

# TIDBURY GREEN PARISH COUNCIL

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12<sup>th</sup> February 2015

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Your Reference: APP/Q4625/A/13/2192128/NWF

The Planning Inspectorate  
3/26 Hawk Wing  
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Bristol BS1 6PN

Dear Elizabeth Humphrey

**LOWBROOK FARM, TIDBURY GREEN**  
**PLANNING APPEAL: APP/Q4625/A/13/2192128/NWF**

I refer to the above appeal and thank you for your invitation for the Parish Council to make further written submissions covering any matters we consider relevant given the changes in circumstances whilst the legal proceedings regarding the Local Plan have been ongoing.

The Parish Council has already made submissions to the Inspectorate following the High Court judgement (see the letter dated 12 June 2014) and publication of Planning Practice Guidance (25 June 2014). These are attached for ease of reference.

Before commenting, one issue that has not changed is the strength of local opinion against this proposal. Tidbury Green Parish Council act on behalf of 1130 residents of the Parish and we continue to have regular contact and meetings with residents on planning issues and this scheme particularly. Meetings are well attended and the overwhelming view is opposition for the reasons that have already been presented. Despite the length of time that has passed since this application was made, it continues to be in the forefront of residents minds.

With regard to the Court Order, it is now confirmed the site has no designation. It is not Green Belt and it is not safeguarded land. It now reverts back to the Council for reconsideration and whilst the judgement finds the reasons the Council put forward for including the land in Green Belt did not amount to 'exceptional circumstances' that is not to say 'exceptional circumstances' do not exist and re-consideration may demonstrate exceptional circumstances that result in a different outcome. Furthermore, the Parish Council would like to reiterate their concern in respect of the lack of designation of the site, in particular the fact that the site is not covered by any designation Green Belt or otherwise, does not mean it is suitable for development and irrespective of the lack of designation it is necessary to consider whether the proposals constitute sustainable development having regard to the policies of the NPPF and the guidance in the PPG. For the reasons already given by the Parish Council there is sound evidence to demonstrate that the proposals are not for a sustainable form of development.

The appeal is still to be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan is now silent as the site has no designation. In respect of the development plan as a whole, there is conflict with Policy P7 as set out below. The NPPF is a material consideration and the Parish Council have already stated the reasons why the proposal is not sustainable development, in particular the lack of accessibility to local services and facilities.

Local Plan Policy P7 Accessibility and Ease of Access is now adopted policy as the Plan was adopted in December 2013 after the close of the Inquiry. It now carries full weight. The Parish Council considers the proposal conflicts with this policy as there are no services and facilities within the stated distances (e.g. Whitlocks End Train Station, that offers three trains per hour to Birmingham, is 1.7Km, Wythall Train Station that offers one train per hour and no car park, is 820m, and the nearest convenience food store is 1.2km, from the site). This is sought to be mitigated by a financial contribution towards a peak hour bus service on Lowbrook Lane for a period of five years. However, this does not overcome conflict with Policy P7 as this requires a high frequency bus service (15 minutes or better). Currently the bus service is hourly.

An issue as time has moved on is the significant number of planning permissions granted in the vicinity of Tidbury Green in both Solihull Borough and Bromsgrove District since the close of the Inquiry in June 2013. There has been no assessment of cumulative impact on the highways or infrastructure. The following table shows the position and the locations are identified on the enclosed plan 7026-600.

#### Status of Sites Scheduled for Development

Site	Planned development Date	Number in Plan	Applied Number	Application Number	Outline Permission	App No.	Full Permission	
<b>Solihull Borough Council Area</b>								
1. Dickens Heath Road /Cleobury Lane	01-Apr-13	185	130	2014/1032	Granted 12 Aug 2014			
2. Griffins Lane	01-Apr-18	50	23	2012/1275	None		Approved 20/05/2013	
3. Braggs Farm Lane	01-Apr-18	105	71	2014/66	Granted 22 Dec 2014			
4. Blythe Valley Blythe Valley	01-Apr-18 Up to 2018	250 350						
5. Aqueduct Road	01-Apr-18	300	200	2012/1567	Approved 29 Jan 2014			
6. Mount Dairy Farm	01-Apr-23	200	220	2014/1163	Approved 24/11/2014			
7. Lowbrook Farm	<del>Return to GB</del>	0	200	2012/1627	Refused 30 Jan 2013			
8. Tidbury Green Farm	<del>Return to GB</del>	0	190	2013/1705	Refused 30 Jan 2014			
<b>Bromsgrove District Council area</b>								
9. Selsdon Close	Up to 2017	70	76	11/0723			Approved 2011	Built
10. Bleak House Farm	Up to 2017	150	178	12/0912	Approved Mar 2013	14/0824	Approved 01/12/2014	
<b>TOTAL</b>			<b>1288</b>					

It can be seen that before the Inquiry in June 2013 permissions were given at Griffins Lane, Selsdon Close and Bleak House Farm amounting to 277 dwellings. Since June 2013, permissions have been given at Dickens Heath Road, Braggs Farm Lane, Aqueduct Road and Mount Dairy Farm for 621 dwellings.

In addition to this, further development is allocated in the now adopted Local Plan for Blythe Valley for 600 dwellings.

If permission were granted for this proposal at Lowbrook Farm and that at Tidbury Green Farm, there would be a further 390 dwellings.

There is no evidence that a detailed study has been conducted to look at the cumulative impact of all the proposed and committed development with particular regard to traffic, access to medical services, shopping, education and other amenities nor the impact on the existing community. Until this assessment takes place it is not possible to conclude the proposals do not have an adverse impact.

The Inspector is asked to consider the above comments together with those already made by the Parish Council, and to dismiss the appeal.

Yours sincerely



Charlotte Kirby  
Clerk to the Council

Enc

Letter to PINS Sarah Banwell 12 June 2014  
Letter to PINS Sarah Banwell 25 June 2014  
7026-600 Plan of sites scheduled for development within the vicinity of Tidbury Green