suitability

- 4.23 The site benefits from a sustainable location and is therefore well placed to meet the current and future development needs of both Dorridge and the wider Housing Market Area.
- 4.24 As identified above, the site is well served by public transport and a number of local services and facilities are within a short walking and cycle distance or short public transport journey from the site. The site would therefore be well placed to ensure that future residents would have excellent sustainable access to a diverse range of services and facilities.
- 4.25 The site is located within an area bordered by residential land uses and its development would result in limited visual impact upon the landscape. Given the above it is respectfully suggested that the site be considered to be suitable for development.

Achievability

- 4.26 The site is located within Flood Zone 1, the area at lowest risk from flooding. The topography of the site does not preclude the site from being developed. The

Proposed Illustrative Masterplan carefully considers the prevailing topography and has been designed accordingly.

- 4.27 Vehicular access to the northern parcel would be achieved off Four Ashes Road, close to the centre of the site frontage. Access to the southern parcel can be achieved off the section of Earlswood Road to the east of the site, south of the existing junction with Nailsworth Road.
- 4.28 The site is therefore not subject to any major physical constraints which would prevent development from being achieved.

Draft Local Plan Proposals

- 4.29 Two allocations are proposed for the Knowle, Dorridge and Bentley Heath area. The first, KN1(Hampton Road) lies to the north east of the settlement. The second, KN2 (Arden Triangle) lies along the eastern edge. Further detail is included in the Concept Masterplans which accompany the policies.
- 4.30 As set out earlier in these representations, there are concerns with the way in which the proposed allocations for the Knowle and Dorridge and Bentley Heath Area have been assessed and brought forward. In terms of allocation KN1 there are concerns that this will have negative impacts upon the setting of a Grade 1 listed building and that this has not properly been explored. In terms of KN2 there are concerns that the fragmented ownership of the allocation will impact upon delivery, and that the site does not provide enough opportunity for compensatory measures for loss of Green Belt.
- 4.31 It is also clear from the information contained within these representations and their appendices that the Local Plan housing requirement figure needs to significantly increase and that a result further Green Belt sites will need to be released in sustainable locations to meet unmet need.
- 4.32 The Council has published a schedule of site assessments (October 2020). However, this incorrectly represents our Client's site. The site reference is Site 199, which reflects the SHELAA numbering.
- 4.33 The SHELAA (2016) correctly maps the northern and southern sections of the site and concludes that it is available, achievable and deliverable. In coming to these conclusions it notes that access is adequate, the site lies within Flood Zone 1, is

Grade 5 agricultural land, is not within or adjacent to a Local Wildlife Site, is not constrained by contamination, gas pipelines or bad neighbours, has no heritage constraints and lies adjacent to a free standing rural village.

- 4.34 The 2020 site assessment however, which has been used for the site selection process, only maps the southern section of the site (which is our clients 'additional option' as explained earlier in these representations). The text does, however, refer to both parcels and states:

Whilst the site is located adjacent to the built up area, it would breach an existing strong Green Belt boundary. The site, which is in a lower performing parcel of Green Belt is in two parts; development of the southern part would result in unacceptable incursion into the countryside, creating an indefensible Green Belt boundary and setting a precedent for the development of surrounding land. The northern part of the site is contained by existing roads, but development would extend the built up area of Dorridge to the west, eroding the narrow gap between Dorridge and Blythe Valley Park. The site has low/medium accessibility in an area with medium landscape character sensitivity, medium landscape value and a low landscape capacity to accommodate new development. The SA identifies mainly neutral effects, with 4 positive and 3 negative effects.

- 4.35 These findings are disputed. Using the Council's own assessment criteria, the Vision Document provides detailed and accurate assessment taking into account site specifics to show how the site could be brought forward without detrimental impacts.
- 4.36 In terms of the Green Belt, The Solihull Strategic Green Belt Assessment Report (July 2016) identifies that the site is located within Refined Parcel RP47 'Land to south of Earlswood Road, Dorridge. The assessment scores each Refined Parcel against four purposes of the Green Belt. It concludes that the parcel is 'higher performing' overall.
- 4.37 However, it is considered that our client's site can be developed with minimal impact upon the Green Belt. This is demonstrated in Section 3 of the Vision Document, and through the detailed Landscape and Visual Statement and Green Belt Review (Appendix 4).

- 4.38 Furthermore, it is essential that the credentials of the site are considered in the round, taking into account other relevant assessments. Section 5 of the Vision Document assesses the site against the criteria used by the Council in relation to the SHELAA and the Sustainability Appraisal. It concludes that Land at Four Ashes Road would have a low impact when judged against each individual criterion.
- 4.39 The site has sufficient capacity to assist with providing compensatory improvements to offset the impacts of removing the site from the Green Belt, in fulfilment of NPPF Paragraph 138. This is a significant benefit of the scheme.
- 4.40 The merits of the proposals as set out in the Vision Document show that there are Exceptional Circumstances, as required by Paragraph 136 of the NPPF, to justify the release of the site from the Green Belt to deliver essential housing growth for which there is an urgent and proven need. As a very minimum this site should be safeguarded to provide the necessary flexibility for future needs although it is considered that the urgent matter of unmet need means that it should be brought forward now.

5. CONCLUSIONS

- 5.1 Land at Four Ashes Road (**Appendix 1**) is within the control of L&Q Estates and is developable and would contribute significantly towards meeting housing needs within the Borough, delivering in the region of 60 dwellings (site A) and a potential further 35 to the optional Site B.
- 5.2 There are no known constraints that would prevent the site coming forward as proposed. The suitability of the site for development is fully detailed within the Vision Document (**Appendix 3**).
- 5.3 The evidence provided within the Landscape and Visual Statement and Green Belt Review (**Appendix 4**) demonstrates that in Green Belt terms the site is suitable for consideration as a 'Green Site' and should be reassessed objectively by the Council and considered as a suitable site for housing development to assist with addressing the ongoing shortfall.
- 5.4 The Transport Sustainability and Access Note at **Appendix 5** demonstrates the sustainability credentials of the proposal including detail on walking, cycling, rail and bus travel.
- 5.5 Land at Four Ashes Road would support the delivery of the Council's preferred approach that focuses development towards the most sustainable locations, including Dorridge.

APPENDIX 1

SITE LOCATION PLAN

APPENDIX 2

HOUSING AND ECONOMIC GROWTH PAPER

APPENDIX 3

VISION DOCUMENT

APPENDIX 4

LANDSCAPE AND VISUAL STATEMENT: GREEN BELT REVIEW 2017

APPENDIX 5

TRANSPORT SUSTAINABILITY AND ACCESS NOTE