

## TIDBURY GREEN PARISH COUNCIL

Representation ID: 8118

### Response to Solihull Local Plan- Draft Submission Plan October 2020

The Parish Council, wish to object to elements of the Draft SMBC Local Plan; soundness of the Plan and the inclusion of part of **Site Policy BL1** (west of Dickens Heath) in the Blythe section of the Plan.

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 west Ancient Woodland and established hedgerow and tree line. The revised proposal for the whole of Site BL1 is for a development of 350 dwellings. We strongly **object** to part of this allocation on the land west of Dickens Heath and south of Tythe Barn Lane for approximately 250 dwellings, which we will refer to as Site BL1a, and suggest that the smaller site to the north of Tythe Barn Lane and bounded by the canal to the north is acceptable for development of approximately 100 dwellings towards the end of the Plan period due to its high performing (8) Green Belt status. This total site was previously proposed for an allocation of 700 dwellings which the Council have now reduced by half owing to the severe restrictions of this site.

Further to our responses previously submitted, we are submitting further comments following the updated evidence by Solihull MBC and based on our previous responses which have largely been ignored by the Council and some addressed by mitigation and reduction by half of the original proposed housing numbers. The site selection methodology is unclear and its application seriously flawed.

#### **Site BL1a summary of objections**

The main reason for the choice of this site for new housing is its location close to Whitlocks End railway station but detailed analysis, together with local knowledge, shows that it is not sustainable and should have been considered as a red not a green site in terms of the initial sustainability appraisal (SA). 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 does not accord with both national and local planning policies.

Dickens Heath, which was granted planning permission in 1994 as a new village, has increased from the original award-winning design of 850 dwellings to 1,757 units today. The proposed new housing would make this Village around 2,100 dwellings. However, the roads and infrastructure have not been designed or improved to accommodate this increase. The

vast number of dwellings proposed in the Local Plan Review for the Blythe area, together with the large housing estates given planning permission in the general area in the last few years, being 2,252 between 2011-2018, has caused considerable congestion at peak times. See Appendix 1. Given the parking problems in the Village centre, the narrow rural roads and historic hedgerows, it will be difficult to make all the required road improvements to take any more traffic. In addition, Site BL1a is a high performing Green Belt site (scoring 7); there are more Local Wildlife Sites surrounding than any other of the proposed allocations being 4 in all, with protected species inhabiting the Site; there are ancient woodlands and hedgerows; 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 BL1a is outside the confined, identifiable Village boundaries; the Site is in an area of landscape sensitive to development; there would be a loss playing fields with no alternative proposals submitted at the time of writing. The proof that this Site is un-sustainable is borne out by the fact that the Council is proposing such a significant amount of mitigation, some of which are unachievable, in an attempt to make the Site sustainable. Despite pointing out all these concerns to the Council's officers both in writing and at various meetings, this Site is still in the Plan. We do, however, appreciate the enormous workload and pressure the Council's officers are working under with severely stretched shortages of staff necessitating more external consultants working on the various reports with insufficient local knowledge.

No other proposed site in the Draft Local Plan has so many adverse effects, particularly to the natural environment and should therefore be removed from the proposed allocation for development as there are alternative sites readily available which are more sustainable. Although the housing figures have been halved for site BL1, if removed from the Green Belt, further development is likely in the future on the undeveloped green spaces.

**This response covers the following subjects:**

1. Reason for site selection-sustainability
2. Disproportionate housing allocation of development in Blythe area
3. Green Belt
4. Conflict with urban form of Dickens Heath new village
5. Flooding and sequential test.
6. Traffic generation (and peak-hour congestion) on local roads and in Dickens Heath plus village car parking.
7. Existing sport and recreation value and un-identified replacement.
8. Ecological value (5 Local Wildlife Sites affected), loss of inter-connectivity.
9. Historic landscape (important hedges and ancient woodland)
10. Conclusions

## 1. Reason for site selection-sustainability

We strongly object to the way in which Site BL1 has been assessed in the site selection process for the reasons which are set out below – and on that basis, object to the inconsistent application of the methodology.

As stated above, the main reason for the choice of this site for new housing is its location close to Whitlocks End railway station, is tilted towards finding the proposal acceptable despite all the harm that will be outlined below. 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.

The NPPF2 para.8 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 BL1a would not be in accordance with this policy; 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 un-sustainable and adverse effects in developing part of this Site BL1, the allocation for development should be avoided and alternative options pursued which the Council has not done. The Sustainability Appraisal Report for Site BL1 is inaccurate and the analysis does not take full account of the sustainability scoring required to meet the NPPF standards as defined in Para. 8.

In the SLPR 2020 regarding site selection, Para.68. states: -

*“Firstly, determine where in the site hierarchy that the site falls within. This seeks to provide a balance and favours brownfield sites, accessible sites and sites which only impact on lower performing Green Belt to determine a sites potential. This approach reflects the advice in paragraph 138 of the NPPF.”* The allocation of part of Site BL1 does not conform to this approach.

Firstly, in assessing Site BL1a, the Council has deemed that the site has passed 'Step 1', which is the initial, high-level sieving process. The recent SA for Site Ref: 176 (BL1) October 2020 identified 16 effects of which 7 were positive, 7 neutral and 2 negatives. However, on accessibility it assumes that the services and facilities in Dickens Heath Village are accessible on foot which they are not and that building in the middle of several LWS is positive. The approach should be first to do no harm rather than try to mitigate.

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. 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, who designed the Village, 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".

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 BL1a development well 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. There is already a high car dependency in Dickens Heath and Tidbury Green.

Although the illustrative Emerging Masterplan does not now show new footpaths onto the private road of Birchy Close, such a link will be necessary to make the development sustainable in terms of walking distances to the Village Centre for there to be a footpath to mitigate. 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 Birchy Close as they are concerned about their future security.

Additional cars trying to park in the public car parking areas in the Village, which are already at capacity, will further exacerbate the parking problems. The Parking Study by Mott Macdonald does not show or take into account the extensive illegal parking on the footpaths in Dickens Heath Centre as residents have nowhere to park.

The Indicative Master Plans do not show the junction of Birchy Leasowes/ Dickens Heath Road which cannot be improved as ancient woodland and LWS adjoin the narrow highway where there are no footpaths. This is the shortest route from the proposed development to the Village. In addition, as the distance from the proposed site is not within an accepted walking distance, a bus route is proposed by the Council along Birchy Leasowes Lane. It is shown in Appendix 2 that a bus cannot egress on to Dickens Heath Road safely. Neither can a bus travel to the Village Centre along Tythe Barn Lane, as the access on to Dickens Heath Road is also restricted.

The proposed housing allocation of Site BL1a 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 (pre-Covid period) at that station gives access to Central Birmingham and to Stratford-upon-Avon. It does not provide a service to Solihull Town Centre or employment locations which are further than 15 minutes distance, 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 BL1a 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. The proposed footpath/cycle access to Whitlocks End station should have been done years ago.

As we considered that this process was fundamentally flawed, we therefore carried out our own assessment (using the Council's own analysis) which demonstrated that the site should have been discounted at Step 1. We also carried out a sustainability test using the sustainability scorecard see: - [www.thescorecard.org.uk](http://www.thescorecard.org.uk) The Sustainable Development Scorecard is a means of assessing a development's contribution to the social, economic and environmental pillars of sustainable development, as defined by the National Planning Policy Framework, in a subjective manner. Even with the proposed mitigation the score for this Site was only 41% sustainable.

Para.72. of the Solihull LPR (2019) states that this Site (BL1a) 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. Site BL1a (4) was included in the Consultation Draft Plan prior to the publication of the Green Belt Assessment Report late 2016, so the Green Belt scoring was not taken into account at the first site selection stage.

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. 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. We 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.

An example of the flawed Sustainability Appraisal can be shown by the analysis of the nearby site at Tidbury Green Golf Course, which could accommodate 250 dwellings, is also within walking distance of the Whitlocks End railway station, primary school and Tidbury Green village hall, but has only 4 negative, 6 neutral but 7 positive points in the Sustainability Appraisal (SA) with an accessibility score of 290. This Site Ref: 545 (209) is a greenfield and Green Belt site, but is not surrounded by LWS or ancient woodland, does not flood and has no sports fields needing re-location. However, it is similarly inaccessible to shops and services as Site BL1a, necessitating car journeys, but is within an area with a Green Belt score of only 4. Both sites are visually and physically detached from Dickens

Heath Village (see Point 5 below), but this site would not destroy the character and local distinctiveness of the award-winning Dickens Heath Village. Therefore, Tidbury Green Golf Course Site should have been allocated a maximum score of Priority 5 status (yellow) as a more sustainable alternative than the sports fields west of Dickens Heath, which should have scored as a “red” status. In addition, Page 15 of the SLPR 2020 in Objectives states,

We would **support** reservedly, however, the remainder of Site BL1 allocation being 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. However, this site should have been analysed for sustainability appraisal terms as a separate parcel, as it is both physically and visually detached from the land west of Dickens Heath, has fewer adverse sustainability points, but has a high performing Green Belt score (8). Although Village parking and increased traffic problems would be further increased, it relates better to the boundaries of 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.

We welcome the indication that the Akamba site is retained.

**In summary the allocation of site BL1 is unsound as: -**

- The site has medium / low accessibility
- The site is a higher performing Green Belt than other ‘red sites’ in the plan.
- The site has existing defensible Green Belt boundaries but is physically and visually detached from the main settlement which already has strong defensible boundaries.
- The site has many constraints within the development area which not all can be mitigated in the normal way.
- The site has the same landscape character as other “red sites.”
- It is not, therefore, credible for Site BL1a to be categorised as a ‘green’ site.
- For this reason, we consider the score for Site BL1a should be corrected and re-assessed.

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

The Plan proposes to locate approximately 39% 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. We consider that this is an excessive burden placed on such a small area without the ability to improve the capacity of 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 and would contribute to carbon emissions. We particularly object to the large percentage of housing in the Blythe area which has already taken a considerable amount of development between 2011-2018 being 2,250 dwellings given planning permission, see Appendix 1. Dickens Heath has increased from the original design of 850

dwellings to 1,757 units today. However, the roads and infrastructure have not been improved to accommodate this increase. Bromsgrove BC have also expressed concerns about the lack of infrastructure in the broader area to cope with the recent and proposed developments.

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 so commuting to places of work creates traffic jams during peak times; not everyone travels by train, there is a large proposed housing allocation for the Blythe area, the proposals do not conform to this Policy.

### 3. Green Belt

The Government has consistently and recently 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.

When an analysis of the Green Belt rating is carried out for the Blythe area, the average score is 7.23, the highest for any other area in Solihull.

The proposed allocation of Site BL1a does not accord with Government’s 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.”* We have discussed above in Section 1 how this Site BL1a is not sustainable.

In addition, the SLPR 2020 Page 17, Challenge E it states,

*“Maintain the Green Belt and improve the network of green infrastructure in Solihull, to prevent unrestricted expansion of the major urban area, to safeguard the key gaps between settlements such as the Meriden Gap and the countryside.”*

As is clearly evident in Appendix 1 should site BL1a be developed, there would be coalescence with Whitlocks End and Tidbury Green, so would be contrary to this objective.

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), should not therefore be removed from the Green Belt. Other 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; the Plan is unsound.

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 BL1a 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.

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.

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.”*

In summary, Site BL1a, 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 Tythe Barn 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.

To protect Tidbury Green from pressures of future development, with reference to Para 375 of the Draft Local Plan Supplementary Consultation, Tidbury Green should retain its ‘washed over Green Belt’ status.

#### **4. Character of Dickens Heath.**

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.

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 McAlpine, which forms most of the site now being proposed by the SMBC to be developed for an additional 250 dwellings. The location and its extent were 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.

Dickens Heath was reviewed by the Sustainable Urban Neighbourhoods Network (SUNN) in April 2011 and previously stated in my previous response in 2019.

*“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”*

Development of Site BL1a, is not within recognised walking distance (800m) of the Village Centre and 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 walking distance (800m or so) from the services in the Centre.

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 BL1 would not be in accordance with the Challenges stated in Para.79 and would be isolated and unconnected to the Village and be outside the Village's built-up area, separated both physically and visually by a strong landscape boundary as shown on Page 41 of Solihull Local Plan Site Allocations – Masterplans 2020.

Dickens Heath is a planned new village with clearly defined strong boundaries. 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).

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."*

There is a Listed Building affected by Site BL1a 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.

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 west of Dickens Heath 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”.

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 BL1a would be unsustainable and would no longer make Dickens Heath a Village and “special identifiable place”.

The proposed major development of Site BL1a 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 25) of the Solihull Local Plan Review November 2020 states that.

*“The Borough’s high quality Mature Suburbs, distinctive rural settlements, villages and wider Rural Area, its historic and natural environment and green infrastructure network will be protected and enhanced.”*

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.

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 BL1a 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 built). Site BL1a 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.

In addition, the proposed part of Site BL1 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,”*

The proposed housing allocation of Site BL1a 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 here 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 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.

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.”*

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. 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.

## **5. Flooding and sequential test**

Although most of Site BL1a is in flood Zone 1, parts to the east are in Zones 2 & 3. However, as the sports fields flood most years and severely in 2012 and 2018, with neighbouring garden properties being flooded, it may well be that this land should be in Zone 2. It appears, that in a Council survey only properties that flooded were recorded and not open fields, so more technical recording needs to be undertaken.

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..."* Neither does Site BL1a comply with this Policy P7 above.

The roads frequently flood at the junction of Birchy Leasowes and Dickens Heath Road and along Tythe Barn Lane. Braggs Farm Lane also regularly floods. This area has known flooding issues and the Lead Local Flood Authority (LLFA) investigated options to reduce the flood risk in Dickens Heath after the May 2018 severe flooding. The LLFA recommend Level 2 SFRA to consider how development could alleviate existing risks, and unobstructed green corridor maintained along banks of the watercourse. The Report stated that the proposed use on Site 4 was vulnerable to flooding and went on to say: -

*"Flood Zone 1, but ordinary watercourse within site not modelled. Upper end None, but ordinary watercourse not modelled 1% in 30 year, 1% in 100 year, 7% in 1000-year extents Within > 50% < 75% km square Residual risk from breaches of Stratford on Avon canal Flood risk from majority of watercourses not shown in EA Flood Zones. Potentially some fluvial flood risk from numerous unnamed drains. Ordinary watercourse flowing adjacent or through site, so Level 2 SFRA and additional modelling required."*

See flooding report 2018

<https://www.google.com/url?client=internal-element-cse&cx=001270148294147426243:x-utqplidho&q=https://www.solihull.gov.uk/Portals/0/CrimeAndEmergencies/Flood-Investigation-Report-Various-Locations-Solihull-27-May-2018.pdf&sa=U&ved=2ahUKEwjK4Pq296LtAhUMahQKHxurBSMQFjAAegQIAxAC&usg=AOvVaw1whbpomtN9nCl9oVXGFeV9>

Para 158 of the NPPF states: - *"The aim of the sequential test is to steer new development to areas with the lowest risk of flooding. Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. The strategic flood risk assessment will provide the basis for applying this test. The sequential approach should be used in areas known to be at risk now or in the future from any form of flooding."*

A sequential test of alternative sites that do not flood has not been fully carried out.

In conclusion, Site BL1a has not been accurately assessed for flooding and additional modelling is required. With the regular flooding of some of the site, this land should be considered as being in Zone 2.

## 6. Traffic generation and car parking

In the SLPR 2020 Page 18 states as objectives,

- *Reduce the need to travel.*
- *Manage transport demand and reduce car reliance.*

While in the SLPR 2020 at Para. 582 states: -

*“However, the wider sub- area suffers from poor public transport provision with limited bus services between settlements, which perpetuates travel by private car.”*

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 and parking 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 no direct access from Site BL1a 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.

In transport terms Site BL1a 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 BL1. 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’ on Page 18 of the SLPR 2020 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.

The highway network for the original John Simpson design of the Village intentionally reduced the flow of traffic through the Village and was for only 700 dwellings; 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 is put under more pressure by the recent Lowbrook Farm and Tidbury Green Farm developments (now over 500 dwellings at both sites) with 2,250 dwellings granted planning permission between 2011-2018. With no significant road improvements, if anything, what we have seen is a

dramatic increase in all forms of traffic, with little or no regard for the rural nature of the network and the resultant degradation of the road system for all users.

Site BL1 would depend on the use of narrow rural roads which still currently retain the character of countryside. Even if Site BL1 was 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 BL1a, 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.

The SMBC Emerging Master Plan which the Council has kindly provided shows road improvements, which are needed to serve the existing residential areas now without any further development: -

- Footpath/cycle way along Tythe Barn Lane
- at the junction of Tythe Barn Lane and Tilehouse Lane
- Tilehouse Lane/Birchy Leasowes Lane
- Footpath along Birchy Leasowes Lane

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.

The Peter Brett Associates Report on access and transport (for the 2016 SHELAA) has certain serious concerns about Site 4 (BL1):

*“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."*

When one takes into account that the roads surrounding and leading to Site BL1 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. At peak times, Dickens Heath Road is severely congested by Tidbury Green School which situation would be made worse by the extra cars from the proposed new developments. Therefore, Site BL1a can justifiably be rejected because the effects of it on the local roads would be severe.

The Ward Councillor, Ken Hawkins, who has shown many photographs about traffic congestion on his Bloggs, was quoted in 2019: -

*"I have already highlighted the problems more traffic will bring if the proposals in the (Draft) Local Development Plan manifest themselves. I have already called for the removal of allocations 4 (land west of Dickens Heath) and 13 (south of Shirley – between Whitlock's End and Dickens Heath) because of the added problems of congestion that will be caused in and around the junctions of Dickens Heath Road, Tanworth Lane and Blackford Road). Not only will additional traffic using these junctions add to the existing problems at these traffic locations there will be the added serious problem of poorer air quality, from Dickens Heath into Shirley and Solihull, through worsening congestion."*

We can find **no evidence** of a Traffic Impact Assessment for the period of the Plan and specifically for the allocated site BL1. Mott Macdonald on page 8 of their report recognise that this is a strategic network tool and has limited validity on what they consider to be low flow minor roads, this I believe brings into question the results for many of the sites within the local plan, as these could be considered to be served by an inadequate minor road network. The report focuses on 11 key routes which are all on the strategic network. By Mott Macdonald's own admission detailed assessments have not been undertaken.

## **7. Sports and recreation value of the Green Belt**

Site BL1a would cause the loss of a substantial area of playing fields with no adequate alternative facilities being identified at present; 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.”*

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.”

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.”*

The threat to the various sports clubs has produced considerable public upset and objection to Site BL1a (4) from club members and users from a wide geographical area. Sport England has previously objected to the allocation of Site (e-mail to Solihull Council of February 2017). Although the Council have stated that development cannot take place on this Site until an adequate alternative sports pitches are provided, at present no firm alternative has been put forward. Why create such upheaval and concern to local residents who use this facility when more suitable and sustainable alternatives are readily available at the Tidbury Green Golf Club site?

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).

Site BL1a 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 readily 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 BL1a from the Local Plan Review.

## **8. Ecological Value**

In the SLPR 2020 Page 20 it states,

*“Increase and enhance Solihull’s natural environment*

*Promote an ecosystem approach to biodiversity conservation aimed at:*

*Halting and reversing decline and loss by conserving, enhancing and increasing the cover and connectivity of biodiversity and habitats of value.”*

The development of Site BL1a 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 LWS of Little Tyburn Coppice (ancient woodland) and Tythebarn Meadows (wetland which drains into the Stratford Canal), adversely affecting the ecological connectivity of this area.

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.

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.

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 of only 15 metres whereas the Warwickshire Wildlife Trust recommend a buffer of at least 25 metres from an ancient woodland, which would need to be securely fenced off and may impede the ecological connectivity, particularly of protected animals foraging. Although the Council seek to mitigate for loss of ecology by improving the LWS and retaining as much of the important ancient hedgerows as possible from the proposed development, this would not prevent serious loss of habitat and particularly connectivity.

At the junction of Dickens Heath Road and Birchy Leasowes Lane, woodland on both sides is identified as Ancient Woodland and LWS. The NPPF2 Para.175 strengthens protection of Ancient Woodland. However, as previously stated in Section 7 above, to enable a footpath and road junction improvements this would necessitate the removal of some of the ancient woodland which is contrary to the NPPF2.

In Solihull Council’s Sustainable Community Strategy for Solihull 2020, Page 8 States: -

- *Protect the integrity and connectivity of ecological sites and ensure that enhancement for habitats and species are not prejudiced.*
- *To deliver improvements in townscape and enhance local distinctiveness.*

These objectives would not be realised as there would be a significant negative impact on local biodiversity and connectivity and rural character due to loss of important hedgerow and mature trees, together with the interrelationship of these ecosystems, and loss of the special distinctive character of the award-winning Dickens Heath Village, should this land be developed.

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 surrounding and even more within a 1km distance. This degree of ecological value is a strong reason to delete Site BL1a from the Local Plan Review and should therefore be given considerable weight.

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 stated, *“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, our current Prime Minister has recently echoed this statement which will be further endorsed when the Environment Bill becomes law. If this proposed housing on Site BL1a goes ahead adjacent to 4 Local Wildlife Sites, reducing their important interconnectivity, this Government’s aim will not be fulfilled. The Solihull LPR has tried to address the requirements of the Environment Bill by stating that there needs to be a 10% increase in biodiversity on development sites, however, many local authorities are now stating that there should be 20% enhancement.

## **9. Historic Landscape**

This Site BL1a 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.”*

The Site BL1a 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 even with the mitigation proposed.

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 BL1a would not conform to this strategy.

The appearance of a hedge on a Tithe Map dated before 1845 (all of those now existing are on the 1840 Map) indicates that these hedges in the area are protected by the 1997 Regulations which has been accepted by the Council, one of the reasons the Site housing numbers were reduced. 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 BL1a from the Local Plan Review.

## **10. Conclusions**

Tidbury Green and Dickens Heath has experienced considerable development recently and cannot take much more development. 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 BL1a for development. The cumulative adverse effect of the range of evidence set out above make Site BL1a contrary to a range of local and national planning policies. The Plan Is unsound as the Sustainability Appraisal is materially inaccurate.

**We therefore strongly urge Solihull Council to: -**

- **delete part of Site BL1, 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.**
- **Retain the remainder of Tidbury Green as “washed over’ Gren Belt status.**

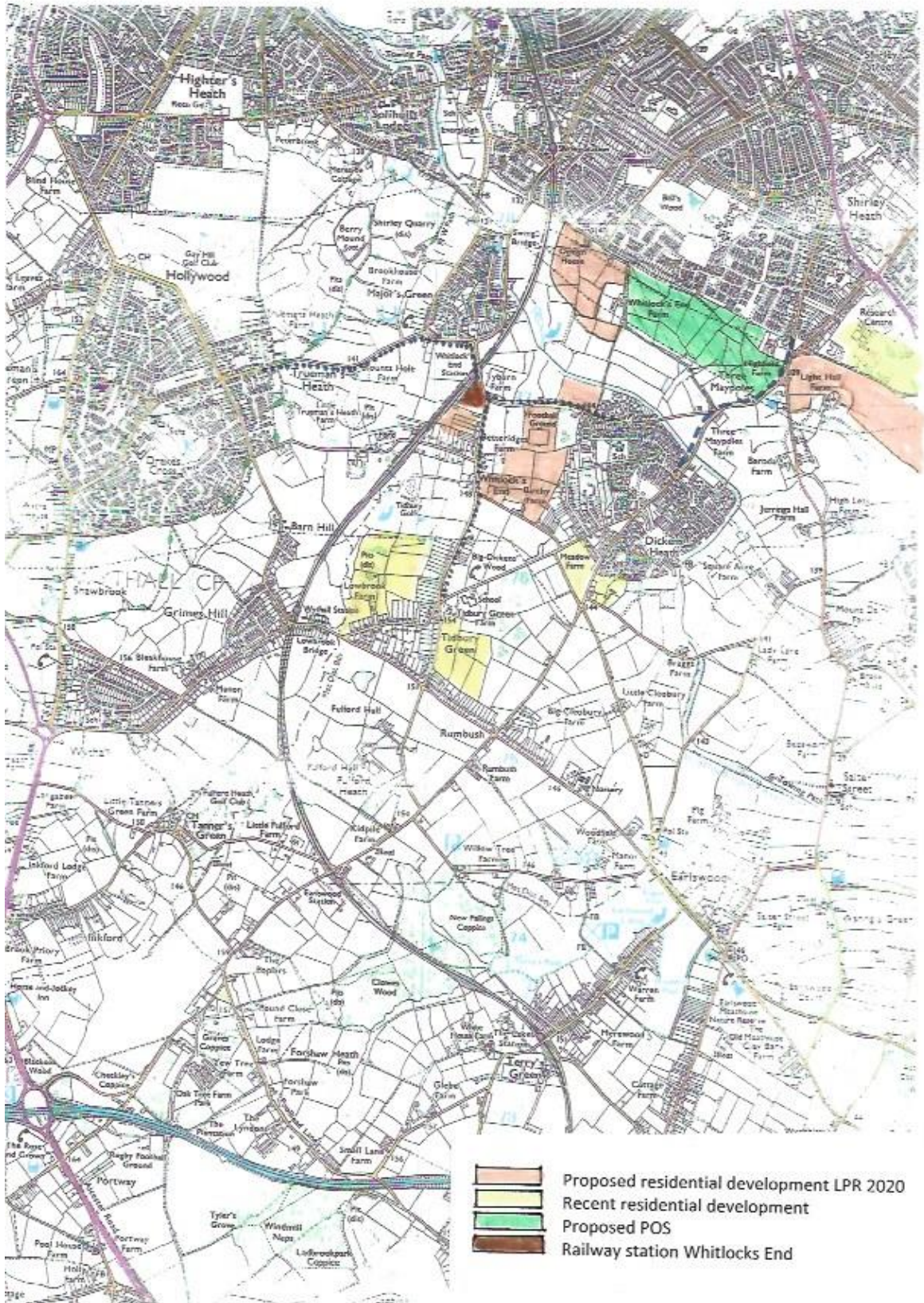
**The Tidbury Green Parish Council wish to participate in the Examination In Public.**

## **APPENDICES**

### **Appendix 1**

#### **Recent and Proposed development**





**Appendix 2**  
**Road junction at Dickens Heath Road/Birchy Leasowes**

