

6 February 2024

**For the Attention of Laura Taylor**

Planning Officer

Solihull MBC

***By email only***

Dear Laura

PL/2024/00037/PPOL | Outline planning application for up to 50 dwellings involving the demolition of existing agricultural buildings, with all matters reserved except access. | Land North of Lugtrout Lane Catherine De Barnes Solihull

The Parish Council, in conjunction with the Catherine de Barnes Residents Association, have been made aware of the above outline planning application and have several concerns and comments which are detailed below.

**1) Site SO1 and Masterplan**

This site, which is included in the parcel of land known as SO1 is in the Emerging Local Plan which is currently stalled. Under the guidance published by SMBC we understand a Masterplan should have been prepared by the Landowners Group submitted to SMBC for approval and subsequently consulted upon. As far as we are aware this has not been done and therefore this application is not in conformity with the guidance laid down in July 2023. As it forms part of SO1 and impacts on a masterplan for the total site it is impossible to comment freely with so many reserved matters. We suggest it would be more appropriate for a Full Application be submitted not just Outline. However, we will put forward our comments should the application as it stands be considered.

**2) Green Belt**

As the Emerging Plan has not been adopted the application site is still located in Green Belt and therefore requires the "very special circumstances" (VSC) to outweigh its inappropriateness as a development in the Green Belt. We do not accept that the VCS's put forward by the applicant justify its approval.

**3) Very Special Circumstances as submitted by the applicant.**

**i) 5-year Land Supply and Housing Numbers**

According to page 73 in the Draft Solihull Plan 2020 the 5-year housing need is 4468 homes. This application is for up to 50 dwellings. This represents a contribution of just over 1.1% towards the housing need and as such does not justify this Green Belt development. This position is supported by a Planning Inspector's decision in 2023 to dismiss an appeal against Hertsmere Borough Council's refusal of outline permission for 37 dwellings in Green Belt using a 5-year housing land shortfall to justify Green Belt Housing development. Such a small contribution does not overcome

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the negative impact the development will have on the openness and the character of the Green Belt at this location.

We suggest the layout as proposed is based on achieving 50 homes on this. We have concerns on several aspects of the layout, and these are:

- a) The play area/public open space is located directly next to the attenuation pond which is highly likely to contain sitting water. The location of the Play area next to such a feature represents a safety hazard.
- b) Swales are identified on the left of the 'Street' with housing situated close by. We consider these to be an additional safety hazard.
- c) There is a predominance of cul de sacs on the site, some of which do not appear to have the appropriate turning circles.
- d) The housing tenure appears to be segregated throughout the site. We suggest a more integrated approach throughout the site would be more appropriate.
- e) We have concerns over the amount of car parking space be provided as well as the positioning of some of the parking areas .eg the homes at the bottom left of the site have their associated car parking at the rear of the properties and suggest this could result in the risk of on street carparking which should be avoided at all costs.

We suggest 30 /35 dwellings would be more suitable for the site should it be approved.

#### ii) Affordable Housing

With a contribution of up to 20 homes identified as being affordable housing which represents the policy requirement of 40%, we suggest such a small contribution to the overall need does not justify the "very substantial weight" in the planning balance that the applicant suggests.

#### iii) Draft Allocation in the Emerging Local Plan

The applicant cites the Tanbridge case to support the argument that "very significant weight" should be given to the fact that the sites inclusion in the Emerging Local Plan indicating a direction of travel ultimately resulting in the land being taken out of Green Belt. We suggest, however that the Planning Inspector's decision mentioned earlier in our response is equally if not more relevant and challenge the amount of weight that should be given to the site featuring in the Emerging Plan.

#### iv) Economic Benefits

Due to the small scale of the development, we consider the impact on the economic benefits of the Borough to be minor and very limited weight should be given to its contribution in the planning balance.

#### v) Social Benefits

The affordable homes being provided only meets the policy requirement and represents such a small contribution to the overall need only limited weight should be attached to it in the planning balance.

- 4) The Green Belt has five purposes as detailed in the NPPF namely:

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To check the unrestricted sprawl of large built-up areas.

- a) As we have stated above this site is a) in Green Belt and b) part of site SO1. As such site SO1 breaches the previous defensible boundary of Damson Parkway and extends the urban area of Solihull into the countryside.

To prevent neighbouring towns merging into one another

- a) We do not agree with the applicant's statement that this development would not lead to neighbouring town merging. As part of the site SO1 it represents a significant movement east towards Catherine de Barnes to such an extent that only 1 moderately sized field separates the village from the urban area of Solihull

To assist in safeguarding the countryside from encroachment

- a) The applicant concedes that the development's encroachment into the countryside would cause minor harm but whether the harm is minor or not encroachment exists.

The remaining 2 purposes do not seem particularly relevant to this site, so make no further comment concerning Green Belt purposes however we would like to address the matter of other harm. Namely: Change to the Character and Appearance of the site.

The applicant accepts the development will inevitably change the character and appearance of the site, but we do not agree with the reasoning that the change is moderate or relatively limited It changing from an open field to a housing development.

The site falls within area LCA1 as defined in the Solihull Borough Landscape Character Assessment December 2016. We quote two bullet points from their guidelines Aims page 16 of that assessment:

- Resist any development that would degrade the character of the canal side and river landscape and its historic value.
- Protect the historic landscape character and setting of Catherine de Barnes and resist development that would impact upon the character of the listed buildings across the area. There is a listed building only a hundred so meters away. We suggest this development fails to meet any of these aims.

This site is in the Sub Area 1A (page 18 of the Assessment) We quote from the text of Landscape Capacity section which says "The subarea would typically have an overall low landscape capacity to accommodate change. Overall, the sub- area..... Any new development should not result in the merger of Solihull and Catherine de Barnes or facilitate a detrimental change to the historic setting of the historical environment. The ancient woodland and strong tree cover should not be lost by means of new development. This site fails to meet these aims.

**5) Access/Traffic /Travel**

Lugtrout Lane at the point of the Access indicated on the diagrams is at one of its narrowest points. There is no footpath either side of the carriageway for prolonged distances along the lane. We note from the Masterplan Overlay that there is potential for a further two developments either the side of

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this development, and we have a concern that this access could well be used by all the developments north of Lugtrout Lane which would be unacceptable. The location of this access has implication for the properties on the opposite side of the road. The pedestrian/cycleway indicated on the Feasibility layout diagram seems to be a gesture/afterthought as on the western side of the estate the pathway extends on the neighbouring. Lugtrout Lane is a narrow lane, used as a rat-run by traffic wanting to avoid the traffic lights and Damson Parkway /Solihull Bypass. Speeding is an issue down the lane and presents a tremendous hazard to walkers/pedestrians using the lane who very often need to use the hedges to avoid being injured. During the football season parking becomes an issue down the lane where parking overflows on to Lugtrout Lane around the access area. Extra traffic emanating from developments north of Lugtrout Lane represent a significant safety hazard. The increased traffic also has implications on the junction of Lugtrout Lane and Damson Parkway.- from the north accessing Lugtrout Lane means making a hairpin type manoeuvre with vehicles meeting oncoming traffic down Lugtrout Lane almost head on.

### Travel

We do not believe the location of the site complies with SLP 2013 Policy P7 Accessibility and Ease of Access para-a) clause I second and third bullet points.

- *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.*

The bus service (A1 circular) is runs hourly, 6 days a week commencing 7.50am with the last bus leaving 17.50. There is no Sunday service and there is no rail station in walking distance.

It also fails to comply with Policy P7 of the Emerging Local Plan 2020 an extract of which is set out below.

### Policy P7 Accessibility and Ease of Access

1. *All new development should be focussed in the most accessible locations and seek to enhance existing accessibility levels and promote ease of access*
2. *The Council will expect development proposals to fulfil the following:*
  - i. *Demonstrate how access to the site will be achieved in a sustainable manner, by a range and choice of transport modes.*
  - ii. *For major residential development, provide access to a high frequency bus service within 400m of the site; and/or 800m of a rail station providing high frequency services.*
  - iii. *For all other development, provide access to a bus service offering at least a 30-minute daytime frequency within 400m of the site;*
  - iv. *Provide on-site transport infrastructure that promotes ease of access and enhances accessibility levels.*

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- 6) Finally, if this application is approved, we request that s106 contributions are requested which would be allocated to local primary healthcare facilities (we understand the local medical centre is not taking new patients) and local primary education facilities.

We respectfully request consideration be given to our concerns and for the application to be refused.

Yours sincerely



Pp. DAVE CUTHBERT  
Chairman of the Planning Committee  
HAMPTON IN ARDEN PARISH COUNCIL

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