

APPLICATION REFERENCE: PL/2016/00863/MAOOT**Site Address:** Blythe Valley Park, Blythe Gate, Shirley

Proposal:	Hybrid planning application for a mixed use development of land at Blythe Valley Park to comprise: in outline with all matters reserved (save for the new access, internal spine road and elements of landscaping - as described below), up to 750 residential dwellings, up to 98,850sqm of Use Class B1, B2 and B8 floor space, up to 250 unit housing with care facility (Use Class C2/C3) up to 2,500sqm of ancillary town centre uses (Use Class A1-A5), up to 1000sqm of ancillary leisure and community uses (Use Class D2), up to 200 bed hotel (Use Class C1) associated car parking (including shared car parking which could be decked) public open space, public realm and highways works; in full, new vehicular access, internal spine road, soft and hard landscaping (in part) SUDS and balancing ponds.
Web link to Plans:	Full details of the proposal and statutory consultee responses can be found by using the above planning application reference number at: http://publicaccess.solihull.gov.uk

Reason for Referral to Planning Committee:	The Council is entering into an agreement under s106 of the act and in the opinion of the Head of Development Management the application should be referred to Planning Committee.
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Recommendation:	GRANT PLANNING CONSENT SUBJECT TO CONDITIONS AND A S106 AGREEMENT The application will be referred to the National Planning Casework Unit.
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EXECUTIVE SUMMARY

Blythe Valley Park is allocated for mixed-use development under Policy P1 of the adopted Solihull Local Plan (2013). Prior to the submission of this application

extensive pre-application discussions took place, as well as consultation with local stakeholders. During 2015, the applicants held a number of workshops with SMBC officers, the purpose of which was to develop a shared 'vision' for the site which would in turn shape a site 'masterplan'. The result of these workshops is the Blythe Valley Park 'Vision Document' which was endorsed by SMBC in September 2015 and now provides a framework around which the proposed development has been prepared.

The result is the submission of a scheme that provides for a quantum of development and mixture of land uses that accords with the allocation on the site, and has been designed and laid out broadly in accordance with the Vision Document. The application is submitted in a hybrid form with matters relating to the spine road and landscape infrastructure submitted with full details, whilst outline permission (with all matters reserved save for access) have been submitted for the remainder of the application site, namely its residential element, a 'blended core' that integrates residential development to the wider business park through a mix of uses and employment development on the remaining plots of the business park. There are, however, elements of the scheme that represent inappropriate development within the Green Belt, namely the secondary access being a 170m stretch of access road introduced to the south of the site that links to Kineton Lane as well as the play facilities / sports pitches and sustainable urban drainage that sit outside of the allocation site and within green belt land.

Having regard to the extent of the allocated development on this site, this report will demonstrate that the proposal, for the reasons as set out elsewhere in this report, will have a neutral or positive impact on the planning matters relevant to the assessment and determination of this application, and that very special circumstances have been demonstrated to outweigh the harm to the Green Belt.

The proposal therefore represents an acceptable scheme that will secure the delivery of a substantial amount of housing and employment development at a time when the Council cannot demonstrate a 5 year housing supply and will secure delivery of the largest allocation in the Borough in terms of both housing and employment. This scheme delivers up to a maximum of 98,850sqm of employment space, which would support up to 167 full time equivalent construction jobs per annum over an approximate 9 year period. In addition to this, and amongst other economic benefits, the development would support a total of 2,623 – 7,378 FTE jobs on site.

PROPOSAL

This application seeks hybrid planning consent for a comprehensive mixed-use development at Blythe Valley Park, comprising both Full and Outline elements.

Whilst the hybrid format is technically and legally an application for outline planning permission, there is a clear distinction between those parts of the site for which all matters of detail are specified for approval, and those elements where all matters are reserved for subsequent approval (taken forward through future applications for reserved matters approval).

The description of development for which planning permission is sought is set out above.

Detailed Elements

This planning application seeks full detailed permission for landscaping, drainage features, the spine road and new access into the site from Kinton Lane. The planning application submission has provided full detail to allow a thorough and robust assessment to be made of these individual elements.

Landscape

The existing Country Park will be extended and opportunities for formal and informal play will be created through and on the edges of the development. The existing SUDs infrastructure will be retained and additional ponds and drainage features will be incorporated.

The Landscape Strategy submitted in support of this planning application demonstrates how the proposed development will be contained within a green and planted framework. The purpose of this landscape framework is to ensure that the development complements the existing countryside through the retention of trees and field patterns, and through the creation of open spaces that increase Green Infrastructure connectivity.

The details of the proposed landscape strategy will be discussed later in this report.

Highways

The existing access arrangement at Blythe Valley Park from Junction 4 of the M42 is to be retained and will remain as the primary access into the business park. The existing bus and emergency vehicle access gate to the south of the site will also be retained, unaltered.

A new access into the residential part of the site will be provided off Kinton Lane. The new access will see the existing Kinton Lane route 'diverted' directly into the site and Kinton Lane will be accessed via a turning off the new stretch of road.

The new access extends 170m across Green Belt land before linking into this strategic housing site, which has been removed from the Green Belt. This, together

with the suite of other on and off site highway works/improvements will be discussed in detail later in this report.

Outline Elements

The remainder of the application proposals have been submitted in outline, with all matters reserved for future consideration (appearance, scale, layout). These elements are set out in the table below:

Use Class	Quantum
Residential (Use Class C3)	Up to 750 units
Employment (Use Class B1, B2 and B8)	Up to 98,850 sq m (GIA)
Housing with Care Facility (Use Class C2/C3)	Up to 250 units
Ancillary town centre uses (Use Class A1-A5)	Up to 2,500 sq m
Ancillary leisure and community uses (Use Class D2)	Up to 1,000 sq m
Hotel (Use Class C1)	Up to 200 bed

Employment Uses

The existing employment development at Blythe Valley Park will be retained, with any vacant plots of land here being developed for employment uses falling within Use Classes B1, B2 and B8, and a single 200 bed hotel (Use Class C1).

The proposed commercial development relates to four key development parcels in the eastern area, which will provide additional floorspace of up to 98,850 sq. m Gross Internal Floor Area (GIA) within Use Class B1, B2 and B8 and are identified on drawing no. 9901 rev B 'The Planning Application terminology plan'. In addition to the four key commercial plots, Plot H also has flexibility to allow for B1 development, although it is envisaged that this will more likely be delivered as a mixed-use plot that accommodates the housing with care development.

The development of the commercial plots will complement and enhance the existing commercial offer, diversifying the existing uses to potentially allow for B2 and B8 units in addition to B1 uses. The parameter plans submitted in support of the application provide flexibility for a mixture of different uses on each commercial plot as set out in the table below.

Plot	Potential Uses
A	B1, B2, B8 and C1
B	B1, B2, B8 and C1
E	B1, C1, C3 and A1-A5
F	B1 and B2
H	A1-A5, B1, C1, C2, C3 and D2

Buildings within the northern most zones of the employment area are to be limited to no more than 3 stories plus plant (or up to 17m in height), whilst the zones to the

east and more centrally within the blended core area are to be limited to no more than 4 stories plus plant (or up to 21m in height). These heights reflect those of existing buildings within the business park.

The employment development will predominantly be office-led; however there is flexibility for B2 and B8 development on plots A and B. These plots are the furthest away from the proposed residential uses and closest to the motorway, therefore limiting the potential noise / traffic impacts of these uses on residents.

An allowance for greater flexibility has been made on Plot H and Plot E which can provide for a mixture of uses; an element of which may comprise B1 floor space. It is anticipated that a housing with care facility will be brought forward on Plot H; however other complementary uses are allowed for within the proposed mix. This flexibility reflects the location of the plots within the 'blended core'.

Residential

The aspiration at BVP is to create a new community set within the country park, offering an exemplar standard of high quality homes and associated uses. The hybrid application allows for up to 750 dwellings, and a further 250 units in the form of a housing with care facility.

The residential development will be focussed on the western area, with lower density housing to the west and south and higher density housing towards the centre of the site. The highest density dwellings will be concentrated around the core facilities, amenities (the blended core) and primary vehicular route. The housing with care facility is proposed in Plot H which forms part of the 'blended core' where a mixture of uses is encouraged.

The residential area is to be divided into three distinct character areas, informally named by the applicants as Oaks Walk, Kinton Green and Blythe View. Although at this stage the design concept is indicative and set out as such within the Design and Access Statement, conditions (Nos. 8 and 9) could be attached to any approval to ensure general conformity with the DAS. Densities, uses and heights, however, are to be set as maximums as part of this application.

Blythe View occupies the western fringe of the development and will face out onto the open countryside and sports pitch/country park areas. The aim here is to provide an attractive green edge to the development with a relatively informal character and architectural style. Development will be largely up to 35dph, increasing to approx. 45dph towards the blended core. Building heights will be largely 2 storeys, increasing to 2.5 stories towards the blended core. Dwellings here will be largely detached units in larger plots, with large front gardens providing an interface between open space and the built form.

Kinton Green is defined by the route of the avenue (main spinal route running north to south through the development) with views of open space to the south and Kinton Green beyond. The southern access into the site enters via this character area. Development here will be 35dph to allow for an informal suburban character, and in terms of height, within the southernmost areas they will be no more than 2.5

storeys, increasing to 3 storeys towards the blended core. A mixture of detached, semi-detached and terraced dwellings and apartments are envisaged here, with the latter two formats being located along the avenue to provide a largely continuous building frontage along the route to emphasise it as the primary movement route through the development. Towards the southern end of this area is a large informal outdoor recreation area which is to be the key focal space for the character area, to be defined by a landmark frontage and key buildings at the entrance to the development, creating a traditional and informal village style character.

Oaks Walk forms the core of the residential development, reflecting a formal character shaped by higher densities and increased storey heights. Here a formal structure of development is proposed with densities of up to 80dph, increasing towards the blended core. Building heights will vary from 3 to 4 storeys, increasing again towards the blended core. The character will be generally semidetached and terraced dwellings and apartments, with a small proportion of detached properties located along green edges. A contemporary character and architectural style is planned here.

The 'Blended Core'

At the centre of the site there will be a 'blended core' which will bring residential and employment uses together alongside town centre and community uses (Use Classes A1-A5 and D2). It will provide shared facilities and will help to create a sustainable community on the park through, for example, a new coffee shop and local shop, though the exact extent of these facilities is unknown and is expected to be market led.

The 'blended core' will act as the interface between the residential development to the west and the commercial development to the east. It will provide a mixed-use, higher density centre, providing stability and diversity to ensure that BVP is a sustainable location. Within the blended core there will also be an up to 250 bed housing with care facility, with opportunities for higher density residential development and some B1 floorspace where suitable. Landmark buildings, key spaces and the retained Marl Pool will be defining elements of the character area.

The blended core includes ancillary uses (Use Classes A1-A5) of up to 2,500 sq. m and leisure and community uses of up to 1,000 sq. m. The mix of uses will provide services and facilities to serve the existing and proposed commercial occupiers, new residents, and the surrounding community.

The use of increased storey heights (of up to 4 storeys) will help to define the character area in terms of scale and massing, with increased densities of 80dph within the residential areas and 50dph within the mixed use areas to ensure that the weight of the population is close to key facilities. Buildings here will have a more contemporary character and architectural style.

Public Open Space / Play Space

Whilst landscaping is submitted in detail, the details of areas of play to be provided are reserved for future determination and will be dependent on the final number of

dwellings. However, the Landscape Strategy incorporates opportunities for play for a range of ages including pre-school toddlers up to children aged 11-16.

Play facilities will range from informal 'doorstop' play along the green corridors running through the site to more formal play elements in the far western part of the site. This space can accommodate up to two junior football pitches and a cricket pitch. A Local Equipped Area of Play (LEAP), a Neighbourhood Equipped Area of Play (NEAP) and a Local Area of Play (LAP) are also proposed. The detailed design of these facilities will be provided through reserved matters applications.

It should be noted that an element of the proposed play provision / public open space is proposed outside of the allocated site within the Green Belt, as are some of the drainage features which form part of the SUDS. This is discussed further later in this report.

KEY PLANNING ISSUES

The following key planning issues are material to the determination of this application: -

- Background and Planning History;
- Principle of development;
- Community Involvement;
- Green Belt;
- Highway related proposals and impacts;
- Viability, Affordable Housing and Housing Mix;
- Impact on the character and appearance of the area;
- Sports and Play provision
- Impact on Landscape Character and Trees;
- Impact on Ecology;
- Drainage;
- Impact on neighbour amenity;
- Impact on Designated Heritage Assets and Archaeology;
- Health and Education;
- Noise Impact;
- Air Quality;
- Lighting Impact;
- Ground Conditions/ Contaminated land;
- Socio-Economic Issues
- Other matters;
- The Balancing Exercise
- Heads of Terms – Section 106 Agreement/Community Infrastructure Levy.

CONSULTATION RESPONSES

Statutory Consultees - the following Statutory Consultee responses have been received: -

Birmingham Airport – No objection

Canal and River Trust – Request contribution towards towpath improvements and safety issues with nearby canal bridges

Cheswick Green Parish Council – Objection for reason of highways and access concerns (particularly due to the Kineton Lane access), impact of the development on local services, connectivity of the development to existing settlements in the area, inappropriate development in the Green Belt, scale and density of the development, impact upon local services.

Environment Agency – No objection subject to conditions

Highways England – No objection subject to conditions

Hockley Heath Parish Council – Objection challenge the fidelity of the Transport Assessment, highways concerns (particularly to the Kineton Lane access).

Non Statutory Consultees - the following Non-Statutory Consultee responses have been received: -

Bromsgrove District Council – No response

National Health Service – No objection subject to offsite financial contribution (S106)

Severn Trent Water – No objection subject to condition

SMBC Business Development – No objection

SMBC Care Home Commissioners – No objection

SMBC Drainage – No objection subject to conditions

SMBC Ecology – No objection subject to conditions

SMBC Education – No objection subject to offsite financial contribution (S106)

SMBC Heritage Assets – No objection

SMBC Highways - No objection subject to conditions and financial contribution (S106)

SMBC Housing Strategy – No objection subject to 25% affordable housing

SMBC Landscape – No objection subject to conditions

SMBC Policy and Spatial Planning – No objection

SMBC Public Protection – No objection subject to conditions

SMBC Rights of Way – No objection

SMBC Urban Design – No objection subject to conditions

Stratford-upon-Avon District Council – No objection

Warwick District Council – No objection

Warwickshire County Council (Highways) – No Objection subject to conditions

Warwickshire Museum (Archaeology) – No objection subject to condition

Warwickshire Wildlife Trust – No objection subject to conditions

West Midlands Fire Service – No objection

West Midland Police – Recommend that the proposal is built to enhanced security standards.

PUBLICITY

The application was advertised in accordance with the provisions set down in the Town and Country Planning (General Development Procedure) Order 2015 and the Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

44 responses were received, comprising 41 of objection and 3 of support. These objections include from Cheswick Green Parish Council, Hockley Heath Parish Council, Dickens Heath Parish Council, Cheswick Green Residents Association, Hockley Heath Residents Association, Illshaw Heath Residents Association, Caroline Spellman MP and Cllr. Ken Meeson. Those in support are Cllr Richard Holt, Cllr Alex Insley, and Cllr Ken Hawkins all of whom offer support with caveats. All correspondence has been reviewed and the main issues raised are summarised below (Planning Committee Members have access to all third party correspondence received): -

OBJECTIONS

Highways issues

- Safety issues due to more traffic being introduced to surrounding highway network
- Capacity issues due to more traffic being introduced to surrounding road network
- There should be no access from the development to Kineton Lane
- If a second access is needed, there are more suitable alternatives/options
- Proposed highway mitigation measures will not overcome safety issues
- There is no safe pedestrian access along local roads (to the south of the site)
- Past assurances have been given that, other than the restricted bus gate, no unrestricted access would be allowed onto Kineton Lane

- If approved, construction traffic should not be allowed to use local roads
- The site is poorly connected to surrounding areas
- Connectivity to nearby villages is not needed
- Insufficient traffic survey work has been undertaken
- The proposed new access is too far away from Cheswick Green

Housing issues

- 750 houses (and 250 bedroomed care home) is too many and more than the Local Plan allocation for the site
- Insufficient amounts of affordable housing are being proposed
- Density of proposed housing is too low
- Cheswick Green parish and the surrounding area are being faced with an unfair burden to provide development land
- No reason why more than the Local Plan allocation of 600 should be built at Blythe Valley

Local Service issues

- There should be a doctors surgery and school on the site
- No need for a gym on the site
- Nearby schools and doctors are already at capacity
- Development too large for local infrastructure to cope with
- The proposed mix of commercial uses on the site (A1-A5) will create an insular environment
- If a new doctors surgery is built at Blythe Valley, this could affect the existence of the existing surgery at Cheswick Green.
- Other community facilities/benefits should be proposed as part of the proposal

Character and Appearance issues

- The proposal constitutes urban sprawl that will adversely impact the distinction between Cheswick Green and Hockley Heath
- The proposal will destroy the Cheswick Green parish and rob residents of their rural environment
- Loss of open space
- Proposed masterplan shows harmful impact to landscaping at Plot B3
- Plot B3 should be used for B2 or B8 purposes only

Neighbour Amenity issues

- Additional noise and nuisance created by additional vehicles on local highway network

Landscape and Ecology issues

- Harmful impact on bio-diversity of River Blythe SSSI and other ecologically important areas
- Harmful impact on protected species and other animals

- Bio-diversity offsetting measures are inadequate

Green Belt issues

- Elements of the proposal are within the Green Belt and very special circumstances have not been demonstrated to justify inappropriate development
- The Green Belt boundaries to the site should be treated as a permanent feature and should not be encroached
- Harm to the openness of the Green Belt and the purposes of including land within the Green Belt
- The Council have previously taken the view that new vehicular access in the Green Belt (elsewhere) are inappropriate development and have been refused

Other issues

- The developers appear to have not consulted with the residents or PC of Hockley Heath
- The proposal will create/exacerbate flooding issues
- The development should be linked to Cheswick Green rather than Hockley Heath
- Unacceptable light pollution
- Unacceptable noise pollution
- An isolated community (a town within a town) is being created
- A poor site for extra care housing given the poor levels of connectivity and few amenities for older people to access
- Impact upon Hockley Heath
- Air and light pollution
- Increased crime and anti social behaviour
- Given that not all of the site is within the allocated BVP site (access for example) it should not be looked upon as though the development is acceptable in principle in its entirety

Non Planning Issues

- Increase use of local highway network could increase risk of damage to property
- Setting of precedence to further infill gap between Cheswick Green and Hockley Heath
- Historic promises that the site would not be used for residential purposes

SUPPORT

Housing issues

- Will assist SMBC in finding sites for development at a time where there is pressure to find land, but concern over proposed new access and impact upon infrastructure and facilities of Cheswick Green and Hockley Heath
- Good for the area to ensure we reach future housing targets
- A suitable amount of residential units for a site of this size

Local Service issues

- Monies should be used to improve doctors surgery and school at Cheswick Green
- Good that a care home and hotel have been incorporated, bringing extra employment to local residents

Highways issues

- Proposed alleviation measures will ensure any increased use of local network will have an acceptable impact
- The new access will provide the connectivity that is required to link Cheswick Green with Blythe Valley
- The second access will create a sense of place and without it there will be problems with residents having to drive through a business park to access their homes
- The second access will help in cases of medical emergency etc.

Housing issues

- Adequate affordable/social housing should be met or as close as feasible

PLANNING ASSESSMENT

This report considers the proposal against the relevant policies of the National Planning Policy Framework (“NPPF”) 2012, the National Planning Practice Guidance and the adopted planning policies of Solihull Council. The policies of the Solihull Local Plan “SLP” 2013 that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations.

Background and Planning History

BVP was originally conceived as a Regional Investment Site (RIS) in the early 1990’s. When first introduced, RIS’s were intended to support the economy and attract national and international investment by creating a high quality working environment. Outline Planning Permission for ‘Phase 1’ (now referred to as the

'eastern area') of BVP was granted on 11 April 1995 by the Secretary of State and the first office buildings were constructed in 1999.

In the Solihull Unitary Development Plan (UDP) (2006), 'Phase 2' (now referred to as the 'western area') of the site was removed from the Green Belt and allocated for expansion of the existing business park. An Outline planning application was subsequently approved for a substantial B1 development on the western area in October 2006, and remained 'live' until October 2016 (ref: PL/2016/01810/OLM). It has therefore now just expired.

The Solihull UDP was replaced by the Solihull Local Plan (2013) when it was adopted in December 2013. Over the years, the park has continued to attract interest and investment and SMBC continues to be supportive of the growth of the park made clear through its strategic allocation in the Solihull Local Plan. The Local Plan recognises that there is a requirement to reinvigorate the Park and improve vitality by allowing for a greater variety of on-site facilities and uses, including residential development. The site therefore has an important strategic role to play in the Borough in terms of provision of employment and economic activity, as well as the delivery of a substantial residential development to help meet Solihull's housing requirements.

The importance of Blythe Valley Park, from a strategic economic perspective, is reiterated through its position in the UK Central Masterplan. The UK Central area represents a unique combination of economic assets of national and regional economic importance including Birmingham Airport, Jaguar Land Rover, Blythe Valley Park, Solihull Town Centre, the National Exhibition Centre, and Birmingham Business Park.

The UK Central Masterplan highlights Blythe Valley Park as offering the opportunity for strategically important economic growth in the West Midlands Region.

A 'Vision Document' was prepared for the site and, following public consultation and liaison with SMBC; it was formally endorsed by Cabinet on 1 September 2015. The Vision Document has a non-statutory status. Rather, it is intended to be a high level vision document that does not seek to be overly prescriptive and reflects the need for detailed proposals to emerge over time.

The purpose of the vision document is to set guiding principles for the form and nature of any future development proposals on the site, to ensure that any development coming forward is consistent with the objectives and vision shared by SMBC and the Applicant.

The endorsed document includes the following high level development principles:

- Commercial development to be focussed in the eastern area of the site.
- Residential development to be focussed in the western area of the site.
- Provision of a 'blended core' which acts as an interface between residential and commercial and includes a mixture of uses.
- A strong landscape framework which integrates with the existing country park on the site.

- Enhanced connections to the surrounding area and the opportunity to explore the potential for a new access into the site.

Principle of Development

This section sets out how the proposed development is acceptable in principle in terms of uses, amount and form, having regard to the overarching aims of the adopted Local Plan and other material planning considerations.

The principle acceptability of the proposed scheme is governed by the requirements of policy P1 'Support Economic Success' of the Solihull Local Plan. Policy P1 supports and encourages the development of Blythe Valley Park in its role as a prime employment location. Development including business (Use Classes B1, B2 and B8), supporting residential uses, and ancillary uses such as hotels, leisure and local facilities (Use Classes A1-A5) are all accepted. This is reflected within the allocation of the site on the Proposals Map for 'mixed-use' development.

In terms of the uses proposed on site through the planning application, these are all acceptable in principle under Policy P1.

The amount of development allocated to the site is set out in part within the supporting text of policy P1, and in part in the supporting text of Policy P5.

Paragraph 7.2.16 of the Local Plan sets out that the Council will expect a substantial quantity of employment floorspace (about 162,575 sq m overall)], and a substantial residential element (circa 600 dwellings) to be delivered at Blythe Valley. The supporting text of Policy P5 goes on to explain how the Council will expect the residential element to be delivered across 2 phases, with 350 homes being delivered before 2018 and 250 homes being delivered after 2018.

The proposed employment floorspace will bring the total amount of employment floorspace on the park to approximately 161,000 sq m, which is within the parameters set by the Local Plan.

In terms of residential provision, the proposed amount is higher than the number identified in the Local Plan. However, policy P5 of the Local Plan, which sets the housing requirement for the Borough has been quashed through a successful High Court Challenge. There is therefore no housing requirement figure available against which the Council are able to measure their housing land supply against. A recent appeal decision at Tidbury Green (PINS Reference APP/Q4625/A/14/2220892) has confirmed that this is the case, and as such, the Council are not able to demonstrate a five year supply of housing land. Therefore, under paragraph 49 of the NPPF, the Council's policies in relation to the supply of housing are 'out-of-date'.

Given that the Council are unable to demonstrate a five year supply of housing and given the drive at national level to "boost significantly" the supply of housing (NPPF, para 47), it is considered that the amount of housing proposed on the site is acceptable in principle, subject to consideration of all other material considerations as set out in this report.

The other uses proposed on site are all ancillary (the amounts of which to all intents and purposes being market-led once construction is underway), and the proposed amounts are considered to be acceptable in the context of the amount of residential and commercial floorspace proposed. These uses will add to the overall attractiveness of the site and will enhance its overall sustainability.

Policy P1 requires new development proposals at Blythe Valley Park to be prepared within the context of a masterplan to demonstrate how integration would be achieved between existing and planned facilities and with the network of villages that lie nearby.

During 2015, a number of workshops were held with officers and Solihull Metropolitan Borough Council; the purpose of these workshops was the development of a shared 'vision' for the site which would in turn shape a site 'masterplan'. The result of these workshops and this process was the Blythe Valley Park 'Vision Document' which was endorsed by SMBC in September 2015 and which has provided a framework within which the proposed development has been prepared.

The proposed development is fully in accordance with the principles set out within the 'vision document' which at a high level include:

- Layout – The vision endorses a model whereby employment uses are predominantly at the eastern area of the site and residential uses are predominantly to the western area. These should then be joined by a 'blended core' where a mixture of uses acts as an interface between the two primary elements. Higher densities of development are encouraged around the blended core at the centre of the site.
- Connections – The vision suggests that opportunities to connect the new development into the surrounding area should be explored. This could be delivered through the creation of a new access into the site and other improvements to existing pedestrian/cycle connections to nearby centres.
- Landscape – the vision expects new development proposals to respect and fully integrate with existing landscape features. These features should be used to provide strong green spaces and corridors which will secure a high quality setting producing areas of high quality recreational and wildlife value.
- Facilities and services – The vision expects new facilities to complement and not detract from the existing facilities in Cheswick Green.

It is noted that a small part of the site in the western area is located outside of the allocation boundary; however it is not located within the Green Belt. The reason for this is that the Local Plan allocation boundary does not follow the Green Belt boundary which was altered under 'exceptional circumstances' during the preparation of the Solihull UDP 2006 (Appendix 5). It is confirmed that this area of land is therefore 'white land' and legal advice sought has confirmed this position.

There are a number of benefits of developing this 'white land'. It provides the opportunity to deliver circa 25 additional homes to ensure best and most efficient use is made of the land in accordance with paragraph 58 of the NPPF. Furthermore, by

including this area of land, the opportunity is provided to better plan the relationship between the built development and areas of open space (informal) on the western edge of the site. For these reasons it is considered appropriate to include development outside of the allocation boundary (and outside the Green Belt). It is also noteworthy that a previously consented scheme on the site (2006/1461) has proposed development in this area.

Other elements of the site are also located outside of the site allocation boundaries, being land mainly to the west and south, upon which new drainage works are proposed within the existing country park, new sporting facilities to serve the local community are proposed, and a new vehicular access serving the development from the south are also proposed. These elements of the proposal constitute inappropriate development within the Green Belt, and in order to be acceptable very special circumstances must be demonstrated that outweigh the harm of the proposal caused by its inappropriateness and any other harm. This will be explored further later in this report under heading 'The Balancing Exercise'.

The principle of development is firmly established through its statutory designation within the Solihull Local Plan and therefore holds positive weight in the planning balance.

Community Involvement

The NPPF recognises that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties.

The Council's adopted Statement of Community Involvement suggests examples of pre-application community involvement. For large scale housing applications, it suggests considering holding public exhibitions/drop in sessions, public meetings and providing a newsletter to keep people up to date with the progress of the scheme

Having regard to this the applicants undertook a variety of approaches to raise awareness of the proposal in the local area. These included: -

- Engagement with SMBC Members at an early stage, including ward Members
- Engagement with Cheswick Green Parish Council
- Engagement with Hockley Heath parish Council and Hockley Heath Residents Association
- Engagement with residents of Kineton Lane and Ilshaw Heath Road
- Engagement with the wider community of Cheswick Green
- Engagement with the tenants and employees of businesses located at the park
- Engagement with statutory consultees (such as Highways England)

The means of engagement involved specific briefing sessions, a public exhibition, distribution of consultation awareness raising materials (letters, leaflets and posters) and the creation of a dedicated project website.

The applicants advise that in total 74 responses were received, containing a mix of supporting and objecting comments with the majority of comments concentrating on the proposed new access onto Kineton Lane and the impact the proposal could have on surrounding roads. It is advised that other comments included the impact on local services, the need for affordable housing and how the proposal should consider local flooding, wildlife and residential amenity.

In terms of the procedures carried out, the applicant has complied with advice set out in the NPPF and carried out a consultation exercise in accordance with the Council's adopted Statement of Community Involvement.

Green Belt

In relation to Green Belt Policy, the NPPF confirms that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence (Para 79). Paragraph 80 confirms that the Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (Para 87).

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' (VSCs) will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (Para 88).

Policy P17 of the Solihull Local Plan in relation to the Countryside and Green Belt which is in conformity with the NPPF, gives additional guidance to national policy in a small number of areas, though in general broadly reflects NPPF advice.

It can be seen that there is a strong presumption against new development unless it satisfies the criteria considered to be appropriate in the Green Belt as defined by the policies in both the NPPF and Policy P17 of the Solihull Local Plan.

As set out above, certain elements of the site are located within the Greenbelt outside of the site allocation boundaries, being land mainly to the west and south, upon which new drainage works are proposed within the existing country park, new sporting facilities to serve the local community are proposed, and a new vehicular

access serving the development from the south is also proposed. These elements of the proposal constitute inappropriate development within the Green Belt, and in order for these elements to be acceptable very special circumstances must be demonstrated that outweigh the harm of the proposal caused by its inappropriateness and any other harm.

In assessing the impact of the proposal upon the openness of the Green Belt, the elements of inappropriate development are best broken down into 2 distinct elements – the outdoor recreation facilities (including the extension to the country park and the proposed play facilities) and the drainage works, and the proposed new vehicular access.

Dealing with the first of these (outdoor recreation facilities and drainage works), it is acknowledged that the NPPF, at paragraph 81, advises that local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

Clearly by approving this application this would result in opportunities for improved access which would hence comply with this key central thread of Green Belt advice. This consists of one of the VSC strands submitted by the applicant. In addition, in relation to sports and play provision, should such provision be provided within the allocated site itself, this would adversely reduce the delivery of housing within the Borough at a time where the Council cannot demonstrate a 5 year housing supply, and would fail to maximise the most effective and efficient use of an allocated housing site. In addition, the sports pitches occupy a well enclosed site, meet an identified local need (this issue will be expanded upon further in this report) and no built development of significance is proposed thereon.

In relation to the SUDS element of the inappropriate development, it is noted that the existing SUDS system at BVP (a great deal of which is located outside of the allocated development and within the Green Belt) was an exemplar system when it was originally installed and forms an intrinsic part of the landscaped country park setting of the site, defined mainly by reed beds taking the form of relatively naturalistic ponds. The proposed scheme seeks to amend and increase the capacity of the existing scheme by increasing its capacity to take account of more recent. It therefore would seem to make complete sense to amend the scheme in its current setting (i.e. within the Green Belt) with similarly designed and proportioned ponds that would further complement the country park setting of the site. Further, failure to do so would result in the need for additional land to be given over to such provision within the confines of the allocated site which would, as with the provision of the open play/sports space, reduce the amount/delivery of housing within the Borough.

In order for these elements of the proposal to be considered acceptable in the context of the tests set out in paragraph 87 and 88 of the NPPF, the case set out above must be accepted as a set of VSCs that outweigh the harm of the proposal by way of its inappropriateness and any other harm. This is an assessment to be made by the decision maker and will be addressed further in this document once the extent of any other harm (if any) has been identified.

Turning now to the proposed southern access from Kineton Lane, the Very Special Circumstances which the applicants suggest justify the proposed new access road are as follows:

- The need to bring forward an allocated site and facilitation of its delivery
- Place-making
- Securing enhanced connections

The need to bring forward an allocated site and facilitation of its delivery

The site is allocated for mixed use development within the adopted Solihull Local Plan (2013) and represents the Borough's single largest housing allocation. The next largest sites are between 200-300 units (50% smaller than BVP), meaning Blythe Valley Park is making the largest contribution towards meeting SMBC's housing requirement and identified housing need.

The adopted Local Plan sets out in policy P5 the intention that circa 350 dwellings are anticipated to be brought forward on the site during phase 1 of the Plan period (2006 to 2018), and the remaining residential development (circa 250 dwellings) to be brought forward during phase 2 of the Plan period (2018 to 2028). This represents a circa 5.5% proportion of SMBC's housing requirement over the period 2006 to 2018, and a substantial (circa 15%) proportion of the housing land allocated within the Local Plan.

Since the Plan was adopted, and following the High Court's partial quashing of Policy P5 of the Plan, there have been a number of applications submitted to the Council with evidence to demonstrate that the Council is unable to demonstrate a five year supply of housing. This was confirmed by the Secretary of State in the Tidbury Green appeal.

Whilst a number of decisions made by the Secretary of State have demonstrated that the lack of a five year supply of housing land is not in itself a material consideration that can outweigh the protection of the Green Belt, the situation at Blythe Valley Park is different. In this case, the applicant is not seeking to release land for residential development within the Green Belt through the planning application, rather the development proposed within the Green Belt will facilitate the delivery of a site allocated for development at a rate and quality that befits the site's location.

In addition, a recent Court of Appeal decision (dated 17 March 2016) addressed paragraph 49 of the NPPF which deals with housing land supply policies and how they should be considered 'out of date' when the Council cannot demonstrate a five year housing land supply. The judgement states:

“Our interpretation of the policy does not confine the concept of “policies for the supply of housing” merely to policies in the development plan that provide positively for the delivery of new housing in terms of numbers and distribution or the allocation of sites. It recognizes that the concept extends to plan policies whose effect is to influence the supply of housing land by restricting the locations where new housing

may be developed – including, for example, policies for the Green Belt, policies for the general protection of the countryside, policies for conserving the landscape of Areas of Outstanding Natural Beauty and National Parks, policies for the conservation of wildlife or cultural heritage, and various policies whose purpose is to protect the local environment in one way or another by preventing or limiting development. It reflects the reality that policies may serve to form the supply of housing land either by creating it or by constraining it – that policies of both kinds make the supply what it is.”

It is considered that a new access road is essential to facilitate the delivery of this allocated site, and release its development potential. This justification for this is as follows:

- Blythe Valley itself is an untested residential market. Because the site is a well-established business park in both form and function, “Blythe Valley Park” represents a commercial rather than residential development to the property and investment market and those in the market looking to buy a new house. Therefore fundamental changes, both physically and perceptually, are required to ensure that a new identity is created.
- Changing “Blythe Valley Business Park” to “Blythe Valley Park” and establishing it as a location that can compete with other developments where you would like to buy a house and be part of a community is a substantial challenge. The southern access is key to establishing that sense of place and community – otherwise the perception is that you are living on a business park with no connectivity to the surrounding communities, villages and associated dispersed facilities.
- As an industry, housebuilders are inherently risk-averse and the untested nature of Blythe Valley as a destination for housing, compounded by access through a business park is likely to result in low take-up of housing land. If the alternative access solution is not offered, the strategic land advisor acting for the Applicant, CBRE, opines that there will be a severely curtailed demand from developers for housing land at Blythe Valley Park. This would mean that the residential development cannot viably be delivered and will not be able to contribute to SMBC’s housing requirements.
- By providing a second point of access to the development, and thereby the range of product that can be offered (e.g. two businesses within the same housebuilder ‘umbrella’), there is scope for two sales outlets to operate on the site concurrently.

Place-making and the Secondary Access

Local Plan Policy P1 states that: “The Council will expect new facilities, including the residential element at Blythe Valley Park, to be developed in the context of a masterplan to demonstrate how integration would be achieved between existing and planned facilities and with the network of villages that lie nearby.” Similar feedback was received following the MADE Design Review of the emerging proposals for BVP, held on 23 April 2015. Members of the Design Review Panel suggested that

there would be significant merit in exploring the opportunity to provide a secondary access, as this would improve connections to Cheswick Green and stop the proposed development from becoming a giant 'cul-de-sac'.

The Vision Document which was formally endorsed by SMBC in September 2015 makes reference to the benefits of exploring opportunities for a new access point in order to assist with place-making and enhancing connections with Cheswick Green.

There is a firm commitment to deliver a scheme that is aspirational in terms of place-making to ensure the success of the development as a whole. The Kinton Lane Access is a fundamental element of the strategy for place-making, ensuring that the development has a strong and identifiable residential entrance. It is considered that without the new access proposals, the development would be at risk of becoming an 'island' which is cut off from essential facilities and would be considered a significantly less sustainable location.

The key place-making benefits provided by the new access point are summarised below:

- Ensuring a welcoming 'front door' to the residential element of the scheme, shaped by the village green.
- Emphasising a place with a strong residential identity, assured by the provision of a residential entrance that has no association with the business park.
- Creating a legible, vibrant and active place that benefits from a well-defined through route.
- Maximising integration for existing and new residents, promoting inclusivity and community cohesion.
- Bringing significant environmental and safety benefits through design by changing the alignment of Kinton Lane and promoting speed reduction measures.

The character of the Kinton Lane access point will differ greatly to that of the northern entrance which comprises an access through the business park. In terms of place-making the proposed new access is key in ensuring that the development benefits from having an entrance that defines a new community and creates a strong sense of identity, moving away from the perception of a wholly business park environment.

Proposals set out in the Design and Access Statement (DAS) show how this new residential entrance will form a landmark space that is defined by high quality architecture, landscape and public realm design. Overall, it will help to aid site wide legibility, providing a distinctive and attractive entrance to the development.

With the new access proposals, the development will be considered a significantly more sustainable location due to connectivity with essential facilities, ensuring that the development does not become a cul-de-sac that impedes movement and community cohesion.

Secondary Access and Securing enhanced connections

In order to ensure the sustainability and success of Blythe Valley Park, as well as meeting the policy requirements of the Local Plan (Policy P1) and the 'vision' established in the Vision Document, enhanced connections are required from the site to Cheswick Green, the surrounding villages and the wider area.

The proposed new access will have benefits in terms of permeability and connectivity as it will allow for buses to route through the site more easily, thus allowing for a better public transport service for the proposed residential area. The proposed access will also facilitate improvements to the existing bus service provision, allowing for a two-way 15 minute frequency service to Solihull town centre, via Cheswick Green, Dorridge, Knowle and Hockley Heath.

In addition to bus service improvements, the new access road will connect the proposed development with Cheswick Green via a more direct route. Key services and facilities which will serve the proposed development (such as the Primary School and Doctors Surgery) are located within Cheswick Green; enhanced connectivity is therefore essential to ensure the scheme is socially and environmentally sustainable.

For the avoidance of doubt, there are cogent reasons why the existing bus gate onto Kineton Lane cannot become a permanent means of access of the site in lieu of the proposed new access road. In this regard, they advise as follows:

- The new access point is predominantly intended to serve the proposed residential development, providing residents with a more direct route to nearby facilities and services and creating a greater sense of place for residents. The existing bus access is located on Central Boulevard which routes through the commercial element of the site; it would therefore not be easily accessible from the new residential development plots and consequently would not achieve its primary purpose.
- The use of the bus gate would also encourage the mixing of traffic on Central Boulevard. This would result in management issues for the existing business park and cause disruption to existing occupiers. There would also be the potential for significant tree loss resulting from the need to provide an internal access from the western area to the eastern area through a primary green corridor.
- On a more practical note, the existing bus gate is subject to a legal covenant which restricts the access for use by buses and emergency vehicles only.

In addition to the above, the opening up of the bus gate would not contribute towards the creation of a sense of arrival and new sense of place, which is essential to help ensure the deliverability of the proposed residential development. On this basis, opening the bus gate is not considered to be a practical access option for the proposed development.

In terms of other potential access points around the site, Kineton Lane is the only existing road in the vicinity of the site which is abutted by land within the applicant's ownership. It is therefore the only location where the applicant can ensure that a new access can be delivered. Kineton Lane is also the closest existing road to the site meaning that the proposed access will result in the least possible amount of development in the Green Belt compared to alternative options considered to the north and west of the site; therefore limiting the potential harm as far as possible.

As with the advice given above concerning the proposed sports/play provision and SUDS within the Green Belt, the weight to be attached to the above stated VSCs will be considered later in this report, once all potential harm (if any) has been identified.

Highway related proposals and impacts

The planning application is for a mixed use development, comprising up to 750 residential dwellings, up to 250 extra-care dwellings, up to 2,500sqm of A1/A5 uses, up to 1,000sqm D2 use, employment floorspace (up to 98,850 sqm B1, B2 and B8 uses) and a 200 bedroom hotel.

The application site incorporates the entire business park although the development substantively supersedes a recently expired planning application to provide a phase 2 of the existing business park (ref: PL/2016/01810/OLM). Approximately 60,000 sqm of B1 office is already built out meaning the development would permit a total of 159,000sqm of employment use at the site. The proposals also include the realignment of Kineton Lane to provide a new access with an associated speed reduction scheme and extension to the existing 30mph speed limit.

This transportation response is set within the context of Policies P7 and P8 of the Solihull Local Plan (SLP) and the National Planning Policy Framework, particularly in relation to Chapter 4 – Promoting Sustainable Transport.

The planning application is supported by a Transport Assessment dated March 2016, produced by Peter Brett Associates (PBA). Since the submission of the planning application there have been numerous other technical addendums submitted by PBA on behalf of the applicant and these are referenced within this response where relevant.

Accessibility

The development is contained within an existing out of town business park on the periphery of the urban area. A new access is proposed at Kineton Lane, which will enhance permeability to the south-west of the site; however, in general, external permeability is lacking, particularly between the site and the wider urban area along, and to the north of, the A34 Stratford Road corridor.

Policy P7 of the SLP sets out minimum criteria, in terms of linear distance to local service and facilities, which all new development should meet. To assess compliance with this policy the applicant has used public transport journey time as a proxy for achieving the requisite criteria. This approach is not, however, considered

appropriate; not only does it fail to take account of the generalised costs of using public transport (fare levels, frequency & headways and congestion) but also the need to encourage walking and cycling as a mode of travel in accordance with Policy P18 (Health and Well Being) of the SLP. Nonetheless, the transport assessment does, however, recognise a need to improve the accessibility credentials of the site and proposes improvements to walking, cycling and public transport.

Walking and cycling

A scheme is proposed along Kineton Lane and Illshaw Heath Road to improve access to Stratford upon Avon Canal by walking and cycling and this is illustrated within drawing number 31604-5509-010 Rev A. It is, however, considered that this scheme falls short of the improvements needed to foster sustainable development; moreover, once pedestrians/cyclists reach the canal towpath, surfaces are generally in poor condition whilst the closest local services and facilities along the canal are found at Dickens Heath, well outside acceptable walking distances (although within realistic cycling distances).

Public Transport

The applicant has committed to funding extensions and improvements to the S4 bus service to provide a 30 min frequency service into the site which has a circular route running from Solihull town centre, Cheswick Green, BVP, Hockley Heath, Dorridge and back to Solihull town centre. The service would complement the existing X20 service (which also serves site) and provide frequent public transport connections to local services and facilities, including local schools, in Cheswick Green, Hockley Heath and Dorridge. New bus stops would be installed within site and a smart ticket card top-up facility would be provided within the blended core. Furthermore, it is also proposed to secure an off-site highway scheme to make the A34 Stratford Road/Creynolds Lane junction all-movement thereby enabling right turning. This would significantly improve bus journey times and reliability between the site and Cheswick Green and is covered in more detail below.

A Section 106 contribution of £532,000 has been agreed with the applicant which would pump-prime the extended and improved S4 bus service for a period up to 6 years, after which time the service is forecast to become commercially viable.

Conclusion on Accessibility

The proposed improvements to bus services are welcome and would provide public transport access to Cheswick Green, Hockley Heath and Dorridge. External permeability by walking and cycling will, however, be sub-optimal, notwithstanding the proposed improvements, and requires further mitigation.

To this end, highway officers have reviewed walking and cycling infrastructure between the site and the A34 corridor, Monkspath, Dorridge and Cheswick Green. The review identified a potential suite of improvements to walking and cycling infrastructure to Monkspath (via 'the Monkspath'), Dorridge (via Gate Lane and Box Trees Road) and existing cycle facilities on A34 Stratford Road. The measures

mainly comprise improved lighting, crossing facilities and cycle lanes (where appropriate).

A scheme to improve walking and cycling links between site and Cheswick Green, via public footpath SL78 and Illshaw Heath Road, was deemed unfeasible due to likely significant landscape and ecological impacts in providing footways/cycleways on Illshaw Heath Road whilst footpath SL78 is in part private ownership at the point it joins Illshaw Heath Road.

With the above in mind, and to make the development acceptable in sustainable transport terms, it is proposed to secure funding to deliver cycling and walking improvements along corridors linking the site with the A34/A3400 cycle route, Monkspath local centre and Dorridge Village Centre. The total cost of implementing the improvements has been estimated at c. £790,000 and a Section 106 contribution is sought in this regard.

It should be noted that the Canals and Rivers Trust has sought contributions to improve the canal towpath along the Stratford upon Avon Canal. However, it is considered that the finite investment available should focus on enhancing site permeability with the wider urban area to the north of site.

Subject to the financial contributions detailed above, it is considered that external permeability and access to local services and facilities can be significantly improved and the current policy shortfalls mitigated. This is in line with Policy P7 of the SLP which states that *'investment in improvements to local public transport provision, cycling and/or walking measures will be sought in association with development proposals which do not meet the accessibility criteria set out by [the] policy'*.

Highway Safety

The applicant has interrogated Personal Injury Collision (PIC) records on the surrounding highway network in the five year period between July 2010 and end of June 2015 (up to the period the Transport Assessment was completed).

A34/A3400 Corridor

The extent of the A34 and A3400 corridors between Monkspath Hall Road and Box Trees Road was assessed including J4 M42. In total there were 24 PICs including 4 PICs at M42 J4. The number of collisions is not unexpected given the high volumes of daily traffic generated along these routes. There are no identifiable clusters and/or patterns of PICs that point to particular problem with the road layout that could otherwise be exacerbated by the development.

Kineton Lane

Along the network of local roads to the south of the development site, comprising Kineton Lane, Illshaw Heath Road, Dyers Lane and School Road, there have been a number of PICs. A fatal PIC occurred at Kineton Lane, south of the proposed new access, in June 2013. The PIC was caused by a driver overtaking another vehicle, losing control and colliding with street furniture. Notwithstanding that this PIC was

caused by driver error, the proposed development includes a scheme to change the alignment of Kineton Lane at this location. The geometry of the new road layout would foster a low speed environment, complemented by an extension to the existing 30mph speed limit.

Dyers Lane/Ilshaw Heath Road/School Road junction

There has been a cluster of five PICs at the junction of Ilshaw Heath Road/School Road/Dyers Lane. All of the PICs were a direct result of vehicles 'overshooting' the junction of Dyers Lane from Ilshaw Heath Road (3 PICs) and School Road (2 PICs). Visibility at the Ilshaw Heath Road arm of the junction is particularly poor and likely to contribute to the PICs by enclosing the junction to approaching drivers.

It is noteworthy that the PIC rate at this junction has historically been higher but Council intervention in 2010 to provide more visible give-way markings at both Ilshaw Heath Road and School Road has ameliorated the situation to an extent. Even so, the proposed development would materially increase levels of traffic at this junction with increased potential for conflict between vehicles.

The development therefore includes a highway scheme to mitigate the increased PIC risk at the Ilshaw Heath Road/School Road/Dyers Lane junction. The scheme comprises traffic regulation orders and small scale engineering measures to provide a one-way system around the Dyers Lane, Ilshaw Heath Road and Kineton Lane 'triangle'. Ilshaw Heath Road would become one-way northbound (thereby eliminating exiting movements into the junction) whilst Kineton Lane, from Ilshaw Heath Road, would become one-way southbound and adequate sight lines are available where it intersects Dyers Lane. The scheme is illustrated on drawing number 31604-5509-010 Rev A.

The scheme would not, however, reduce the likelihood of conflict between vehicles 'overshooting' the junction from School Road. A further scheme is considered necessary here to mitigate the increased risk from development traffic. Highway officers have assessed a number of options and conclude a speed reduction scheme to provide a 'table-top' traffic calming feature at the junction with an associated priority give-way feature on the School Road approach would suitably mitigate the increased risk of conflict. The scheme is estimated to cost c. £30,000 and a Section 106 is sought in this regard.

Dyers Lane canal bridge

The bridge deck and immediate road approaches to the Dyers Lane canal bridge are narrow and do not allow two vehicles approaching in opposite directions to pass. Moreover, forward visibility over the bridge is sub-optimal and drivers do not achieve full sight of each other until after the point where vehicles can pass.

This can occasionally lead to some unfortunate vehicle manoeuvres whereby reversing is necessary to allow vehicles to pass. Whilst there is no evidence this situation is negatively impacting upon highway safety, increased development traffic could lead to driver frustration and aggressive driving behaviour, both of which are not conducive to safety.

Further mitigation is therefore considered necessary here. Site inspections show an opportunity to widen the carriageway on either side of the bridge along its immediate approaches. Such widening would allow two-way vehicle movement to be maintained up to the point where inter-visibility over the bridge deck can be achieved. This scheme would reduce the potential for conflict, preclude the need for reversing and improve traffic flow over the bridge. The estimated cost of the scheme is £25,000 and a Section 106 contribution is sought in this regard.

Other safety considerations

The roads to the south of the development site, particularly Dyers Lane, are generally rural in character and constrained in width. At Dyers Lane, there are several points where there is insufficient width to allow two-vehicles to pass in opposite directions. However, forward visibility along the road is good and a number of passing places are provided, albeit some are informal and in poor condition structurally. Both School Road and Illshaw Heath Road are generally more generous in width although there are some discrete locations where passing places are provided and required to allow two vehicles to pass.

There is no evidence that the restricted geometry of these local roads is creating a day to day safety risk and the informal passing places appear to generally work well. The narrow nature of the roads also serves to moderate vehicle speed. That said, the increased level of traffic would increase the use of passing places and accelerate their deterioration, particularly at Dyers Lane. A further contribution of £25,000, secured via Section 106, is therefore sought, which would allow existing informal passing places along Dyers Lane and other local roads to be formalised and improvements to existing carriageway edges in poor condition.

Highway Safety Conclusion

The improvements to the local road network to the south of the site, particularly at the junction of Dyers Lane/Illshaw Heath Road/School Road and the Dyers Lane canal bridge, would provide a significant improvement that achieves wider benefit. Whilst the local road network is geometrically constrained in places, there is no evidence that it negatively affects highway safety. It should also be noted that the geometry of the road is observed to reduce speed and would, to a degree, deter traffic redistribution from the wider highway network and the development. Subject to the mitigation measures outlined above, it is considered the proposed increase in development traffic can be accommodated safely.

Traffic Impact / Network Management

Trip Rate and Development Scenarios

The first step in forecasting development impact is to define trip rates for all respective land uses. The applicant has set-out trips rates within section 5.4 of the transport assessment and they are considered acceptable for assessment purposes. The transport assessment considers (and tests) a number of different development scenarios which have a varying traffic impact dependent on development mix, trip internalisation (intra-site trips between commercial and residential) and increased

mode share away from the car. All development scenarios have all been tested in a horizon year of 2026 which additionally takes account of background traffic growth. A worst case scenario 'sensitivity 2 scenario' is assessed which assumes all employment is built out as B1 office and without any discounting to take account of internalisation and/or mode share. The transport and highway recommendation is based on this worst case scenario being brought forward. Details of all the scenarios tested are contained within 5.2 of the transport assessment.

Traffic Assignment

The applicant has assigned development traffic on the highway network using 2011 Census Journey to Work (JtW) data based on Middle Super Output Areas (MSOA). In addition to generating new trips, the creation of the new access at Kineton Lane would additionally re-distribute existing site trips and the applicant has also used JtW data to re-distribute these existing trips.

Traffic has been assigned on the network using the most direct route, based on shortest travel time in the AM and PM peak periods recorded by Google Maps, to access the destinations identified by the JtW data.

A number of the MSOA's interrogated are, however, very large and it is likely that routes taken to/from origins and destinations within the output areas may vary considerably. It is also likely that perceptions of motorway congestion and travel time variability would also affect trips to/from the site and potentially induce more trips along local roads via Kineton Lane from employment uses within site.

These issues were raised with the applicant and, in response, an addendum 'traffic routing review' technical note was submitted. The addendum further reviewed access to/from the site from a number of discrete locations where there may be a propensity to use local roads, including Hollywood, Wythall, Hockley Heath and Birmingham (authority district).

The addendum note concluded that there may be a preference for traffic to route through local roads (via Kineton Lane) instead of the strategic routes along the A34, A3400 and M42 but the difference in journey time (using present day journey times) is marginal. It further states that the speed reduction measures along the internal spine road are likely to negate some of the journey benefits for employment traffic. Whilst the first principles assignment method used by the applicant is sound in principle, it does have some limitations, most notably around failing to consider the impact on future year congestion on the local and principal highway network and the subsequent effect on route choice. In the event of habitual congestion and delay on the wider network, there may be a propensity for some commercial traffic to re-distribute through the residential element of the site and onto Kineton Lane.

It is therefore considered necessary for a traffic management plan to be secured, which places an obligation on the applicant to periodically monitor traffic levels passing through the site and onto Kineton Lane. In the event of significant re-distribution of commercial traffic through the south of site (and therefore through the residential spine road), over and above that forecast within the transport assessment, the traffic management plan would set out and implement a suite of

mitigation measures. Such measures could include liaison between the park management company and individual businesses to discourage use of the Kineton Lane and, if necessary, the imposition of a 'prohibition of driving except for access traffic regulation order' covering the residential element of the site. This would be triggered when an additional 25% of traffic movements occur above that forecast within the Transport Assessment.

This obligation is considered important in safeguarding and future proofing the traffic assumptions contained within the transport assessment and can be secured via Section 106.

Junction Impact

The traffic impact of the development has been examined on the site's surrounding roads and junctions. The transport assessment considers the impact of development in a 10 year horizon period in 2026 against a theoretical 2026 'future baseline' scenario (which takes account of background traffic growth).

As detailed above, the transport assessment considered several different scenarios but the highway assessment of the development focusses on the worst case 'sensitivity 2' scenario.

A34 Stratford Road / Creynolds Lane

The junction capacity assessments demonstrate that the junction is forecast to operate beyond its theoretical limits of capacity in both the future base year and the 'sensitivity 2' worst case scenario although it is not forecast to exceed its practical limit of capacity (100% of capacity). As a result, no mitigation is proposed by the applicant.

However, in order to provide direct and reliable public transport between the site and Cheswick Green local centre and Cheswick Green Primary School, it is proposed that a scheme be brought forward to provide for all movements at this junction. This scheme would also realise the additional benefit of removing 168 AM peak vehicles and 147 PM peak vehicles from 'u' turning at the A34 Stratford Road/Monkspath Hall roundabout, which is currently congested.

Whilst the scheme would introduce new stopping delay for A34 westbound traffic, with some associated queuing during both the AM and PM peak, this is outweighed by the removal of 'u' turning vehicles and significant benefits to public transport.

The scheme is secured by condition no. 38 and is illustrated on drawing number 31604-5521-002 Rev A. The scheme should also be delivered prior to any residential development being brought into use/occupied.

A34 / Stratford Road / Monkspath Hall Road

The junction capacity assessments demonstrate that this junction is currently operating at capacity during both peak periods. In the future base year and

'sensitivity 2' scenarios, the junction is forecast to operate significantly beyond its theoretical levels of capacity.

The applicant therefore proposes a mitigation scheme at this junction, comprising part signalisation. Whilst the scheme goes some way to mitigating the development impact, the junction would still operate beyond its theoretical limits of capacity in the 2026 scenario. It is not, however, the responsibility of the applicant to mitigate anything more than the development impact. The scheme is illustrated on drawing number 31604-5516-004 Rev A.

The scheme is secured via condition no. 37, and will be delivered prior to occupation of the 425th dwelling or 83,608 sqm B1 use (including existing B1). This trigger point reflects the number of 'u' turning trips removed as a result of providing an all-movement junction at Creynolds Lane.

Tesco / Notcotts Roundabout

The junction capacity assessments forecast the junction to operate within capacity in the 2026 'sensitivity 2 scenario' in both the AM and PM peak. No mitigation is proposed at this junction.

Fore Business Park Access

The junction capacity assessments forecast the junction to operate within capacity in the 2026 'sensitivity 2 scenario' in both the AM and PM peak. No mitigation is proposed at this junction.

BVP exit onto A3400 Stratford Road

The junction capacity assessments forecast the junction to be operating close to practical levels of capacity in future year scenarios beyond the 'realistic scenario'. The applicant therefore proposes a mitigation scheme, comprising increasing the number of exit lanes from two to three from the exit onto A3400, introduction of a staggered pedestrian crossing across the A3400 and upgrading the signal controllers at the A3400 / Blythe Valley Park Bridge exit / Gate Lane to improve operation. The scheme has been reviewed, is considered acceptable and can be found on drawing number 31604-5516-005 Rev A.

The scheme is secured by condition no. 39, to be delivered prior to the post the realistic scenario which equates to 750 dwellings and 120,008 sqm B1 (including existing B1).

This scheme would, however, release additional flow onto the M42 J4 and this impact is considered below.

M42 J4

The junction capacity assessments forecasts M42 J4 to operate close to practical levels of capacity along some links beyond the 'sensitivity' scenario. The mitigation for the site egress onto A3400 would also increase flows through junction J4.

If traffic volumes exceed the levels associated with the 'sensitivity scenario,' a further mitigation scheme is proposed, comprising making the current site access from M42 J4 into an exit (left turn onto A34) as well and making the egress into the site two-way thereby providing an access into the site from A3400. The scheme has been reviewed, is considered acceptable and can be found on drawing number 31604-5516-002 Rev A.

Condition no. 40 requires that these works are delivered prior to any development being brought into use/occupation of dwellings post the sensitivity scenario which equates to 750 dwellings and 126,008 sqm B1 (including existing B1).

Box Trees Lane/Kineton Lane roundabout

The junction capacity assessment forecasts this junction to be operating within theoretical limits of capacity during all scenarios. Therefore, no mitigation is proposed at this junction.

It should be noted that the applicant's traffic assignment routes 0% of trips along Box Trees Road, instead assuming that all trips routing to/from the residential areas around Knowle, Dorridge and Hockley Heath use Gate Lane. Whilst this is highly unlikely in practice, it is unlikely to materially affect the results of the capacity assessment.

Kineton Lane/Ilshaw Heath/Dyers Lane/School Road Local Road Network traffic impact

Current conditions

During the AM peak there are currently 516 two-way vehicles travelling along Kineton Lane, 78% of traffic travels northbound and 22% of traffic travels southbound. In 2026 two-way traffic is expected to increase to 580 vehicles as a result of wider background traffic growth (not including development traffic). During the PM peak there are currently 455 two-way vehicles travelling along Kineton Lane, 77% of traffic travels southbound and 23% of traffic travels northbound. In 2026 two-way traffic is expected to increase to 518 vehicles as a result of wider background traffic growth (not including development traffic).

Proposed Development

Based on the applicant's traffic assignment for the 'sensitivity 2' scenario and compared to forecast 2026 future base traffic levels detailed above, the development could generate approximately 235 additional two-way vehicles along Kineton Lane (south of the proposed site access) during the AM peak period in 2026; of which, 179 vehicles would travel northbound and 56 vehicles would travel southbound. Based on a flat traffic profile throughout the peak period, this represents an additional 3 trips per minute northbound and 1 trip per minute southbound.

During the PM peak, the development could generate approximately 220 additional trips along Kineton Lane (south of the site access) in 2026; of which 60 vehicles would travel northbound and 160 vehicles would be southbound. Based on a flat

traffic profile throughout the peak period, this represents around 1 trip per minute northbound and 3 trips per minute southbound.

Based on the likely origins and destinations of trips (according to Census MSOAs) approximately 50% of traffic would then continue along Dyers Lane and Illshaw Heath Road respectively where it would then continue to dissipate on the wider network. Only a relatively small number of trips, including some associated with school drop offs and pick-ups at Hockley Heath Primary School, are anticipated to use School Road.

The anticipated development traffic generated would materially and noticeably increase traffic on the immediately surrounding road network to the south of the site but particularly Kinton Lane. However, an increase in traffic is not in itself a reason to resist development and it is important to focus on the particular characteristics of the surrounding highway environment and its ability to accommodate the anticipated increases in traffic. To this end, highway officers have spent a substantial amount of time on site to examine the operation of the local roads, particularly during peak periods. This included a site meeting with representatives of Cheswick Green Parish Council.

Operation of local road network

During the peak periods, the local road network was observed to flow generally well although the Dyers Lane canal bridge provides a particular pinch-point with insufficient width to allow two vehicles to pass. During peak periods, this can lead to queuing at either side of the bridge by stationary traffic waiting for opposing vehicles to pass.

Flows are, however, tidal along Kinton Lane and Dyers Lane with an observed dominant northbound flow in the AM peak and dominant southbound flow in the PM peak. As a result, many gaps become available for the dominant traffic stream. There is often a platooning effect where, once a gap is created, the dominant traffic stream gains priority and a large cohort of vehicles is able to pass over the bridge. As a result, the maximum observed queue on the approach to the bridge during any peak period was 5 vehicles.

Further south along Dyers Lane the road becomes narrow and, in several places, there is again insufficient width to allow two vehicles approaching in opposite directions to pass. In highway capacity terms, however, this is not observed to create congestion or otherwise negatively affect traffic capacity. Due to the good forward visibility, drivers are able to see approaching vehicles and use the passing places available. These passing places do, however, require improvement and this is covered elsewhere in the report.

At Illshaw Heath Road, the road is generally wide enough to allow two vehicles to pass in opposite directions, save for a few discrete locations, where informal passing places are available. During both peak periods, the road was observed to flow well in capacity terms.

No congestion or noticeable queuing was observed at the crossroad junction of School Road/Ilshaw Heath Road/Dyers Lane or the junction of Dyers Lane/Cut Throat Lane.

Beyond this immediate local road network, traffic would dissipate and is unlikely to have a material impact on traffic flow and capacity.

Conclusion of Traffic Impact

The applicant has completed capacity assessment on the junctions along the A34/A3400 corridor most affected by the development. The assessments demonstrate that a number of junctions could be negatively affected by the development but schemes are proposed which are considered acceptable in mitigating the impact.

The surrounding local highway network to the south of site is relatively rural with restricted width which, at some points, means that two vehicles approaching in opposite directions are unable to pass each other. The restricted road width at the Dyers Lane canal bridge does cause some localised queuing but the general tidality of flow means that gaps become available and queues generally clear quickly. The development would materially increase traffic on the local road network. There could be a maximum increase of 3 vehicles per minute, northbound in the AM peak and 3 vehicles per minute southbound in the PM peak along Kineton Lane. This traffic would then split with 50% of vehicles routing via Ilshaw Heath Road and 50% routing via Dyers Lane. Flows along Kineton Lane and Dyers Lane would remain tidal with a dominant AM peak northbound flow and dominant PM southbound flow. As detailed above, financial contributions are sought to formalise current passing places along Dyers Lane and Ilshaw Heath Road and carriageway widening on the approaches to the Dyers Lane canal bridge which would increase traffic efficiency over the bridge.

The most significant impact is likely to occur at the approaches to the Dyers Lane canal bridge where, based on the 'sensitivity 2 scenario' there could be a noticeable increase in queuing as a result of the development, even with the proposed improvements widen the road approaches. However, as outlined above, the tidality of flow means that gaps for traffic do appear regularly and any build of queues tend to clear quickly.

This impact must also be considered in context; any additional delay at this location is likely to be short lived and occur for only discrete periods in the AM and PM peak, which represent 8% of each day. At all other times, the development is likely to have non-material impacts, both on the Dyers Lane canal bridge and the surrounding road network. The 'sensitivity 2' assessment also considers a worst case future year of 2026 that assumes the most intensive form of development is implemented within this time horizon and there is no modal shift onto sustainable modes of transport as a result of improved public transport, walking and cycling links.

Critical to considering the traffic impact of development is paragraph 32 of the National Planning Policy Framework (NPPF), which states:

‘development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe’.

That is to say, when all other transport mitigation is taken into account and wider benefits considered, is the left over transportation impact so severe so as to make an otherwise acceptable development unacceptable?

In the context of the current application, the proposed development provides an extensive mitigation package to overcome the transport impacts of development, particularly on the local road network to the south of site, comprising:

Section 106 Obligations

- £532,000 revenue contribution towards improved bus services
- £790,000 capital contribution towards improved walking and cycling links to site
- £25,000 capital traffic management contributions towards provision to formalise passing places and carriageway strengthening
- £30,000 contribution towards speed reduction measures at School Road/Dyers Lane/Ilshaw Heath Road junction
- £25,000 contribution to road widening on approaches to Dyers Lane canal bridge
- Traffic Management Plan to safeguard future commercial traffic redistribution through south of the site

Section 278 Obligations (secured by condition)

- Delivery of scheme to provide all-movements at A34 Stratford Road/Creynolds Lane to aid bus journey times.
- Delivery of highway schemes to mitigate development impact at:
 - A34 Stratford Road/Monkspath Hall Road
 - M42 J4
 - Site egress

Whilst there would be a material increase in traffic, it is considered that the suite of measures proposed would acceptably mitigate the development impacts. In particular, the road safety improvements around the Dyers Lane/School Road/Ilshaw Heath junction would realise wider highway benefits.

Whilst there is likely to be localised and short lived increased queuing at the Dyers Lane canal bridge, this impact is not considered so severe so as to make the development unacceptable in transport terms when considering mitigation and the NPPF tests.

On this basis, the transportation recommendation is one of No Objection and it is considered that the proposal is compliant with policies P7 and P8 of the adopted SLP 2013. In the overall planning balancing exercise, having regard to the entire assessment of impacts and mitigation measures, this issue is afforded neutral weight.

Response to representation

Significant amounts of representation have been received on the transportation impacts of development. Whilst the vast majority of concerns are covered within the report, there are specific concerns raised and not covered within the report. These are set out below:

Warwickshire County Council Highways area

The County Highway Authority is only concerned about impacts upon the operation of its network. The County Boundary is formed along the edge of the Stratford-upon-Avon Canal and Hockley Heath, therefore the County Highway Authority's response relates to matters to the south of this boundary.

Whilst the County Council had raised initial concerns about the scheme, on the basis of further assessment and information provided to them, they confirm a position of No Objection to the proposal, subject to conditions.

The County Highway Authority has considered the methodology which has been utilised and confirms that it is acceptable and conforms to National Planning Policy and Guidance.

The County Highway Authority has considered the trip rates and traffic survey information which has been provided. The information which has been submitted has been agreed with Solihull MBC Highway Authority. The County Highway Authority confirms that based on its assessments these figures are robust.

The applicants have provided additional information to try and resolve and clarify the concerns which were raised by the County Highway Authority. The Highway Authority has considered Technical Note 14 and the email from PBA to Solihull MBC dated the 13th November 2016, and subsequently forwarded to the County Highway Authority.

The County Highway Authority concludes that the development proposals will not have a significant impact on the efficient operation of the highway network.

In regards to Road Safety the County Highway Authority has considered the proposals being put forward to manage traffic and concerns on Dyers Road and the surrounding highway network.

The County Highway Authority note the mitigation measures that have been proposed. Having considered the proposals the County Highway Authority accepts that these mitigation measures would be adequate and support Solihull MBC to secure such monies through appropriate mechanisms in the form of S.106 Agreements under the Town and Country Planning Act 1990, or Section 278 of the Highways Act 1980.

Based on this assessment and proposed mitigation the Highway Authority is satisfied that the County Highway Authority's safety concerns can be resolved. Conditions sought by the County in respect of Construction Traffic Management are

incorporated in the condition already sought by SMBC (Condition2) which will require that no construction traffic shall come from the south utilising Kineton Lane, as this would require HGV Construction traffic to travel through villages and along narrow country roads not designed or constructed to cater for such traffic.

The County Highway Authority is satisfied that full assessment has been undertaken and suitable mitigation has been identified. It concludes that the Transport Assessment is robust and not a grounds for objection and that it is clear that the development will have a minimal impact upon the operation of the County Highway Network, and will not have a detrimental impact upon road safety.

School Road traffic re-distribution

Hockley Heath Residents Association (HHRA) contend that development traffic would route along School Road to access Hockley Heath.

They state that the traffic routing review shows that that for both residential and employment uses, the A3400 offers a quicker route to Hockley Heath over School Road. The junction of School Road/A3400 can also add delay to journeys during the peak period and this is likely to further discourage use of School Road. Whilst traffic growth may lead to an increased propensity for some residential trips to route through School Road in future, this is unlikely to represent a significant number of trips. Even in future years, it is considered the A3400 would remain the quickest route for employment traffic.

Traffic assignment methodology

Further representation from HHRA claims that the approach to traffic assignment is 'fundamentally flawed' based on the first principles approach used. Instead, HHRA state that a dynamic assignment model should have been used to assign trips on the network.

Realistically, HHRA's suggested approach would involve interrogating the West Midlands Strategic Transport Model (PRISM); this would, however, be a very significant undertaking that would neither be proportionate nor appropriate for the type of development:

- The PRISM zone incorporating Blythe Valley Park is expansive and includes the settlements of Dorridge, Bentley Heath and Hockley Heath.
- It doesn't include all local roads within the zone.
- Using the model for assignment purposes would require the creating of additional network link and nodes to accommodate and simulate distribution of local roads.
- Disaggregation of the zone to analyse intra-zonal trips, including creating new origin and destination matrices (which would require further traffic surveys not relevant to the planning application).

Strategic modelling is far from an exact science; each model run is based on hundreds of assumptions and millions of calculations with each one increasing uncertainty. The model also would not consider the impact of linked trips. Given the level of undertaking required and its inherent limitations, it is not considered HHRA's suggested approach provides any significant additional value

over taking the methodical, evidence based, first principles approach - with sensitivity – applied by the applicant.

Kineton Lane traffic surveys

Within several representations, concern is raised that the traffic surveys for Kineton Lane were undertaken within December and, therefore, not representative of conditions.

Whilst December would not usually be a neutral month for undertaking traffic surveys, the survey date for Kineton Lane was 2 December 2015 which, in your highway officer's view would still be representative of typical traffic conditions. Nonetheless, the applicant's traffic survey has been compared with traffic surveys held by the Council for Kineton Lane, as set out in the table below

	Jan 18 2011	Dec 11 2013	2 Dec 2015 (applicant's traffic survey)
Kineton Lane two-way flow	368	288	516

It can be seen that the flows recorded by the applicant are notably higher than previously recorded by the Council. This further validates highway officer's views that the flows are representative.

Re-distribution of motorway traffic through local roads

Concern has been raised that incidents on the M42 and M40 can lead to significant re-distribution and congestion on the local road network to the south of site, particularly along Dyers Lane and Kineton Lane. Whilst it is recognised these situations do occur, they are caused by atypical events on the motorway network and, as such, should not form a material consideration in the determination of this application.

For the above reasons it is considered that the highway assessment undertaken is robust with mitigation secured. The concerns of residents and Parish Council's relating to highway matters have been addressed throughout the lifetime of the application. Repeating from the above paragraphs at the conclusion to highway matters, it is considered that the development has a neutral impact when considered in the planning balance.

Viability, Affordable housing and Housing Mix

This application seeks consent for a considerable amount of dwellings, with a potential to develop up to 750 units at the site. Exact numbers are, however, unknown at this stage as this element of the proposal is in outline format only. In accordance with Policy P4 of the Local Plan it is expected that an element of this housing will comprise affordable housing. Indeed, Policy P4(a) of the SLP requires an on-site provision of 40% of all units being affordable housing. However, the policy is also clear that in arriving at a site specific allocation of affordable units, other issues will be taken into account. These are:

- i. Site size;
- ii. Accessibility to local services and facilities and access to public transport;
- iii. The economics of provision, including particular costs that may threaten the viability of the site;
- iv. Whether the provision of affordable housing would prejudice the realisation of other planning objectives that need to be given priority in the development of the site;
- v. The need to secure a range of house types and sizes in the locality in helping to achieve socially balanced and mixed communities; and
- vi. The need to achieve a successful housing development.

In addition to requiring a proportion of the homes to be 'affordable' the Council will identify the tenure, mix and type of the homes and any requirements for homes to be designed to meet specific needs such as those of older or disabled people.

The above is mirrored in the Council's adopted SPD 'Meeting Housing Needs', though this also goes on to advise that where an applicant considers that providing 40% affordable housing makes the site unviable, the Council will ask that this is properly evidenced. The Council will scrutinise this and any departure from the policy requirement will be the minimum necessary to make the development viable.

In addition to affordable housing, the 'Meeting Housing Needs' SPD provides guidance on Market Housing Mix, advising that within the rural catchment area that the application site is located in, the mix of 1 and 2 bed units should comprise 50% of the total housing mix of the development. It does allow, however, allow flexibility subject to an assessment of Criteria i – vi as set out above in policy P4 above.

In order to address this policy requirement the applicants have submitted a detailed viability appraisal of the proposed development, dealing with issues such as land costs and values, building costs and other planning related commitments that are required of the development such as health and education provision contributions and highway and transport improvements/contributions.

The viability appraisal advises that, having regard to the extent of the above, a policy compliant proportion of 40% affordable housing, together with a 50% provision of 1 and 2 market bedroomed units would make the proposal unviable and therefore a key allocated housing site within the Borough would be undeliverable.

The viability appraisal has been carefully examined and tested by the Council's strategic land advisor, Cushman & Wakefield who have held extensive negotiations with the applicants. Having regard to the accepted land values, build costs and other financial contributions required to make the development acceptable in all other planning respects, their advice is that it is not possible to provide an on site contribution of more than 25% affordable homes (50% social rental and 50% shared ownership, all provided by a Registered Provider). A higher level of affordable housing would be unviable. Council officers have met with Cushman & Wakefield to discuss their viability assessment and agree with their conclusion, given the evidence produced to support this position. It is noteworthy that this level of

affordable housing would not support the 50% 1-2 bed housing mix that the SPD seeks for market housing. However, in the planning balance it is clear that needs of affordable housing becoming available to residents within the Borough outweighs the need for smaller market units. Thus, in the planning balance, this offer of 25% affordable housing has been progressed, negotiated and agreed by officer's and the applicant.

In reaching this conclusion on housing mix, the viability appraisal demonstrates that a 50% 1 and 2 bedroomed free market mix would significantly affect viability and hence deliverability of the site. This is due in the main to the rural and relatively remote location of the site away from existing main centres of population, where habitually the occupiers of such smaller units tend to prefer to be located. An overprovision of 1 and 2 bedroomed units is likely to curtail developer interest in the site which would have a knock-on effect on land values, again bringing into question viability. It has therefore been accepted by the Council's Land Agents that in this instance the mix of housing to be delivered at the site should be unfettered and left to market demand to dictate the correct housing mix appropriate for the site.

The Section 106 Agreement shall make provision for an affordable housing scheme to be approved by the Council in respect of each phase of development. This shall identify details such as the position, size, type and tenure of the affordable dwellings.

Subject to the 25% affordable housing being suitably defined in the Section 106 Agreement, the Council's Housing Policy Officer raises no objections to the proposal.

Having regard to the above it is accepted that the proposal will not deliver the ideal policy compliant level of on site affordable housing, nor will it provide for the policy compliant mix of housing sizes. However, both Policy P4 of the Local Plan and the Council's adopted SPD Meeting Housing Need make allowances for such situations where it can be demonstrated that meeting the requirements would make the development unviable. This is indeed the case and such the proposal is therefore compliant with both Policy P4 and the SPD. Positive weight should therefore be attached to this in the balancing exercise.

Impact on the character and appearance of the area

The NPPF is underpinned by a presumption in favour of sustainable development. Great importance is also attached to the design of the built environment. It advises that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. This is dealt with at chapter 7 'Requiring Good Design' of the NPPF and paragraphs 60,61,and 64 is of particular relevance. Policy P15 of the SLP echoes such design advice.

Given that this application is in hybrid form, only certain elements of the proposal are supported by sufficient detail to allow full assessment around its design to be made at this stage. In essence, this is the green infrastructure around and within the site that includes drainage swales, new vehicular access, strategic landscaping, play areas and other incidental structures and areas. The remainder of the proposal is in

outline so little is known at this stage relating to exact design and appearance, though the submitted Design and Access Statement (DAS) sets out a clear design strategy and rationale for the site that any forthcoming reserved matters submissions would need to be compliant with. This includes the various character areas as previously set out, and the land use, height and density plans.

In terms of the areas reserved for outline consent, subject to compliance with the DAS and compliance with the parameter plans it is considered that a high quality layout and design of development will be achieved that will conform with the aspirations of the Vision Document and the original 'high quality' design ethos that was intended for the Phase I employment part of the park.

Turning now to the detailed elements of the scheme, the landscape strategy submitted has a clear objective of taking full advantage of existing planting and conceptual ideas already present at the existing business park, the country park and the application site itself. The over-arching objective of the scheme is to create a new landscape that is distinctive in character that belongs to the place, and in doing so forms a strong response to the place.

With particular regard to the currently undeveloped part of the site (on which the housing element of the development is proposed), the site is crossed by two hedgerows, being former field boundaries. These are to be retained as 'Greenways' and enhanced to create an attractive environment integrated with formal and informal pedestrian access ways, opportunities for informal recreation and play, nature conservation and other community facilities such as small allotment areas.

The greenways and greenspaces will perform an important role in determining the general character of the area, helping, together with the high quality of building design that will be forthcoming at the reserved matters stage, to realise an identifiable and bespoke sense of place.

In addition, the vehicular access to the south has been specifically designed in accordance with recognised highway safety standards, being mindful that it needs to be appropriate in terms of its form and appearance to what is a rural setting. Whilst the road itself will affect openness (by definition as it constitutes inappropriate development within the Green Belt), it is of a sufficient scale and level of engineering to be appropriate in character terms for this rural area. Furthermore the scheme introduces supplementary tree and hedgerow planting along the new section of lane and in doing so bolsters the rural setting of it. In addition, the existing road surface of the old Kineton Lane will be removed and planted with woodland and shrub planting to continue the woodlands edge of the site, which is considered positive mitigation. On these grounds, the secondary access is considered to be respectful in character terms.

In summary, the proposals encompass a bespoke design approach and solution to the landscape context and changes to the contours of the site to reduce the impact of the proposal on the character and appearance of the countryside. The DAS establishes the principles that form the design rationale of the development that and will be taken forward into any subsequent Reserved Matters application. These design principles can be secured through the imposition of a condition to ensure

compliance (see condition no. 8). Therefore, the visual appearance and the architecture of individual buildings would secure a high quality and inclusive design. In the round the application is considered to respect and bolster existing landscape features, putting in place a framework and landscape strategy that will provide positive intervention to the site, its character and appearance. The proposal therefore, accords with Policy P15 of the Local Plan and positive weight should be attributed to the matter when considered in the planning balance.

Sports and Play provision

The following amount of Public Open Space (POS) and play/recreation is proposed:

- 2 football pitches
- 1 cricket pitch
- Neighbourhood Equipped Area of Play (NEAP)
- Local Equipped Area of Play (NEAP)
- Local Area of Play (LAP)
- Doorstep play - numerous areas along the Greenways and drainage areas.

SMBC requires 2.86Ha of POS per 1000 people, based on 2.3 persons per dwelling; this application is for up to 750 dwellings therefore the POS requirement is 4.9Ha. However, approximately 19Ha of landscaping, ponds and open space is proposed, which is extensive and considerably beyond the minimum required level. The play, sport and recreation is appropriate provision for the size of this development and responds to the Council's Green Spaces Statement in terms of area need. The detailed design of the play areas will need, however, to be subject to conditions (No. 3) as set out at the end of this report, and to a management plan to be secured by S106 agreement.

It is therefore considered that the proposed levels of open space and play are sufficient and meet the requirements of Policy P20 of the adopted Solihull Local Plan and positive weight should be afforded to this in the planning balance.

Impact on Landscape Character and Trees

Paragraph 109 of the NPPF confirms that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing value landscapes.

Policy P10 of the Solihull Local Plan recognises the importance of a healthy natural environment in its own right and requires new developments to safeguard important trees, hedgerows and woodlands.

Other guidance documents which are relevant to the site include Natural England's National Character Area (NCA), 97 'Arden', the Warwickshire Landscape Guidelines, 'Arden', Solihull's Countryside Strategy, Solihull's Green Infrastructure Strategy and Warwickshire Historic Landscape Characterisation.

There are two key strands here that need to be considered – the physical impact of the proposed development upon existing vegetation; and the wider visual implications on the landscape as a whole.

In terms of impact upon vegetation, an Arboricultural assessment has been submitted with the proposal that identifies a total of 106 individual trees and 69 groups of trees within the site and on its boundaries. The majority of the tree stock on site is confined to the boundaries around the site as well as the individual field parcels and plots of land that made up the site. The tree stock on site mainly consists of individual specimens of English oak *Quercus robur*. Specimens within the groups situated along the field boundaries consisted of blackthorn *Prunus spinosa*, goat willow *Salix caprea*, hawthorn *Crataegus monogyna*, silver birch *Betula pendula*, hazel *Corylus avellana*, holly *Ilex aquifolium*, alder *Alnus glutinosa*, ash *Fraxinus excelsior*, Crab Apple *Malus sylvestris*, crack willow *Salix fragilis*, elder *Sambucus nigra*, Lawson Cypress *Chamaecyparis lawsoniana*, Leyland Cypress *Cupressocyparis leylandii*, Scots pine *Pinus sylvestris*, cherry laurel *Prunus laurocerasus* and Douglas fir *Pseudotsuga menziesii*.

In addition to the above, recently planted trees, yet to establish, are situated centrally within the most northern and southern portions of the site though these are too small to be of material consequence within the context of the proposed development.

The proposals have incorporated the existing landscape features within the design and therefore will retain the majority of the trees assessed. A small number of trees will be removed to facilitate the necessary access and road infrastructure for the site however these removals would not be considered detrimental to the overall amenity value provided by the trees assessed.

Low quality trees will need to be removed to facilitate a series of drainage features across the site. This material comprises of young sporadic trees that will regenerate over time. Also as part of the drainage infrastructure, a pipeline is to be constructed through the country park to the north. A small number of specimens will need to be removed to provide the easement and construction zones at the points of connection.

To facilitate each area of commercial development within the separate plots, only low quality tree cover will need to be removed, the majority of which is self-set material.

On balance the proposed development would see a net gain in tree cover for the site and the trees are to be placed within a management program to ensure their longevity and safety. As such it is considered that the proposals would be of benefit to the area from an arboricultural perspective. This weighs positively in the planning balance.

Turning now to the impact of the proposed development upon the landscape character of the area, the submitted Environment Statement contains a Landscape and Visual Impact Assessment (LVIA) of the proposal that considers the impact of the development on:

- Individual landscape features and elements;

- Landscape character; and
- Visual amenity and the people who view the landscape.

At a very broad landscape scale, the site, lies within Natural England's National Character Area (NCA) 97 'Arden', and more locally it is best described as 'Arden pastures', which is defined as follows:

- A gently rolling topography.
- A well-defined pattern of small field and paddocks.
- Numerous mature hedgerow oaks.
- Permanent pasture often grazed by horses.
- A network of minor lanes often with ribbon development.
- Many place names ending in Heath.

The majority of the site also lies within an enhancement zone where Warwickshire, Coventry & Solihull Sub-Regional Green Infrastructure Strategy states:

“...it is recommended that the Enhancement Zones be re-assessed to identify target areas for landscape restoration. In particular, planning and implementing substantial landscape frameworks, well in advance of major developments and transport infrastructure, can bring many benefits, including safeguarding and enhancing vital landscape assets, helping to create a sense of place for new development and retaining vital links with the past.”

An assessment of landscape character of the site and its immediate context has been carried out, providing a finer level of assessment than the published studies.

The baseline analysis of the site highlighted the following observations:

- Beyond the immediate context of the site, opportunities for views into the Site are limited. This is largely due to the established green infrastructure within the site, on the site perimeter, and beyond the Site boundary.
- Excluding internal views, the most open views of the Site are experienced by receptors to the west. These exclude users of the M42 motorway, but include footpath users between Stratford Road and the site, users of Stratford Road and users of Junction 4 (M42) roundabout.
- A number of Public Rights of Way and permissive paths cross through the site (in a broadly East – West direction). From these paths, there are open, exposed views across proposed building plots.

In terms of impact upon landscape character, the proposals seek to retain existing landscape features of value, such as hedgerows and mature trees, and integrate these successfully into the proposed scheme. Whilst the immediate effects on the local character are considered to be Moderate-Major Adverse, within 10 years the growth of new planting would help to reduce this to Moderate Adverse. Given that the site is allocated within the Local Plan for development a degree of adverse impact is of course expected.

In terms of the visual amenities of the landscape the submitted LVIA demonstrates that the development proposals respond positively to local landscape character and visual amenity by identifying and seeking to protect and integrate key views and landscape features as an integral part of the scheme.

The site has a restricted Zone of Visual Influence. The site is enclosed and screened from the surrounding landscape by existing built development to the east and partially to the south, existing mature vegetation and landform screen the proposed development from views from Cheswick Green to the north and properties to the west.

The site is enclosed to the surrounding landscape by mature vegetation. However, the southern and western boundaries are considered more visually sensitive; these areas already include some new planting which could be extended as part of the scheme to produce a sensitive planting scheme within the proposed layout to create a visual screen from properties and public rights of way.

In addition, the proposed southern vehicular access to the site has been designed to assimilate into the local landscape as far as possible, following and retaining existing roadside hedges and minimising impact upon/loss of existing vegetation.

In summary, the site has a well contained nature and the loss of landscape resource would not be significant in the context of the countryside and landscape character of the area as a whole. During the lifetime of the application the scheme has been amended, particularly in relation to the detailing of the planting within the detailed landscaping element of the full application of this hybrid proposal, to ensure the landscape mitigation proposed including woodland plant, specimen tree planting and hedge planting, both on and off-site will reduce the impact of the development from more distant views. The proposal therefore, accords with Policy P10 of the Solihull Local Plan and neutral weight can be attributed to the matter.

Impact on Ecology

Paragraph 118 of the NPPF advises that 'planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss'.

Policy P10 of the Local Plan also seeks to conserve, enhance and restore biodiversity across the Borough.

Further guidance is provided in Natural England Standing Advice (October 2015) which states 'Planning authorities should refuse planning permission for developments that would lead to loss or deterioration of irreplaceable habitats unless the need for, and benefits of, the development in that location clearly outweigh the loss.

The Standing Advice also confirms that 'If the planning authority decides to grant planning permission in line with the National Planning Policy Framework, it should seek appropriate mitigation or compensation from the developer. As ancient woodland and veteran trees are irreplaceable, discussions on compensation should not form part of the assessment of the merits of the development proposal.

Contained within the submitted Environmental Statement is an Ecological Assessment of the site, an assessment of the implications of the proposal and proposals for ecological mitigation.

The study identified that the site measures approximately 121 hectares and comprises the existing Blythe Valley Park and associated Country Park (referred to the 'Eastern Area') and areas of grassland (also within a previously-created Country Park) referred to as the 'Western Area'.

The Eastern Area currently comprises buildings forming the extant Business Park with associated parking and landscape planting. A number of previously-cleared and managed development plots sit in between the existing buildings and generally comprise semi-improved grassland with scattered scrub and discrete areas of tall ruderal vegetation. The Country Park was developed in association with the existing Business Park and includes extensive areas of woodland, grassland and wetland habitats. The Western Area comprises four field compartments consisting species-poor semi-improved grassland, scrub, hedgerows, waterbodies (including a marl pond), broad-leaved woodland and small pockets of plantation woodland. As part of a previous planning consent the Country Park associated with the Eastern Area was extended into the northern extent of the Western Area, with habitats including grassland, waterbodies, swales and scrub/woodland planting.

Habitats of note on site included hedgerows within the Western Area which were considered to provide connectivity through and around the site and were considered to be of County importance as were a number of waterbodies throughout the site (predominantly within the Country Park). A brook with associated wet/dry woodland (considered to be of County importance) ran through the northern section of the Western Area and formed the Winterton Farm and Wood Pasture LWS. This area comprised a mix of ditches, waterbodies (considered to be of County importance) and scrub/grassland planting however, had become unmanaged since its creation. Great crested newt (GCN)-suitable waterbodies and hibernacula had also been created within this area as part of a previously-implemented GCN strategy.

The remaining on-site habitats comprise a mix of scrub, tall ruderal, previously-cleared development plots, plantation woodland and ditches. These remaining habitats were considered to be of, at most, local nature conservation value.

A small/medium population of GCN were confirmed as present on site during surveys originally undertaken to inform a previous outline planning application with the population confirmed as present in the Western Area during the 2014 surveys. A similar-sized separate population was also confirmed present during surveys of the Eastern Area undertaken in 2015. This site was therefore considered to be of County level importance for this species. Breeding bird surveys noted that the site supports a species assemblage consisting in the most part of widespread, common and

abundant species associated with woodland edge (broad-leaved woodland, scrub, hedgerow) habitats. Bat surveys also noted the use of this site (predominantly the hedgerows and Country Park areas) for the purposes of commuting and foraging, however, the level of use was considered to be unexceptional (no roosts were observed on site). This site is therefore considered to be of no more than Local value for these assemblages. Limited evidence of badger foraging was observed on site, however, no setts were considered to be present and it was therefore considered that the site was of negligible value of this species. No other protected species were observed on site.

The proposed development will lead to the loss of the majority of the on-site semi-improved grassland within the Western Area and, prior to mitigation, these impacts are considered significant at the local level as are the impacts resulting from the loss of plantation woodland. The remaining habitat to be lost entails scrub/tall ruderal, with a very limited extent of hedgerow and trees as a result of site roads/footpaths/drainage etc. Unmitigated the loss of the scrub/tall ruderal is considered to be of significance at the local level, however, the limited loss of trees and hedgerow is considered to be negligible.

Mitigation for the loss of habitats that are home to GCNs and skylarks as set out above is therefore critical. To this end, due to the existence of the country park, existing SuDs drainage system and proposed extensions to this, proposals for the site provide significant areas of habitat creation to accompany that already provided within the on-site Country Park. Habitat creation will provide areas of species-rich semi-improved grassland with the potential for the provision of additional waterbodies. As well as providing further biodiversity enhancements the management of the existing Country Park (and provision of footpaths through the scheme linking-in with existing rights-of-way) will ensure the protection of the Local Wildlife Sites during the operation phase of the development.

The Biodiversity Impact Assessment has been recalculated a number of times throughout the application process to take into account changes to the proposed layout. The latest recalculation for the western area includes the recent addition of three offline ponds and a slight increase in species rich grassland provision, and at present the Habitat Biodiversity Impact score is -12.06. This is the residual loss which is still required to be offset in the forthcoming phases of the development. This will need to be dealt with through future reserved matters applications for each phase of the development, which could be secured by condition no. 27.

Turning specifically now to the issue of GCN, the proposed extension to the SuDs system will provide additional habitat for GCN, as will the provision of the off line ponds. Terrestrial habitat is to be provided adjacent to all ponds. The level of mitigation and compensation habitat proposed is sufficient to offset any negative impacts on GCN that may occur as a result of the development, though impacts during construction will need to be managed through a Landscape and Ecology Management Plan.

In terms of tree and hedgerow removal (which is discussed in more detail elsewhere in this report) the latest revision of the Tree Retention Plans (contained within the Arboricultural Assessment) shows an increased level of tree and hedgerow removal.

Cross referencing the Phase 1 Habitat Plan which details the condition of the hedgerows with the Arboricultural Assessment and the Landscape Illustrative Plans, it is not clear exactly what the vision is for the proposed removal and future management of hedgerows (especially H5, H9, H13b and H14 as detailed in the Phase 1 Habitat Plan). The amount of hedgerow proposed for removal, especially in the Greenways area of the site has increased compared with previous iterations of the layout, and further information in this regard will be required. However, this is resolved through condition no. 24 alongside a site visit prior to commencement of the works, involving SMBC Ecology. A strategy and programme for tree and hedgerow removal and management can then be agreed.

Turning finally now to lighting across the site, this can be secured via condition (No. 26) to ensure there is no undue harm to the ecological features of importance of the site.

The proposal is therefore, subject to conditions, compliant with Policy P10 of the Local Plan and neutral weight is attributed to this issue.

Drainage

Paragraph 103 of the NPPF confirms that when determining applications, local planning authorities should ensure flood risk is not increased elsewhere and only consider development appropriate in areas at risk of flooding where it is informed by a site-specific flood risk assessment.

Policy P11 of the Local Plan advises that all new developments shall incorporate sustainable drainage systems, unless it is shown to be impractical to do so.

The proposals put forward include for the use of multiple SuDS features including permeable paving, balancing ponds and water treatment areas and reed beds. By including these features and indeed connecting to the existing attenuation and water quality Suds already constructed, the proposals are considered to both adequately deal with surface water run-off from the development whilst also providing positive impacts on the River Blythe SSSI.

In assessing the submitted scheme a great deal of dialogue took part with the applicant in order to overcome initial concerns on flood risk to the attenuation features. A detailed hydraulic model of the River Blythe and associated tributaries was then constructed. The modelling confirms that the attenuation storage areas proposed and indeed those currently constructed lie outside of the River Blythe floodplain even when taking account of the new Environment Agency climate change guidance.

This is a positive conclusion and confirms that in the critical design storm events, the attenuation storage available should not be compromised by the fluvial flooding of the River Blythe.

In addition to this, the applicants are committed to providing “a non-return” valve on the outlet of the Arup attenuation structure to further protect this feature from backing up of water from the receiving watercourses.

It is noted that the Environment Agency raise no objections to the proposal, nor do the SMBC Drainage team or Severn Trent Water, subject to conditions (nos. 12, 13, 14, 15 and 16). The proposal would therefore, accord with Policy P11 of the Solihull Local Plan and guidance in the NPPF. Betterment is achieved through modelled schemes in terms of impacts to the River Blythe. Positive weight can be attached to drainage in the balancing exercise required.

Impact on neighbour amenity

Policy P14 of the Solihull Local Plan seeks to protect and enhance the amenity of existing and potential occupiers of houses.

The site itself is well contained by clearly established defensible boundaries, and all elements of proposed development are relatively well separated from nearby sensitive receptors – occupiers of dwellings. The nearest dwellings located to the site are existing dwellings on Kineton Lane to the south of the site, and also sporadic farmstead and cottage type developments situated along Illshaw Heath Lane.

The nearest elements of the proposed built development (the parcels of land to accommodate the proposed dwellings) to the Kineton Lane houses will be about 120m away to the north at their closest point and the southern access onto Kineton Lane will be about 100m away at its closest point. These elements would be separated from one another by the existing country park.

The nearest development to the dwellings on Illshaw Heath Lane are elements of the proposed SuDs system and proposed sports pitch/playing fields area to the west of the site, with built development (the parcels identified to accommodate the proposed dwellings) being situated further away and behind to the east. The sports pitch area would be about 70 – 80m from the nearest residential property, the proposed SuDs drainage further away still and the proposed residential areas over 250m away.

Notwithstanding the above, all of the proposed non residential built development that has the potential to create more impacts, is situated on the opposite side of the park to the west, at least 200m away from the nearest sensitive receptor.

Having regard to all of the above, given the considerable separation distances involved between the existing and proposed development, it is not considered that any undue impact will occur upon residential amenity due to either overbearing impact, loss of privacy or noise or other types of nuisance (further detail with regard to noise is set out later in this report). The proposal therefore, accords with Policy P14 of the Local Plan and neutral weight can be attributed to the matter.

Impact on Designated Heritage Assets and Archaeology

Designated Heritage Assets (DHAs) are of national or even international significance, and include listed buildings and Scheduled Ancient Monuments. The closest and most important known heritage assets to the site are therefore Winterton Farmhouse 160m to the north-east and Cottage Farm about 100m west of the site boundary, both grade 2 listed buildings with curtilage listed outbuildings that are significant to their immediate setting. The visual and landscape context of the site includes these DHAs on rising ground to its west. They lie at around 140 metres Above Ordnance Data (AOD) whilst the site slopes down to a lowest point of about 125m AOD near the Blythe channel. The development would produce built form, vehicle movements and an over lighting halo in the outlook from and towards both of these DHAs. Topography and vegetation combine to prevent any views of some parts of the site from the nearest DHAs, and to limit other views.

The proposal must therefore be considered in the context of section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Accordingly, special regard must be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. The NPPF, Planning Practice Guidance and guidance from Historic England all emphasize that decisions in relation to heritage assets must be taken on a fully informed basis. It is essential to establish the significance of heritage assets directly affected by proposed works or whose setting would be affected by them and explain this together with the impact of proposals upon it.

Winterton Farmhouse is enhanced by open surroundings including some historic ridge and furrow survival, a suitable setting albeit with modern elements such as stables and horse paddocks nearby. Its prominent position on locally high ground still suits the polite farmhouse of some quality, built to be seen and admired at a time of heightened prosperity through farming modernisation. This compares well to numerous other grade 2 farmhouses locally. Filtered views of parts of the site must be available through trees and other vegetation from first floor and attic at Winterton Farm as these parts of the building are glimpsed from numerous points in the western area. Views of upper parts of some new buildings would be available with existing business park buildings as a backdrop above much of the western site area. The nearest areas of the scheme would be the POS, with new housing and its enclosing planting belt beyond the brook and its tree groups. Housing and balancing ponds with retained hedgerows would lie between the two. Careful planting could reduce any impact even further in the mid- to long term.

The setting of Cottage Farm is partly compromised by numerous modern buildings erected on its land for equestrian uses, especially a large portal framed building of an industrial nature. Cottage Farm is of a more vernacular scale and details, best appreciated from the road and to its south, as a group of buildings forming stables and other equestrian facilities detract from the immediate setting to its north and east, particularly the recent large portal framed structure to the north which is prominent in views from some parts of the application site. This DHA would also have some views of proposed buildings against a backdrop of existing multi-storey business park buildings.

Other DHAs nearby lie to the east beyond the M42 and at the A3400 edge. These are Box Trees Farm and Box Trees Barn, Oak Lodge Barn and The Homestead, all grade 2 listed. These would have views at least of upper parts of new business units in the eastern part of the site, tempered by a backdrop of the existing business park buildings of around five storeys in height, and the M42 over bridge and motorway corridor in cutting in the foreground. More distant grade 2 listed buildings west and south of the site are described in the Heritage and Archaeology statement but their settings would not be affected due to the combination of distance from the development, intervening vegetation and the effects of varied topography.

The contribution of wider surroundings to the setting of the DHA becomes generally less significant with distance and although built development will be visible the scheme presents an opportunity to partly enhance the setting of DHAs close to and more distant from the site with appropriate planting reflecting Arden guidelines and producing suitable rural setting enhancement. The wider setting of nearby DHAs includes arable fields, hedgerows, historic and post war farm buildings, the relatively narrow Illshaw Heath Road and busier Kinton Lane, the motorway, electricity pylons, Shirley Golf Course, and many single, grouped and hedgerow trees.

Moving on now to discuss Heritage Assets (Has), these are assets of local significance and are identified by the local planning authority and the Historic Environment Record and are buildings, structures, places or spaces meriting consideration in planning decisions because of their heritage interest. Their value can range from slight to significant. They include highly visible houses such as Yew Trees on the Local List, all of which add to the understanding of the development of the rural area from the 17th century, elements of historic landscape such as remnants of planned enclosure and late 19th century buildings. Earlier remains include surviving earthworks of mediaeval fishponds and leats with banks, associated with the predecessor of the mediaeval Sidenhales Farm at the western edge of the site. This area is indicated to remain as open space on the land use plan.

The Council's Local List of Heritage Assets includes Yew Trees and Illshaw Heath Farmhouse in Kinton Lane, and Warren House and the Stable at Lodge Paddocks in Warings Green Road. Other heritage assets that could be affected include 19th century farm buildings at Illshaw Heath Farm and historic landscape elements on and around the site. These include remains of moated sites and fishponds along the Blythe or Illshaw Brook, surviving ridge and furrow, and possible buried remains of houses, farm buildings and mills. To the south-eastern corner of the site the remains of ridge and furrow field patterns would be removed.

The Parameter Plan and other documents explain building heights and disposition. Dwellings are envisaged as two or two-and-a-half storey scale at the edges of the development. Heights are increased in more central areas, some of which will sit at higher ground levels due to the site slope upwards from the Blythe and tributary valleys. Residential buildings may be of 3 and 4 storeys to the central and northern area of the western part of the site to define the blended core, primary movement route and areas of formal public realm. Areas of 2.5 storey dwellings will be located where it would be beneficial to place making and legibility. The maximum heights are currently suggested in the region of 9 metres for dwellings near to Cottage Farm, and up to 21 metres for some commercial buildings in the balanced core and eastern

area alongside the M42.

The impacts of the scheme upon cultural heritage will include those upon DHAs and upon Heritage Assets including historic landscape character. Impacts can range from negligible to major adverse, be temporary or permanent, and can occur during site preparation, during construction, and at and after completion. Impacts can also vary after completion, for example as planting offered as mitigation for impacts develops, potentially over several decades. Heritage assets can be affected by impacts upon their setting and in views from them, both of which affect the experience of the heritage asset. It is this experience of the heritage asset in its own right and in its context including landscape features and its visual linkage with other heritage assets that is the important consideration.

The upper parts of the proposed development may be visible from varied points including from heritage assets dependent upon the overall built height and the extent and type of vegetation either retained or planted in between the two. The scale, styles, materials and finishes of the buildings will have a significant influence over this eventual impact, as will external lighting choices.

The presence of farmhouses, standing and buried remains of mediaeval and other structures combines with surviving field hedgerow and trees as key elements of the historic landscape. The adjacent golf club, street lighting, A34 widening and the construction of the M42 are examples of significant 20th century changes to the wider setting of the application site. The highway works would include creating the new access from Kineton Lane and that would have a slight impact upon the setting of Illshaw Heath Farm, a building on the Council's Local List of Heritage Assets, and in the setting of that and surviving ridge and furrow around and to the east of that house. Their setting has been eroded previously by the construction of the M42 and built development, and although it is still legible as a farmhouse with farm buildings and adjoining land the access proposed would have little impact upon the appreciation of the heritage asset.

The Environmental Statement suggests that overall there will be only minimal impacts upon heritage assets as a result of measures that reflect their non-renewable significance as well as many other planning and design considerations including biodiversity and quality of place. The nearest sections of the site to Winterton Farm are shown to accommodate ecology enhancement areas or new woodland planting and this would enhance the setting of numerous HAs including Winterton and Cottage Farms. Proposals to create or manage semi-improved grassland and manage marshy grassland are welcome.

The new carriageway lighting could produce a slight new impact at some distance from it, but seen in the context of the existing `carriageway and gantry lights on the M42 and business park lighting. This would affect the setting of several HAs including the DHAs of Cottage and Winterton Farms. These impacts should reduce slightly as planting develops in line with the mitigation strategy. Lighting proposals will need to ensure that additional over-halo impacts from both road and building lighting are minimised. Suitable planting could combine with the proposed contours and levels of new development to prevent 'substantial harm' arising, leaving 'less

than substantial harm' to be balanced against the public benefits generated by the scheme.

The impacts of the scheme could be temporary or permanent, as well as adverse or positive. Initial impacts from site clearance and construction are short term and could be lessened by advanced structural planting. The impacts should then reduce as planting develops in line with the mitigation strategy. Construction activities will generate a certain degree of impact dependent upon weather in terms of noise and dust generation and temporary lighting. Details of the exact scale, siting and appearance of the buildings are required before the precise impacts can be assessed, which would be assessed at the reserved matters stage. Conditions to require control measures for vehicles leaving the site in terms of wheel cleaning and prohibited routes to maintain road safety and neighbour amenity should also benefit some heritage assets (see condition no. 2).

The scheme would provide benefits for settings where new and appropriate planting reflecting Arden landscape traditions is provided as proposed within the area of enhancement (see submitted landscaping scheme). This could restore aspects such as some sections of hedgerow and single or grouped trees lost during mechanisation of farming in the 20th century and provide some visual screening.

In terms of archaeology, further fieldwork is suggested, potentially providing trial trenching, topsoil sampling/ sieving, ridge and furrow survey and targeted excavation. However, any buried remains are best left in-situ for future examination. Stockpiles of earth moved or imported for re-grading or construction should be stored in accordance with a plan that prevents its storage on, and vehicle movements over, buried archaeology that is known now or discovered during development. This, as suggested by Warwickshire CC Archaeology is to be addressed by condition no. 33.

The western part is described as natural grassland of some value, much of which would be replaced by urban development enhanced by the retained Illshaw Brook and vegetation along it. The landform is important and characteristic and engineering works to address slopes should pay regard to heritage assets as cut or fill could increase built development impacts. This could occur to buried archaeology (although investigations suggest a low risk) or to settings. Building with slopes could emphasise the site character and help to ensure a place with its own distinct appeal that reflects landforms that encouraged and enabled earlier uses and habitation.

To conclude this section, the proposed development of varied scale, massing, disposition and materials at differing site levels will create a likely moderate adverse visual impact upon only two designated heritage assets or their setting from some viewpoints (Winterton and Cottage Farms). Judicious planting could reduce this impact. Some other DHAs will suffer only a negligible or slight impact upon their setting (e.g. Box Trees Farm in views from the property including from first floor). Very few heritage assets would be removed; examples include a small part of an area of ridge and furrow remains in the eastern site area and part of the site of the long-demolished Sidenhales Farm and its former moat, but these are correctly rated as being of low significance. It is considered that the impact produced would only cause 'less than substantial harm' in any given instance. Furthermore, the amount of

this 'less than substantial harm' that would occur would never exceed a moderate amount. An example would be where upper floors at Winterton Farm would allow views of residential and commercial buildings and lighting within offices and on street, but with an existing backdrop of the existing business park building and over-halo from M42 lighting.

No objection to the proposal are therefore raised, subject to conditions to secure details that will ensure that 'less than substantial harm' that the scheme causes to heritage assets is minimised and mitigated for. This includes conditions to secure: any further archaeological investigation (No. 33), recording and archiving as required by WCC (No. 33); the agreement of retained trees and new tree and hedge planting (Nos. 20 – 24); ecological mitigation where it benefits heritage too (e.g. hedgerow restoration) (No. 24); appropriate hard landscaping near heritage assets including historic landscape features (future reserved matters submissions); sensitive street and other lighting (No. 26); and suitable materials and finishes for all buildings (No. 8).

Neutral weight should be attached to this issue in the final planning balancing act.

Health and Education

The application site is not of a size/quantum of development to require the provision, on site, of its own dedicated doctor's surgery or school (either primary or secondary). As such, the payment of a sum towards the improvement/expansion of nearby facilities would be expected of a development of this nature. Ordinarily, this would take the form of an element of the Community Infrastructure Levy (CIL) fee payable for development attracting a CIL charge. In this case this would be the proposed A1 – A5 uses, C2 and C3 uses and the proposed hotel. It is noted, however, that the majority of the proposal (relating to C2 and C3 uses) within the boundary of the site allocation are exempt from the CIL charging regime as explained within the following sections of this report. In this instance, therefore, the only mechanism by which to require payment towards these facilities would be through the use of a charging formula (required due to the outline nature of the proposal without exact numbers/sizes of dwellings being known) to be included within a S106 Agreement.

In relation to education, it is expected that the development will generate about 250 primary age children and 190 secondary age pupils. In order to accommodate this level of demand additional school places both at primary and secondary age will be required. The S106 agreement will seek to secure approximately £3M for primary school places and £3.4 M for the provision of secondary school places with contributions towards Cheswick Green Primary School and Tudor Grange Secondary School, along with support for growth of catholic schools in the catchment.

Both SMBC's Education Officers and representatives from the NHS agree to the above and have provided details of the formulas to be included within the S106, which would be calculated and paid on a phase by phase basis.

Although not confirmed at this stage, it is likely that NHS contributions will be used to improve/expand the existing practice in Cheswick Green. The education contribution will be used to expand local schools both at primary and secondary age. Officers will work with schools in the area to ensure that sufficient primary and secondary school places are created to meet the needs of this development.

Having regard to the above no objections are raised to the impact of the proposal upon health or education facilities and neutral weight should be attached to this in the balancing exercise.

Noise Impact

It should be noted that the NPPF revoked PPS23 Planning and Pollution Control and PPG24 Planning and Noise and now deals with noise within The Framework. Policy P14(vii) of the Solihull Local Plan also seeks to minimise the adverse impact of noise.

A noise assessment has been carried out for the proposed development. This has considered the potential effects of noise from both the construction and operational phases of the development, and on existing sensitive receptors that surround the site. In addition, the noise associated from road traffic have also been considered.

The survey indicated that the existing dwellings along Kineton Lane and Ilshaw Heath Road would be located at about 150m from the nearest construction activities, and as such noise levels there should be below the Lowest Observed Adverse Effect Level (LOAEL) and no specific measures should be required. However, the application of the submitted Construction Environmental Management Plan (CEMP) (and secured by condition 2) will minimise adverse effects during construction as much as possible.

The study also indicated that noise from existing on site facilities could impact the proposed residential development, especially from plant at the Virgin Active Gym, though attenuation measures could be secured via condition (No. 19) to ensure harmful impact does not arise.

With the implementation of conditions and by the application of the submitted CEMP, the noise impacts associated with the construction phase on sensitive receptors can be appropriately controlled to limit the impact. Further, the noise associated with road traffic associated with the development would have no impact in the long or short term on sensitive receptors and any noise impact upon the proposed residential development can be adequately addressed through layout considerations and conditions at the detailed reserved matters stage the mitigation measures therefore minimise the effects and the proposal therefore accords with Policy P14(vii) of the Local Plan and guidance in the NPPF. Neutral weight should be therefore attached to the matter in the balancing exercise.

Air Quality

The NPPF in relation to air quality states that planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan. Policy P14(v) Amenity of the Local Plan seeks to encourage better air quality

The Environmental Statement has assessed the potential air quality impacts on existing residents in the area and future residents of the site; as well as ecological receptors in the area. The assessment comprises a qualitative assessment of construction dust and road traffic emissions.

The assessment shows that there is the potential for construction dust to affect existing and future receptors in close proximity to the site, though through the implementation of mitigation measures (including appropriate site management) can be used to diminish the impact of construction activities such as that no significant effect is anticipated. This is achieved by condition 2.

Road traffic modelling has been carried out to determine impacts of traffic. This has shown that predicted pollutant levels will not breach the National Air Quality Objectives for existing and future residential locations. No mitigation measures are therefore required.

Subject to suggested conditions the proposal would comply with Policy P14(v) of the Local Plan to help ensure better air quality in and around the Borough through the adoption of low emission zone initiatives. Therefore, positive weight should be attached to the matter in the planning balance.

Lighting Impact

Policy P14 (ix) protects those parts of the countryside in the Borough that retain a dark sky from the impacts of light pollution. Development involving external lighting outside established settlements will be permitted only where significant lighting already exists, or the benefits of the development clearly outweigh the impact of the lighting on the countryside. Any lighting scheme should be the minimum required for the purposes of the development and should avoid light spillage and harmful effects on biodiversity.

Given that part of the site (that allocated for housing) is undeveloped, the existing site is in part currently unlit and can be described (in part) as being natural to the surroundings in a basically dark landscape environment.

The main contributor to light impact is from the existing developed areas of Phase 1 of BVP and the adjacent nearby M42 carriageway motorway, which is lit in accordance with Highway England standards based on LED lighting and minimal column heights.

No detailed lighting designs have been submitted with the proposal. However, accepting the location of the site adjacent to this part of the M42 which is already lit, and being adjacent to the partially developed Phase 1 and having regard to the fact that the site is allocated for both business and residential use, it is considered that subject to the imposition of a condition requiring full details of the proposed lighting, the external lighting of the of all elements of the proposal would have an acceptable effect in terms of potential impact from obtrusive light. Condition 26 deals with this point. The proposal therefore, accords with Policy P14 (ix) of the Local Plan and neutral weight can be attributed to the matter.

Ground Conditions/Contaminated Land

Policy P14(vi) of the Local Plan requires proposals for development on land known or suspected to be contaminated to include appropriate information to enable the potential implications to be assessed and to incorporate any necessary remediation.

An assessment has been carried out in respect of ground conditions at the site, via a desk top survey, site walk over, a preliminary investigation and agricultural land classification study, to establish the potential presence of contamination.

Impacts potentially requiring mitigation have been identified in relation to human health risks, risks to controlled waters and ground gas. In relation to these, potential mitigation measures have been considered that would reduce the identified potential impacts to acceptable (i.e. negligible) levels. However, it is considered that any potential impacts could feasibly be addressed by simple, well established and available mitigation technologies, that could be secured by condition.

Following the implementation of any detailed remediation strategy (conditions 17 and 18), residual impacts would be expected to be minor-adverse to negligible during the construction phase and neutral during the construction phase and neutral during the operational phase.

The proposal would therefore accord with Policy P14(vi) of the Local Plan and neutral weight should be given to the matter in the planning balance.

Socio Economic Issues

The applicants advise that the proposal will result in the following socio economic benefits to the Borough:

Construction Phase –

- Directly support 151-167 full time equivalent construction jobs on site per annum during construction and a further 72-92 FTE jobs per annum through supply chain and expenditure impacts;

- Help respond to unemployment of 45 Job Seekers Allowance claimants who are seeking work in the local area; and
- Generate an additional £10.3 - £13.2 million GVA (Gross Value Added) for the wider economy per annum.

Operational Phase –

- Support a total of 2,623 – 7,378 FTE jobs on site and a total of 3,738 – 10,514 net additional FTE jobs across the wider impact area (inc. 984 – 2,767 FTE jobs at the local level);
- Help to respond to unemployment of 1,260 residents in the local impact area who are unemployed and claiming job seekers allowance;
- Generate £134.9 - £379.6 million GVA in the wider impact area;
- Generate around £2.9 - £8.2 million in business rate revenue per month;
- Contribute significantly to the Borough's housing need targets;
- Accommodate new households with the potential to grow the local labour force by around 644 – 806 people;
- Generate an uplift in earnings equivalent to £16.5 - £20.6 million from new employed residents. Generate about £8.8 - £11 million in retail expenditure and £5.1 - £6.3 million per year on leisure goods and services. Residents of the extra care facility could generate a further £5.5 million household expenditure per month.
- Contribute towards existing education provision through the payment of developer contributions;
- Contribute towards the demand for local facilities which will contribute towards tackling the current deficit in provision; and
- Generate £920,000 - £1.5 million in additional Council Tax payments annually, and an additional circa £1.1 - £1.7 million of New Homes Bonus revenue over a period of 6 years to SMBC once fully occupied.

It is therefore considered that the proposal will have a beneficial effect on local economic conditions as well as the local population, in addition to which the public will also benefit from the uplift of public open space and outdoor sporting facilities.

This is an issue that therefore carries positive weight in the overall balancing exercise.

Other matters

The Canal and Rivers Trust have commented on the application, suggesting that a contribution should be made to upgrade the towpath of the nearby canal, and that safety measures need to be investigated at two nearby bridges (Bridge 19 – Bluebell, and Bridge 20 – Dyers Lane). Their suggestions have been considered as follows:

Bridge 20 on Dyers Lane – This is a narrow bridge that at the moment creates a self-enforcing single file flow of traffic over the bridge. This situation will remain unchanged. It is confirmed that there are no records of any traffic accidents at this

location over the last 5 years, and that visibility over the bridge from both directions is considered to be good. Having regard to these factors there is no indication that this situation will change due to an increase in traffic flow. It is not therefore considered that there is an in-principle objection to the proposal based on increased traffic flows over this bridge, subject to the mitigation measures as previously set out in the Highways section of this report.

Bridge 19 – Blue Bell. Visibility over this bridge is relatively good in either direction and it is not located on any key routes to or from the proposed development. Again, there are no recorded accidents at this location over the past 5 years. As such it is not considered that there would be any significant increase in its use as a result of the development to have any material impact upon highway safety. It is not therefore considered that there is an in principle objection to the proposal based on impacts of traffic flows over this bridge.

Canal towpath improvements. As part of the proposal the LPA is keen to ensure that the site is as well connected to nearby services/settlements as is possible, having regard to a finite amount of contribution costs to be secured by S106 agreement should the development be approved. Due to proximity and provision of services, the key pedestrian/cycle connectivity routes will be encouraged and improvements sought to both Dorridge and Monkspath. Accordingly, any increase in use of the canal towpath is likely to be for mainly for recreational purposes and as a result any increase in its use is unlikely to be significant. Based upon this it is considered to be an unreasonable request for the improvements suggested as they go above and beyond the impacts of the proposed development.

The Balancing Exercise

Having regard to all of the relevant planning issues discussed in this report, it is apparent (for the reasons as set out in this report) that in determining which issues weigh either in favour or against the proposal are as follows:

- Principle of development – An allocated site that will provide both housing and employment floor space both in line with the Local Plan allocation. Therefore Positive weight is attributed here.
- Green Belt – The proposal involves elements of inappropriate development within the Green Belt. Therefore Negative weight is attributed to this.
- Highway related proposals and impacts – Based on the extensive surveys and work undertaken and the suite of safety and connectivity mitigation measures proposed neutral weight should be afforded to this issue.
- Viability and Affordable Housing and Housing Mix – It has been demonstrated in accordance with accepted local plan and SPD requirements that 25% affordable housing can be provided as part of this development. Given the shortage of such housing in the Borough positive weight should be attributed here.

- Impact on the character and appearance of the area – Great care has been taken to ensure that the proposed development responds to the local context, and going forwards the provision of a Design Guide will ensure high standards of design and layout at the reserved matters stage. Therefore positive weight is attributed here.
- Sports and Play provision – The type of provision meets local demand and the amount exceeds minimum provision levels. Positive impact is also given to this issue.
- Impact on Landscape Character and Trees – The vast majority of the trees and hedgerows of significance are to be retained and the proposed landscaping scheme will reinforce local landscape characteristics, resulting in positive weight here.
- Impact on Ecology – having regard to the allocated status of the site, the proposed mitigation measures will ensure no undue harm to the ecological value of the site, thereby resulting in a neutral impact and weight.
- Drainage – The existing exemplar system is to be extended in a similarly positive way to ensure compliance with current standards that should adequately handle predicted drainage demands etc. Positive weight is therefore attributed here.
- Impact on neighbour amenity – The proposal will not result in undue harm to the amenities currently enjoyed by the occupiers of nearby dwellings and as such neutral should also be attached to this consideration.
- Impact on Designated Heritage Assets and Archaeology – Any potential harm to the setting of listed buildings would be less than significant and further mitigated by suitable conditions, resulting in neutral impact being applied to this issue.
- Health and Education – Based on established SMBC calculations, an adequate amount of financial contribution is to be secured via S106 to improve facilities in the area, resulting in neutral weight being attached to this.
- Noise Impact – Studies have concluded that, subject to conditions, undue harm from noise either during or after the construction phase will not arise, therefore resulting in a neutral impact in the balancing exercise.
- Air Quality – Studies have concluded that, subject to conditions, undue harm to air quality either during or after the construction phase will not arise, therefore resulting in a positive impact in the balancing exercise.
- Lighting Impact – Studies have concluded that, subject to conditions, undue harm due to lighting impact will not arise, therefore resulting in a neutral impact in the balancing exercise.

- Ground Conditions/ Contaminated land – Studies have concluded that, subject to conditions, undue harm from contamination either during or after the construction phase will not arise, therefore resulting in a neutral impact in the balancing exercise.
- Socio-Economic Issues – A considerable amount of local employment and income will be generated by the proposal, as will extensive outdoor leisure and sporting facilities to social and economic benefit of residents of the Borough. Positive weight should therefore be attributed to this.

In assessing this case, and having regard to all of the material considerations as set out in this report, it is evident that the only harm (that cannot otherwise be mitigated against and made acceptable through the implementation of suitable conditions and agreements with the S106 Agreement) is the harm of the development upon the openness of the Green Belt. All other salient planning matters result in either positive or neutral weight to be attached in the balancing process.

The Green Belt harm is evident in two distinct ways. Firstly, there is the 'in principle' definitional harm that must be attributed to all inappropriate development in the Green belt, which on its own is attributed significant harm, but also the harm of the proposal created by conflict with the specified purposes of including land within the Green Belt – namely safeguarding the countryside from encroachment – to which significant harm is attributed.

Given that all other planning issues weigh either in favour or neutrally to the balancing exercise, what this application therefore turns upon is whether or not Very Special Circumstances (VSCs) exist that outweigh the harm of the proposal to the Green Belt by way of its inappropriateness.

The VSC considerations that have been put forward in support of the development by the applicant have previously been set out and summarised in the Green Belt section of this report. In brief they are:

- The need to bring forward an allocated site and facilitation of its delivery
- Place-making
- Securing enhanced connections
- Reducing traffic impacts on the strategic highway
- Make the most efficient use of an allocated housing site

The detailed reasoning of why the applicants consider these to represent a compelling set of VSCs have previously been set out in this report. It must now be determined whether they are of such significant weight to outweigh the Green Belt harm and any other harm as set out above.

Having regard to all of the elements of inappropriate development (the open space/sports pitches, SuDS drainage scheme and southern access) it is considered that the benefits that they would bring to the success and deliverability of the site as set out by the applicants previously in this statement do indeed represent a compelling set of VSCs that will maximise the development potential of the site, will ensure satisfactory linkages to the surrounding communities/facilities and,

importantly, provide a sense of place to the planned development. Without the inappropriate elements of the development (in Green Belt terms), a lesser quantum of development would be delivered on the site and there would be a real risk of the entire development becoming an isolated enclave, thereby not forming an inclusive, integrated or attractive place for people to live. This would be severely contrary to the proper planning of the area in terms of place making and deliverability of the quantum of development that are allocated for the site.

It is therefore considered that the proposal is compliant with Policy P17 of the adopted Local Plan 2013 and the guidance as contained within the NPPF.

More generally, having established this outcome, having regard to the positive and/or neutral weight to be given to the remainder of the material planning issues, the carrying out of the balancing exercise suggests that this application should be fully supported.

Heads of Terms – S106 Agreement/Community Infrastructure Levy (CIL)

Paragraph 204 of the NPPF confirms that planning obligations should only be sought where they meet the following tests: -

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

Policy P21 – Developer Contributions and Infrastructure Provision of the Local Plan accord with and re-affirm the test set out in the NPPF.

Should this application be approved, it will be accompanied by a comprehensive S106 agreement that will secure the following:

Highways

- £532,000 revenue contribution towards improved bus services
- £790,000 capital contribution towards improved walking and cycling links to site
- £25,000 capital traffic management contributions towards provision to formalise passing places and carriageway strengthening
- £30,000 contribution towards speed reduction measures at School Road/Dyers Lane/Ilshaw Heath Road junction
- £25,000 contribution to road widening on approaches to Dyers Lane canal bridge
- Traffic Management Plan to safeguard future commercial traffic redistribution through south of the site. This will be deployed in the event of significant redistribution of commercial traffic through the residential spine road to Kineton Lane. The trigger will be an additional 25% of traffic movements above that forecast within the Transport Assessment. Measures would culminate in a

'prohibition of driving except for access traffic regulation order' to cover the residential element of the site.

Education

- £3,034 per dwelling for primary education and £3,474 per dwelling for secondary education

Health

- £34.61 per patient

Housing

- 25% to be affordable housing (of which 50% is to be shared ownership and 50% available for social rent).

Public open space / recreation facilities

- Creation of a Management Company and Management Plan to operate and maintain the proposed areas of public open space and sports and recreation facilities.

Community Infrastructure Levy

The Council adopted the Community Infrastructure Levy (CIL) Charging Schedule at Council on 12th April 2016, after which point it became operational on 4th July 2016.

Types of development that are included within the CIL charging schedule and therefore attract a CIL contribution are:

- Hotels (Use Class C1)
- Residential institutions (Use Class C2)
- Dwellings (Use Class C3)
- Retail (Use Class A1)
- Financial and Professional Services (Use Class A2)
- Restaurants and cafes (Use Class A3)
- Drinking establishments (Use Class A4)
- Hot food takeaways (Use Class A5)
- Car dealerships

As such, depending upon the location of any site within the Borough due to zonal variations in charging, a CIL charge usually applies to developments within the above use classes. However, when the CIL charging schedule was ratified by PINS it was agreed that Blythe Valley Park should be exempt from CIL payments insofar as any elements of the scheme related to C3 and C2 uses. As such there is no requirement for CIL payments for these elements of the proposal. Instead, bespoke payments in relation to usual CIL items (taken from the Regulation 123 list) have been individually calculated in lieu of CIL payments in relation to education, transport

and community facilities, as well as other planning related requirements as detailed above.

CIL payments are, though, still relevant to the proposed C1, A1, A2, A3, A4 and A5 elements of the proposal that the planning permission allows for. However, given that these are all elements of the proposal that are in outline format, any calculations of amounts and issuing of liability notices is not necessary/possible until the reserved matters stage of the development process.

CONCLUSION

Blythe Valley Park is allocated for mixed-use development under Policy P1 of the adopted Solihull Local Plan (2013). Prior to the submission of this application extensive pre-application discussions took place, as well as consultation with local stakeholders. During 2015, the applicants held a number of workshops with SMBC officers, the purpose of which was to develop a shared 'vision' for the site which would in turn shape a site 'masterplan'. The result of these workshops was the Blythe Valley Park 'Vision Document' which was endorsed by SMBC in September 2015 and which has provided a framework within which the proposal development has been prepared.

The result is the submission of a scheme that provides for a quantum of development and mixture of land uses that accords with the allocation on the site, and designed and laid out in broadly in accordance with the Vision Document. There are, however, elements of the scheme that represent inappropriate development within the Green Belt.

Having regard to the extent of the allocated development on this site, this report has demonstrated that the proposal, for the reasons as set out elsewhere in this report, will have either a positive or neutral impact on the planning matters relevant to the assessment and determination of this application, and that very special circumstances have been demonstrated to outweigh the harm to the Green Belt by way of the inappropriateness of the elements of the scheme that are deemed to represent inappropriate development within the Green Belt.

The proposal therefore represents an acceptable scheme that would secure the delivery of a substantial amount of housing and employment development at a time when the Council cannot demonstrate a 5 year housing supply.

RECOMMENDATION

The recommendation is therefore one of approval subject to:

1. The précis of conditions set out below;
2. The Applicant's entering into a Section 106 Agreement; and
3. The application not being called in following referral to the National Planning Casework Unit.

Proposed conditions: -

1. The development hereby approved shall not exceed the following specified uses as defined in the Town and Country Planning Act (Use Classes) Order 1987 as amended:
 - 750 residential dwellings and 250 housing with care dwellings (C2 and C3)

- 98,850 sq m GIA employment floor space (B1, B2 and B8)
- 2,500 sq m GEA A1-A5 Use
- 1,000 sq m GEA D2 Use
- 200 bedroom hotel (Use Class C1)
- Decked car parking area (Sui Generis)

2. No phase of development shall commence until a Construction Environment Management Plan which deals with the treatment of any environmentally sensitive areas on site, and includes the following information, has been submitted to and approved by the LPA, in consultation with Highways England:

- Details of construction traffic management and delivery routeing.
- Hours of Construction.
- Measures to control the emissions of dust, dirt and pollution during construction.
- Measures to control the impact of vibration on surrounding buildings.
- Noise control measures.
- A scheme of supervision/site monitoring for the arboricultural and ecological protection measures which shall include details of an Arboricultural and Ecological Clerk of Works appointed to the development.
- Measures to ameliorate direct or indirect damage to the special interest of the River Blythe SSSI, including water quality.
- Measures to ameliorate direct or indirect impacts on adjacent Local Wildlife sites and protected species.
- Information on the persons / bodies responsible for particular activities associated with the method statement.

The works shall be carried out in accordance with the approved method statement.

(Policies P7, P8, P9, P10, P11 and P14)

3. No phase of development except for those elements of development which have been permitted in full detail shall commence until full details of the layout, scale, appearance and landscaping (including any play areas) (hereinafter

called “the reserved matters”) for that phase have been submitted to and approved in writing by the LPA.

4. Applications for approval of the first reserved matters for residential development (Use Class C3) shall be made to the LPA no later than 5 years from the date of this hybrid planning permission and all remaining applications for reserved matters approval shall be made within 8 years from the date of this permission. The residential development shall be commenced no later than 10 years from the date of the grant of this hybrid planning permission.
5. Applications for approval of the first reserved matters for non-residential development shall be made to the LPA no later than 10 years from the date of this hybrid planning permission. The non - residential development shall be commenced no later than 12 years from the date of the grant of this hybrid planning permission.
6. The development hereby permitted shall be carried out in accordance with the approved plans:
 - Red Line Boundary Plan – Ref: 9002
 - Land Use Plan – Ref: 9600 Rev L
 - Access and Movement Plan – Ref: 9601 Rev L
 - Density Plan – Ref: 9602 Rev L
 - Scale Plan – Ref: 9603 Rev L
 - Planting Plan Sheet 1 of 4 – Ref: BRL-PL002 Rev G
 - Planting Plan Sheet 2 of 4 – Ref: BRL-PL003 Rev G
 - Planting Plan Sheet 3 of 4 – Ref: BRL-PL004 Rev G
 - Planting Plan Sheet 4 of 4 – Ref: BRL-PL005 Rev G
 - Planting Plan Greenway – Ref: BRL-PL006 Rev G
 - Drainage Layout Sheet 1 of 4 – Ref: 210 Rev C
 - Drainage Layout Sheet 2 of 4 – Ref: 211 Rev C
 - Drainage Layout Sheet 3 of 4 – Ref: 212 Rev B
 - Drainage Layout Sheet 4 of 4 – Ref: 213 Rev B
 - Engineering Layout Sheet 1 of 2 – Ref: 201 Rev C
 - Engineering Layout Sheet 2 of 2 – Ref: 202 Rev F
 - Kerbing and Construction Layout Sheet 1 of 2 – Ref: 205 Rev B

7. No development shall commence until a Blythe Valley Park development phasing programme has been submitted to and approved by the LPA. In addition to built development phases, this shall also include details of when play, sport, recreation, hard and soft landscape works and public realm shall be delivered. The Blythe Valley Park phasing programme may be amended from time to time with the approval of the LPA.

8. Prior to the submission of any reserved matters applications for residential phases of the scheme, a Design Guide for the residential character areas should be submitted to and approved in writing by SMBC. This guidance should provide further detail with regard to each of the residential character areas put forward in the DAS (p123) and should provide design quality assurance for future reserved matters applications.

For each character area this should include:

1. A materials options palette which includes boundary treatment options.
2. Consideration of opportunities for active frontages.
3. Illustrate how each of the character areas will respond to the approved parameter plans, and the green infrastructure and play strategy.
4. Illustrate how the identity of the different character areas enhances the legibility of the site.
5. Options for the promotion of multi modal routes through the development.

The Design Guide may be amended from time to time with the approval of the LPA.

(Policy P15)

9. There shall be maintained at all times a masterplan for the whole of the development site which shall be submitted to and approved in writing by the LPA at the time of submission of the first application for approval of reserved matters. The masterplan should be in general accordance with the principles established in the Design and Access Statement and Design Guide required by Condition 8 above. The masterplan may be updated with each application for approval of reserved matters and the reserved matters shall be in general accordance with the masterplan (as approved at the time).

(Policy P15)

10. No development shall take place until a strategy for topsoil storage/spreading has been submitted to and approved in writing by the Local Planning Authority. These details shall include details of the locations for topsoil storage / spreading and the proposed grading and mounding of land areas including the anticipated levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.

(Policy P10, P15 and P17)

11. No development shall take place on each phase until details of finished site and ground floor levels in relation to the existing site levels, adjoining land and buildings have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas, cross sections through the site and the relationship with the adjoining landform and buildings. Development shall be carried out in accordance with the approved details.

(Policy P15)

12. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) Rev B (prepared by THDA Consulting Engineers, dated 01/04/2016) and drawing reference 14-0686 SK10, and the mitigation measures detailed within the FRA.

The mitigation measures shall be fully implemented in accordance with the phasing plan to be agreed by virtue of condition 7.

(Policy P11)

13. No phase of development which utilises the Arup attenuation pond as part of its Sustainable Urban Drainage System shall be commenced until such time as a scheme to include a control structure on the Arup pond to prevent the risk of fluvial flooding compromising the surface water drainage system, in accordance with drawing reference 14-0686 SK10 has been submitted to, and approved in writing by, the local planning authority.

The scheme shall be fully implemented and subsequently maintained in accordance with the phasing plan to be agreed by virtue of condition 7.

(Policy P11)

14. No phase of development (other than those phases where drainage design has been approved in detail by virtue of this planning permission) shall be commenced until full details of surface water and foul drainage proposals for that phase have been submitted to and approved by the LPA for that phase. Any newly submitted surface water scheme shall be based on sustainable drainage principles and the hydrological and hydrogeological context of the development phase, and shall be designed in accordance with the approved

Flood Risk Assessment (FRA) Rev B (prepared by THDA Consulting Engineers, dated 01/04/2016). The scheme shall:

- Maximise the use of measures to control water at source as far as practical, to limit the rate and quantity of runoff and improve the quality of any runoff before it leaves site.
- SUDs should be designed to accommodate the 1 in 100 year plus climate change critical storm event.
- Ground levels shall be profiled to direct any exceedance flows away from the built development.
- Include details of the performance of the SUDs system including flow control.
- Include details of the adoption / ownership including maintenance and operation of the SUDs system in perpetuity of the development.

No phase of development shall be occupied until the surface water and foul water drainage works for that phase have been completed in accordance with the submitted plans that have been approved by the Local Planning Authority.

(Policy P11)

15. Finished floor levels shall be set to a minimum of 150 mm above average surrounding ground level and 600mm above the design 1 in 100 year plus climate change level of the corresponding balancing pond to which they connect.

(Policy P11)

16. No phase of development shall commence until details for the provision of temporary drainage during construction for that phase have been submitted to and approved in writing by the Local Planning Authority. The details shall identify how surface water run-off will be dealt with so as not to increase the risk of flooding to downstream areas as a result of the construction programme.

(Policy P11)

17. No phase of development shall be commenced until a methodology for carrying out a site investigation for physical and chemical contamination has been submitted to and approved in writing by the Local Planning Authority. The results of the approved site investigation, together with a schedule of any necessary remedial works, and a timetable for the carrying out of those remedial works, shall be submitted to and approved in writing by the Local Planning Authority. Prior to the occupation of any phase where remediation has been necessary, the Local Planning Authority shall receive in writing a validation report, confirming installation and completion of all required contamination protection measures as well as a monitoring and maintenance

scheme to include monitoring the long-term effectiveness of any proposed remediation over a period of to be agreed.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

(Policy P11 and P14)

18. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of condition 17, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 17, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 17.

(Policies P11 and P14)

19. No phase of residential development shall commence until a site specific noise assessment and any necessary scheme for protecting the proposed residential units for that phase of the site from external noise has been submitted to and approved by the LPA. The approved scheme of mitigation shall be implemented as approved.

(Policy P14)

20. No phase of development shall commence until a detailed Arboricultural Method Statement to include a scheme for the retention and protection of trees and hedges on or adjacent to that phase, and reflecting outcomes of a meeting to be held with SMBC to agree a specific vegetation (trees, hedgerow and hedgerow edge) removal programme for ditch clearance, has been submitted to and approved by the LPA.

(Policy P10, P14 and P16)

21. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out in accordance with a phasing programme agreed in writing with the Local Planning Authority. If within a period of 5 years from the date of planting of any tree or structurally important landscape feature (e.g. native hedge), that tree / feature or any tree / feature planted in replacement for it, is removed, uprooted, destroyed, dies or becomes seriously damaged or defective, another tree / feature of the same

species and size as that originally planted shall be planted at the same place within the next planting season (October-March), unless the Local Planning Authority gives its written consent to any variation.

(Policy P10 and P14)

22. Any tree, hedge or shrub scheduled for retention which is lost for any reason during development works, shall be replaced with a tree, hedge or shrub of a size and species to be agreed in writing with the Local Planning Authority and planted during the first planting season after its loss.

(Policy P10 and P14)

23. No phase of development shall take place until a schedule of landscape maintenance for a minimum period of 5 years for that phase has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation and include a report/statement no later than 1st October in each of the 5 calendar years following the planting of any trees, hedges or shrubs on the site in connection with the development hereby permitted detailing:

- (a) the number, location and species of any trees, shrubs, hedge plants which have died, become diseased or seriously damaged in the preceding 12 months, and
- (b) proposals for the replanting and maintenance of any such failures with plants of similar size and species within the following six months

Development shall be carried out in accordance with the approved schedule.

(Policy P10 and P14)

24. A Landscape and Ecology Management Plan – to be incorporated into the existing plan on the site - including long term design objectives, management actions, responsibilities, future monitoring and maintenance schedules for all landscape areas (except privately owned gardens) for that phase, shall be submitted to and approved by the Local Planning Authority prior to the occupation of any residential phase of the development and shall be updated as necessary with details of each subsequent residential phase. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing with the local planning authority.

The management plan shall include the following elements:

- Details of maintenance regimes.
- Details of management responsibilities.
- Details of how the management of new areas of landscaping will be incorporated with the management of the existing country park.

- Details of treatment of site boundaries and / or buffers around water bodies.

(Policies P10 and P14)

25. The development hereby permitted shall not be undertaken other than in accordance with the approved mitigation measures for great crested newts set out in Appendix 9.3 of the Environmental Statement 'Great Crested Newt Report' (prepared by FPCR) unless otherwise agreed with the LPA or Natural England EPS Licensing.

(Policy P10)

26. No phase of development (including the new access off Kinton Lane) shall be commenced until details of a lighting scheme for that phase has been submitted to and approved in writing by the Local Planning Authority. Lighting at the re-aligned Kinton Lane and proposed new access shall be designed to be outside of the above and below ground constraints of retained trees; the positions of the light columns shall consider future growth of trees. The design and location of lighting shall minimise any potential impact on foraging or commuting bats. No illumination of any external area of the site shall take place except with the prior written consent of the Local Planning Authority and in accordance with details submitted to and approved by them.

(Policies P10 and P15)

27. No phase of the development hereby approved shall be commenced unless and until a Biodiversity Monitoring Scheme to ensure that there is no net biodiversity loss as a result of the development has been submitted to and agreed in writing by the Local Planning Authority (hereinafter known as 'the Approved Scheme'). The approved scheme shall include:

A) prescriptions to measure and monitor biodiversity gains or losses for each phase of the development (whether completed, underway or yet to commence) in accordance with the Defra Biodiversity Offsetting Metric as applied in the area in which the site is situated at the relevant time;

B) details of any offsetting measures together with a management plan for the provision and maintenance of such offsetting measures for not less than 30 years from the date of implementation of the Scheme (hereinafter known as the 'Offsetting Measures Scheme') and the provision of contractual terms to secure the delivery of the offsetting measures where there is biodiversity loss identified in A) above;

C) Any other mechanisms to account for biodiversity loss identified in A) above.

The Approved Scheme shall be implemented in accordance with the requirements of the scheme or any variation approved by the Council.

(Policy P10)

28. The average parking ratio across the commercial / non-residential uses at Blythe Valley Park shall not be lower than 1 space per 24.4 sq m GIA up to a cap of 6555 car parking spaces. Disabled parking will be in addition to this and provided in accordance with the relevant standard.

(Policy P7)

29. The new access off Kineton Lane (as shown on drawing reference 202 Rev F) shall be constructed and opened to traffic prior to the occupation of any dwellings accessed off Kineton Lane.

(Policy P7 and P8)

30. Prior to the occupation of the 500th dwelling the new spine road from Kineton Lane to Blythe Gate (as shown on drawings reference 202 Rev F and 201 Rev C) shall be constructed and open to all traffic, unless otherwise agreed in writing with the Local Planning Authority in consultation with the Highways Authority for the M42 Motorway.

(Policies P7 and P8)

31. Notwithstanding any indication given on the approved plans, prior to commencement of the construction of the new Kineton Lane access, details of the design of the proposed gateway features at Kineton Lane shall be submitted to and approved in writing by the Local Planning Authority. The design shall ensure that the rural landscape character of the Lane is preserved

(Policies P7, P8 and P15)

32. Before any phase of the development hereby approved is brought into use a detailed scheme for the storage of refuse for that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a management and maintenance plan for the lifetime of the development. Thereafter, the approved scheme shall be implemented and retained in accordance with approved details.

(Policy P14)

33. Notwithstanding the previous archaeological investigations undertaken on the site, no development shall take place until a programme of archaeological works covering those areas of the site which have not been subject to previous investigations has been implemented in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

(Policy P16)

34. Prior to the occupation of the 300th dwelling a convenience retail unit (Use Class A1) shall be completed and made available for occupation and, notwithstanding that approved under planning permission

PL/2016/00707/PPFL, prior to the occupation of the 500th dwelling a café (Use Class) A3 shall be completed and made available for occupation. The retail unit and café unit shall be marketed until let or until three years has passed, whichever is the earlier. If the retail unit or café unit are not let after three years of being made available then the use of the unit may be changed subject to the submission of detailed marketing evidence to the Local Planning Authority.

(Policies P7 and P19)

35. The trading area of any individual retail unit constructed at the site that falls within use Class A1 of the Town and Country Planning (Use Classes) Order shall not exceed 549 sq m in floor area.

(Policies P7 and P19)

36. The on-site spine road (as shown on drawings reference 202 Rev F and 201 Rev C) shall not be brought into use until a car parking management scheme has been implemented in accordance with details to be submitted to and approved in writing by the LPA. The car parking management scheme shall include measures to prevent displaced and/or overflow parking on the on-site spine road.

(Policies P7 and P8)

37. Prior to the occupation of the 425th dwelling or 23,608 (net) GIA employment space, whichever is the sooner, the highway capacity scheme at the A34/Stratford Road/Monkspath Hall Road shall be implemented in accordance with approved drawing number 31604-5516-004 Rev A.

(Policies P7 and P8)

38. Prior to the occupation of any dwelling;, the highway capacity scheme at A34 Stratford Road/Creynolds Lane shall be implemented in accordance with approved drawing number 31604-5521-002 Rev A.

(Policies P7 and P8)

39. Prior to the occupation of the 750th dwelling and 60,000 (net) GIA employment space, the highway capacity improvements A3400 and Blythe Valley park egress shall be implemented in accordance with approved drawing number 31604-5516-005 Rev A.

(Policies P7 and P8)

40. Prior to the occupation of the 750th dwelling and 98,000 (net) GIA employment space, the highway capacity improvements to provide a site egress onto A34 Stratford Road (northbound) and site access from A3400 Stratford Road shall be implemented in accordance with approved drawing number 31604-5516-002 Rev A.

(Policies P7 and P8)

41. No phase of residential development shall commence until a bus phasing plan has been submitted to and approved by the LPA. The phasing plan shall make provision for adequate bus access at the on-site spine road and provide adequate turning facilities until such time the on site spine road connects into Blythe Gate. The bus phasing plan shall be implemented in accordance with the approved details.

(Policies P7 and P8)

42. No phase of residential development shall be occupied until bus stops with real time information have been provided within 400m of all dwellings in accordance with details to be submitted to and approved by the LPA.

(Policies P7 and P8)

43. Prior to the first use of any development at the site falling within use classes A1, A2, A3, A4 and A5 (notwithstanding that approved under planning permission PL/2016/00707/PPFL) an electronic ticketing top-up facility shall be provided on site in accordance with details to be submitted and approved in writing by the LPA.

(Policies P7 and P8)