



**REPRESENTATIONS TO THE SOLIHULL LOCAL PLAN REVIEW DRAFT
LOCAL PLAN SUPPLEMENTARY CONSULTATION (JANUARY 2019)
ON BEHALF OF MR AND MRS I WILLIAMS**

**WOODFORD, GRANGE ROAD, DORRIDGE, B93 8QA
SHELAA SITE REFERENCE 127**

These representations have been prepared by Oakwood Planning on behalf of the owners of the property known as Woodford, Grange Road, Dorridge which is identified as Site 127 in the SHELAA/Site Assessments.

The comments predominantly respond to the Draft Local Plan Supplementary Consultation: Site Assessments in respect of Site 127 and linked to that provide some comments on a number of the consultation questions posed in the Draft Local Plan Supplementary Consultation.

At the outset, it should be noted that whilst it is understood that Site 127 was put forward by the previous owners of Woodford, the new owners, Mr and Mrs Williams are supportive of Site 127 being put forward for residential development.

Within the aforementioned documents, Site 127 is identified as 'red' i.e. 'not to be included in the plan.' This means that the development of the site has been assessed as having 'severe or widespread impacts that are not outweighed by the benefits of the proposal'.

This categorisation is disputed for a number of reasons which are now set out.

Site Selection

Step 1 – Site Hierarchy

Site 127 has been correctly classified as part brownfield, part greenfield, within a lower performing parcel of Green Belt. Site 127 has been given an overall "medium" accessibility score but it should have an overall "medium/high" accessibility score (see comments below under Accessibility Study).

However, the Site Selection Step 1 score given is 9. A score of 9 is defined as 'Green belt non PDL in isolated location. Lower/moderately performing Green Belt will generally have a combined score of 7 or less'.

Part Brownfield

Having regard to the fact that Site 127 is part brownfield and part greenfield, it cannot be described as 'non PDL'. There is a house, separate garage and a number of other structures on site.

Site 127 is part PDL and the criterion does not accommodate for this distinction from complete brownfield or complete greenfield sites.

In any event, preference should be given to part PDL sites over completely greenfield sites (see comments below on selection criteria).

Accessible Location

Site 127 cannot be described as in an 'isolated location'. Site 127 is within easy walking distance of the centre of Dorridge, shops, bus stops, train station and a number of community facilities such as the cricket club, bowling club, Dorridge Village Hall and Railway Inn surround/are situated very close to Site 127.

Site 127 meets the definition of an "accessible location". Footnote 35 in the document defines an "accessible location" and Site 127 does indeed lie on the edge of Dorridge which has a wide range of services including a primary school and range of retail facilities. Site 127 is located within the Dorridge road sign, has a footpath immediately outside the site and an existing road access (including an existing dropped curb entrance). Footnote 35 further states that in this context, a broad approach to accessibility is used based on a sites' location in/edge of urban area or settlement. A finer grain of accessibility is used at Step 2. (However, note that at Step 2, accessibility is only a factor against a site if the finer grain accessibility shows the site is not accessible and Site 127 is clearly an accessible site).

It is noted that the proposed approach in KDBH (para 234 of the Plan) is that "sites that are close to the existing settlement or are/can be well-served by public transport will be preferable". Site 127 is both of these.

It is noted that other sites proposed to be allocated in Dorridge are more distant from some amenities than Site 127. Also, the Amber site Land off Blue Lake Road, Dorridge has been identified as being 'just a short distance to the east of the centre of Dorridge' but some parts of that Amber site are substantially further than Site 127 to the centre of Dorridge.

The comment about Knowle/Dorridge/Bentley Heath villages being considered suitable for growth is agreed.

Additional Comments

The other comments made in respect of Step 1 are of a generalised nature and it is noted that they are not part of the selection criteria set out for this stage of the assessment.

The comment made that the Green Belt gap to urban areas should be protected is:

- a) a general statement and not part of the site selection criteria listed in Step 1; and

b) although the GBA identifies that RP47 (containing Site 127) is moderately performing in purpose 2 (preventing neighbouring towns merging into one another), a site-specific assessment is required. Site 127 is the closest to the settlement being right at the edge of Dorridge and there is a very significant gap between Dorridge and Hockley Heath and the inclusion of Site 127 would have the least impact on that gap.

The general comment about ensuring no net loss of diversity is:

- a) a comment relevant to any site put forward for consideration, so no more or less relevant to Site 127;
- b) not part of the site selection criteria listed in Step 1; and
- c) in any event the SHELAA assessment confirms Site 127 is not within or adjacent to a Local Wildlife Site and the SA Impact SA9 should be classed as neutral (see comments below).

The comment that the site "would extend beyond strong defensible Green Belt boundary" is:

- a) not part of the site selection criteria listed in Step 1 and as such not relevant at this stage of the assessment (it seems more of a subjective judgement); and
- b) we refer to the comments below in respect of Step 2 - Refinement Criteria - about the need to extend the Green Belt boundary generally and how, for Site 127, a new strong defensible boundary can be created.

Summary of Step 1 Assessment

In applying the assessment criteria at Step 1, if Site 127 were classed as brownfield it would meet the criterion for "3" i.e. "Green Belt PDL in highly/moderately accessible location (i.e. located on edge of or in close proximity to urban edge/settlement boundary)".

It is acknowledged that Site 127 is part brownfield and part greenfield and in view of the above facts, it is considered more appropriate to have categorised the Site Selection Step 1 score as at least '5' given that this identifies site 127 to be lower performing Green Belt, in an accessible location and is green belt non PDL (noting that some of this site is PDL). As such, Site 127 should be categorised as at least 'Yellow' at Step 1.

However, a score of "5" would still not properly recognise the part PDL status of Site 127. On this basis, our view is that Site 127 should be at least at the very top of the category of sites scoring a 5. Indeed, Mr and Mrs Williams submit that a score of "5" is too low for Site 127. Given the PDL status and that Site 127 goes beyond the requirements for a score of "5", they believe there is a strong argument that the categorisation should be higher than 5 and that Site 127 is equivalent to a Score "4" and therefore should be assessed Green and suitable for inclusion and there are no exceptional reasons why not.

Refinement Criteria in Step 2

Given the strong arguments above in relation to re-assessing Site 127 as Green at Step 1, there would be no need to consider Step 2 and assess the site against the Refinement Criteria. However, we make these comments for completeness as if the site were scored at 5 and "Yellow".

Higher Performing Sites

Given that Site 127 was originally assessed as 9 under Step 1, it would seem that the Refinement Criteria were not applied at all as they are to be used "principally to confirm whether "potential" allocations (yellow) should be included as green or amber in the consultation, and whether "unlikely" allocations (blue) should be included as amber or red sites". The summary illustration at para 73 shows red sites bypassing Step 2 and remaining as red. At best, the Refinement Criteria seem to have been applied as if it were a site which did not perform well. However, the opposite approach should be taken, given the arguments raised above and that Site 127 should be correctly classed as a higher performing site.

The factors set out in the table of Refinement Criteria are applied differently depending on the assessment of the site made at Step 1. This is because "higher performing sites need more significant harmful impacts if they are to be excluded and for sites not performing well, they will need more significant justification to be included".

If a Step 2 assessment was needed (which is disputed), a re-assessment of Site 127 under Step 1 would mean that it would be at the very top of the high performing sites (given that Green sites do not usually go through the Refinement Criteria). As a very high performing site, more significant harmful impacts would be needed to exclude Site 127.

Evidence and Application of Refinement Criteria.

In any event, if the Refinement Criteria were applied to Site 127 in the original assessment, we do not agree that the Step 2 criteria have been applied correctly to Site 127.

The Refinement Criteria in Step 2 is a planning judgement but there needs to be a consistency and reasonableness of planning judgement for each site to be considered.

We make the following points on the flaws in the Evidence and the application of the Refinement Criteria in respect of Site 127.

SHELAA Site Assessment.

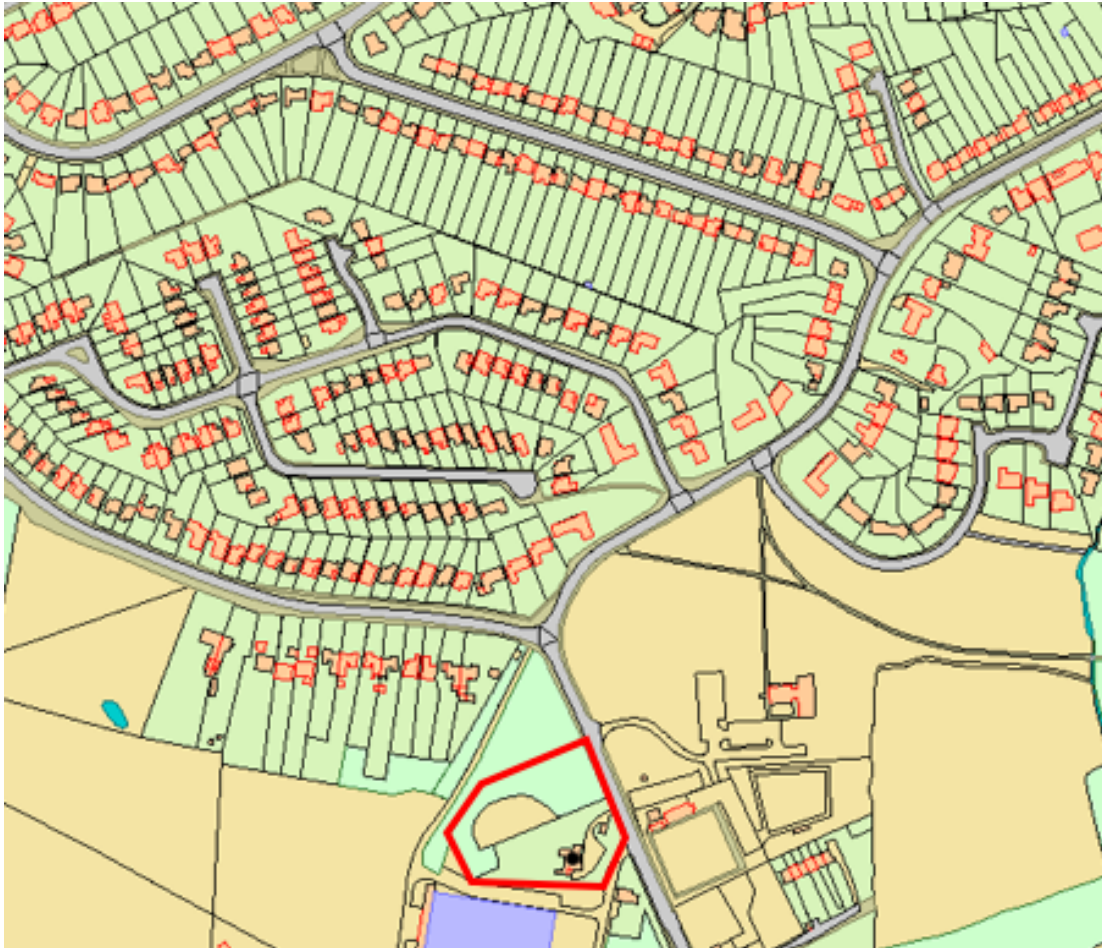
Site 127 is given a Category 2 assessment based on the three criteria. This Evidence is not agreed. Site 127 should be Category 1. The Technical Note in Volume B: Appendices sets out the Assessment Criteria for Housing. Sites with a total "suitability" score of over 35 are given an overall suitability score of 3 (meaning the site is suitable and could contribute to the five-year supply). On the basis of the current assessment, Site 127 has a total "suitability" score of 43, which is well over 35, and so should equate to an overall suitability score of 3. There are no suitability factors other than those listed which indicate a different overall suitability score and there are no exceptional circumstances. (Note: a) the assessment on agricultural land is not agreed and the 'agricultural land' score should be 5 (for the reasons set out under the SA Impact section below Site 127 is urban use i.e. non-agricultural and b) the assessment on location is not agreed and should be a 3 for the reasons set out in this Response, and that would make the overall score 46).

In summary, even based on the current assessment, the suitability score should be a 3. The availability and achievability scores are also 3. Table 5.1 shows that sites which score a 3 in

each category equate to a "Category I site" (i.e. sites which are suitable and could contribute to the five year supply). Accordingly, Site 127 is a Category I site.

Accessibility

The commentary describes Site 127 as lying 'away from the main built up area of Dorridge'. This is not agreed. The below map shows that Site 127 is part of the settlement and the small area to the immediate north cannot be a determining factor to suggest otherwise.



Site shown by red outline. Adapted from Council mapping system

In addition, this statement is not part of the Refinement Criteria. The factor of accessibility has already been assessed at Step 1 and, as noted above, Site 127 is in an accessible location. In any event, accessibility is further confirmed by the Accessibility Study and SA Impact as set out below.

It is also noted that the small area of land to the north of Site 127 contains a sub-station.

Green Belt Boundary

The commentary goes on to say that Site 127 would 'breach established Green Belt boundaries and create an indefensible boundary, thereby opening up the surrounding land for development'. This is not agreed. Site 127 is currently Green Belt. However, the SHELAA indicated that 96.5% of the "theoretical capacity" identified in the study would be in

Green Belt. So the vast majority of sites submitted will breach established Green Belt boundaries and this cannot be a conclusive factor given the sites currently allocated as Green in the draft Consultation. The Plan accepts that a redefined Green Belt boundary will need to be established. In this case, given the re-assessment of Site 127 under Step 1, this factor should be assessed on the basis that the site is higher performing (and not on the basis that it is lower performing with a very low score of "9" (if indeed the Refinement Criteria were applied to the Site at all in the original site assessment)).

In addition, the release of Site 127 from the Green Belt for residential development would not mean that large areas of surrounding land would also need releasing from the Green Belt and nor would the residential redevelopment of Site 127 inevitably open up surrounding land for development. This is because there are clear physical boundaries for the development site and the surrounding land uses (described above) are community uses such as village hall, bowls, cricket club, pub and if any application were proposed for residential redevelopment of those uses, the loss of those community uses would be a key material consideration. It is quite possible to release Site 127 from the Green Belt for residential development on its own site specific circumstances, principally its physical boundaries and relationship to Dorridge. It would not therefore result in the Council having to release adjoining land. Site 127 does not and cannot encroach onto the open countryside and is entirely self-contained. In these respects, it is a unique parcel of land.

Strong Defensible Boundary

We refer to the points above on Site 127 being unique and the ability to limit the release from the Green Belt in relation to the ability to create a strong defensible boundary. Furthermore, with regards to creating an indefensible boundary, Site 127 (plus the small area to the north) is also unique in that it is physically surrounded by roads.

The physical road boundary could easily and clearly create a new logical and strong defensible Green Belt boundary line.

As such, the fact that the roads (being strong, physical, ready recognisable, permanent demarcations limiting the extent of the site and release from Green Belt) is a factor in favour of Site 127 according to the Refinement Criteria. The "Factors in favour" of a site include "sites that would use or create a strong defensible boundary to define the extent of the land to be removed from the Green Belt."

Green Belt Assessment

It is agreed that Site 127 is in a lower performing parcel of Green Belt (RP47).

In addition, although RP47 as a whole is deemed moderately performing in respect of purpose 2 (preventing neighbouring towns merging into one another) and purpose 3 (to assist in safeguarding the countryside from encroachment), Site 127 has site specific circumstances to consider.

Given the location of Site 127 at the edge of Dorridge, combined with the surrounding land uses, roads surrounding the site, the site not being open fields and that it cannot encroach onto the open countryside, it is perhaps the least harmful site within this lower performing parcel to release from the Green Belt.

Land Character Assessment

The commentary recites the Land Character Assessment. Site 127 is within LCA3. As such, it does not have a "very low landscape capacity rating". So, this is not a factor against the inclusion of the site.

Looking in finer detail, although not required by the criteria, we note that the LAC of parcel LCA3 refers to a general assessment of LCA3 having a "low landscape capacity to accommodate new development". However, this is not agreed in respect of Site 127. As set out in the LCA Methodology, and in line with current guidance, "it is not possible to establish a definitive baseline sensitivity to change without having details of a given development proposal and for the purposes of the report a general assessment of LCA3's capacity to accommodate change has been taken. This should be taken as a guide only". Consideration needs to be given to the specific site. Site 127 is not an open field site and does not encroach into the open countryside unlike the vast majority of LCA3.

The LCA report (page 29) states that this area (LCA3) is "likely to be able to accommodate small areas of new development, which would need to be of an appropriate type, scale and form, in keeping with the existing character and local distinctiveness". Given the immediate site context of Site 127, there is no reason why this could not be achieved given the surrounding and nearby land uses and development.

Given the size and location of Site 127, at the edge of Dorridge, and that there are mature trees around the boundary which would help screen any new development and the small area of land to the north of Site 127 (which has mature trees to its boundary), we submit that Site 127 is a site particularly able to accommodate new development as suggested by the LCA.

Accessibility Study

It is not agreed that Site 127 has an overall "medium" accessibility (coloured yellow in Appendix F), Site 127 should be assessed as having an overall "medium/high" accessibility score (coloured light green in Appendix F).

Under the Accessibility Assessment distance criteria set out in the report at section 4.3, the scoring for Site 127 should be amended. Site 127 should score 80 ("high") for accessibility to a high frequency train service (Dorridge Train Station) being within relaxation 1 (up to 1000m) of the site. This brings up the total score for Site 127 from 240 to 260 and moves it from the overall "medium" to the "medium/high" category.

We would add that Site 127 has access by an existing footway along a road with street lighting.

An accessibility score of "medium/high" shows that Site 127 is in an even more sustainable location than previously assessed within easy access of services, facilities buses and trains immediately adjacent.

Sustainability Appraisal Impact

Finally, the commentary states that the SA identifies mainly neutral impacts with 4 positive and 4 negative effects. However, this contradicts the Evidence which sets out that there are

4 positive (1 of which is identified as significant) and only 3 AECOM negative effects (not 4 negative effects as stated).

The SA scoring is not agreed for Site 127.

We note that AECOM58 is an amalgamation of sites described as "South West Dorridge, off Earlswood Road and Four Ashes Road" and is shown in Appendix C. Site 127 is included in this amalgamated group of sites even though it is on Grange Road. As such, we do not agree that the assessment scores for the combined site AECOM58 accurately reflect the assessment for Site 127 which is in the most sustainable location of the 4 sites grouped together.

Based on the site appraisal framework in the Interim Sustainability Appraisal Report 2017, in respect of the specific criteria as applied to Site 127 there should be 6 positive impacts (of which 2 are identified as significant), 10 neutral and only 2 negative impacts in respect of Site 127:

SA4 – should be a positive criterion rather than a negative criterion as Site 127 does not contain any agricultural land Grade 1-3b. Although Site 127 is classed as Grade 4 agricultural land in the SHELAA Site Assessment, we do not agree. As defined on the 'West Midlands Region 1:250 000 Series Agricultural Land Classification', Site 127 lies in an area shown as 'predominantly in urban use' i.e. non-agricultural. This equates to the Site on the ground.

SA9 – should be a neutral criterion rather than a negative criterion as the reference that AECOM58 "overlaps or contains a local wildlife site and/or records of priority species and habitats" does not refer to Site 127. The Site Assessment for Site 127 confirms that it is not within or adjacent to a Local Wildlife Site. Although the comment relates to AECOM58 because a number of sites have been amalgamated, the reference appears to specifically relate to site 210 - land between 39 and 79 Earlswood Road, which has "Soft Constraints of Potential Local Wildlife Site and habitats of interest - grassland and water bodies" as set out here [http://www.solihull.gov.uk/Portals/0/Planning/LDF/Dorridge_September_2012\(1\).pdf](http://www.solihull.gov.uk/Portals/0/Planning/LDF/Dorridge_September_2012(1).pdf)

SA16 – it is not clear why this criterion is not listed on the Site Appraisal Pro Forma as it should show as a significant positive effect (housing site deliverable within 5 years).

On this basis, in respect of Site 127, we submit that there should be 6 positive impacts (of which 2 are identified as significant), 10 neutral impacts and only 2 negative impacts.

6 Positive Impacts:

- SA3: Proximity to bus and train services
- SA4: No agricultural land Grade 1-3b
- SA16: Improve the supply and affordability of housing (significant)
- SA17 A) Access to healthcare
B) Access/Proximity of Leisure Facilities (significant)
- SA19: Distance to Jobs

2 Negative Impacts:

- SA1: Site located within 60% least deprived
- SA2: Access to Primary School (1.2km – 3km) being slightly over 1.2km at 1.37km

In any event, the SA appraisal does not identify any "significant harmful impacts" and so this is not a factor against the inclusion of the site.

Summary of Step 2 Assessment

"Factors against":

Given the above comments, there are no factors against Site 127, as listed in the Refinement Criteria, besides the breach of the current Green Belt boundary. As we state above, this cannot be considered conclusive given the nature of nearly all the sites being considered and those identified as Green in the Draft Plan. The Plan itself recognises that in KDBH "Green Belt release will be required, and a redefined Green Belt boundary will need to be established". As set out above, following a re-assessment of Site 127 at Step 1, a higher performing site such as Site 127 needs more significant harmful impacts if it is to be excluded. Breaching the current Green Belt boundary cannot be seen as a significant harmful impact in this respect for Site 127.

"Factors in Favour":

In respect of the factors in favour of Site 127, there are four factors in favour as set out in the Refinement Criteria:

- 1) Site 127 is in accordance with the spatial strategy in Growth Option F: Limited expansion of rural villages/settlements.
- 2) there are no hard constraints affecting Site 127;
- 3) the ability to create a strong defensible boundary to define the extent of the land to be removed from the Green Belt;
- 4) if finer grain accessibility analysis were required (which is disputed), Site 127 would be deemed accessible in any event.

Taking these factors into account, there is a very strong case that, even if a Refinement Step 2 was required, the result of the application of the Refinement Criteria would be to assess Site 127 as 'Green'.

Given the Refinement Criteria, it is difficult to see how an assessment other than "Green" could be sustained. Site 127 is at the very top of the higher performing sites and this impacts on the weighing of factors. Site 127 is a higher performing site requiring more significant harmful impacts if it is to be excluded. There are four factors in favour of Site 127 being included as opposed to one factor against. The only factor against the inclusion of Site 127 is of limited impact given that redefining the Green Belt is accepted as being necessary in the Plan, the vast number of sites currently in the Green Belt and considering the site specific circumstances of Site 127 identified in this Response.

Additional Benefits

There are also a number of other benefits of allocating Site 127 and therefore refining the Green Belt boundary to follow the physical roads around the site to the south/west/east:

- Site 127 measures 0.62ha. Based on a 35 dph density as set out within the Council's consultation, this would equate to 21 houses on a straightforward mathematical

calculation. There are some trees on the Site, but most mature trees are around the boundary and could be retained along with mature trees worthy of retention as part of any development. A significant majority of the Site does not contain trees and a further part only contains some saplings. As such, it is not agreed that the figure of 10 houses is correct and it is an underestimate of Site 127. A higher number of houses than suggested could be delivered, providing greater contribution to the overall Borough's housing need.

- The NPPF sets out that at least 10% of overall housing growth should be provided on sites under 1ha. Site 127 would go towards this requirement. In any case, a site should not be excluded on the basis of its size or the number of houses it can deliver as this is not a selection criterion. It is noted that the 10% small site requirement is only a minimum requirement. There is no rationale for not including small sites beyond any anticipated or hoped for figure. In particular, being a small site should clearly not prevent a site being included. The Council has already identified and included some small sites as "Green" (see for example site 155 (0.95 ha); site 181 (0.18 ha); site 182 (0.18 ha); site 11 (0.65 ha – greenfield site in Green Belt) and Site 143 (0.51 ha – part greenfield/part brownfield site in Green Belt). (See further comments below in respect of Consultation Question 44).
- Site 127 would not create infrastructure problems, particularly in the centre of Dorridge and Knowle. Site 127 is located on the SW edge of Dorridge and there is easy access to Solihull, the motorway network and Birmingham (via road or train) without necessitating travel through either Dorridge or Knowle village centres. Congestion in the village centres is a major concern of residents.

It is therefore requested that Site 127 is reappraised in light of the above comments and submit that there is a compelling argument made out for the inclusion of Site 127 as Green.

Consultation Questions

Turning to the consultation questions, the following observations are made:

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

It is agreed that brownfield sites should be prioritised, but sites which are partly brownfield and partly greenfield should be prioritised over solely greenfield.

If a site is not correctly assessed as Green at Step 1, it is agreed the accessibility criteria should be refined as part of Step 2, but this needs to be carried out accurately.

35 Should the washed over status of these settlements/areas remain? If not why not? and

36 Are there any other areas of the Borough where washed over status should be reviewed, if so which areas and why?

The Council's approach is overly restrictive compared to the NPPF. The NPPF allows for limited infilling in villages and this should be the case throughout the Borough when housing is to be delivered and reliant on Green Belt sites. This is even more so the case if the Council intends not to allocate any Small Sites (see below comment).

39 Are there any red sites omitted which you believe should be included; if so which one(s) and why?

As set out above, Site 127 should be reappraised and reclassified as Green for the reasons given.

44 Are there any other comments you wish to make on the Draft Local Plan Supplementary Consultation?

Small Sites: The Council indicate it is not necessary to identify individual sites to meet the requirement of smaller sites to provide for at least 10% of the housing requirement. The Council's suggested windfall figure of 2,250 dwellings will obviously be heavily reliant on Green Belt sites coming forward, not all of which will be not inappropriate development in the Green Belt. To ensure that the at least a 10% figure is achieved, given the reliance of the Council on Green Belt land to provide for overall housing numbers, it is considered that Small Site allocation (such as Site 127) should be included.

A number of larger proposed allocations appear to be dependent on multi-landowners or other conditions. If the Council is to rely on these allocations to deliver the housing requirement, it must be certain that there is real likelihood of delivery within the plan period. That is the advantage of allocating smaller sites, as in many cases, delivery is more certain and quicker.

It is noted that site 59 in Knowle is assessed as Amber, yet it is a parcel of Green Belt that performs very highly. Also, the potential new Green Belt expansion to land off Blue Lake Road is very large given the proposed Green Belt Boundary of Grove Road and Norton Green Lane.

Summary

We submit that Site 127 should be re-assessed as is one of the stated purposes of the Consultation. It is noted that the Draft Local Plan Supplementary Consultation: Site Assessments states that the majority of sites submitted are not included as a compelling case for their inclusion has not been made; largely because they are located in the Green Belt and releasing them for development would not result in a sustainable pattern of development and/or there are other considerations that indicate they are not suitable for inclusion. I trust the above considerations provide a compelling case as to why allocation of Site 127 would be suitable. We refer to our previous comments that the release of sites from Green Belt is required and has been accepted by the Council. Site 127 does lie in a sustainable location, there is residential development on the site currently, development of the site would have a relatively low impact and any adverse impact can be mitigated. Furthermore, development of Site 127 would not open up surrounding land for development given the different nature of adjacent and nearby land uses and any development of Site 127 would not encroach onto open countryside. Importantly, Site 127 is unique in that there are specific site circumstances of the physical roads around the site which can create a clear, logical and defensible Green Belt boundary without having to release surrounding land for development meaning that a strong defensible Green Belt boundary could be created.

15 March 2019