

APPLICATION REFERENCE: PL/2015/52964/PPFL**Site Address:** Youth Workshop Adjacent 84 Lode Lane Solihull B91 2HJ

Proposal:	Change of use of former training workshops (Use Class D1) to erect 3 No. dwellings (Use Class C3) together with the construction of 6 No. mews houses with associated car parking, landscaping and access.
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 application involves Council owned land and is the subject of a legal agreement.
---	---

Recommendation:	APPROVAL SUBJECT TO CONDITIONS AND THE COMPLETION OF A LEGAL AGREEMENT.
------------------------	--

EXECUTIVE SUMMARY

This application is for the conversion of and redevelopment of buildings previously used by SMBC for youth training workshops into 9 dwellings. The site is located on the east side of Lode Lane in a residential area to the north of the Solihull ByPass but fairly close to the Town centre.

The proposal represents the re-development of the site currently used for Training Uses (Class D1) into dwellings (Class C3) in an established residential area, and the principle of development is acceptable and in compliance with Policy P5. The design and layout has been amended to improve potential surveillance of the open space to the south and to improve the site entrance. Amended plans have been submitted addressing these issues, as well as to reduce the impact on bungalows within the grounds of The Hermitage.

The proposal is considered to be acceptable, subject to the completion of a satisfactory Legal Agreement as well as appropriate conditions, and is recommended for approval.

KEY PLANNING ISSUES

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

- Principle of development.
- Design and Layout
- Impact on Residential Amenity.
- Landscape & Ecology
- Highways
- Affordable Housing

CONSULTATION RESPONSES

Non Statutory Consultees. The following Non-Statutory Consultee responses have been received:

SMBC Drainage - No objection subject to conditions

SMBC Highways - No objection

SMBC Landscape - No objections

PUBLICITY

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

1 response was received. All correspondence has been reviewed and the main issues raised are summarised below (Planning Committee Members have access to all third party correspondence received):

Design.

- How many storeys?
- Will existing Clock Tower on lodge remain?
- Will roofs be pitched or flat?

Highways.

- Will prevent public turning points

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.

Principle of development.

Permission is sought for the conversion of an existing lodge building into three dwellings with the erection of six new dwellings/ mews houses to create 9 new residential units on this site. . The principal of the redevelopment of this site for residential purposes within the C3 Class of the Use Classes Order (1987) (as amended), is supported in this accessible urban location and this should be given significant weight in the planning balance.

Subject to compliance with detailed design and layout criteria, the proposal is considered to comply with Solihull Local Plan (2013) Policy P5 relating to the provision of land for residential purposes on unidentified sites in accessible locations.

Design and Layout

The site lies in a prominent location on the east side of Lode Lane, which is an important route into/out of Solihull Town Centre. The site formally comprised a Lodge dating back to the late 1800s/early 1900s, within the grounds of The Hermitage (comprising a large house with more recently built bungalows in the grounds), which lies immediately to the east. To the north of the Lodge there are two groups of garages, built more recently, which are proposed to be demolished. There is an attractive brick wall, comprising the side wall of the Lodge and a brick wall to the north, running along the Lode lane frontage. The area of open space to the north is mainly open grassland but does contain some trees and shrubs.

Permission is now sought for the following:

- The re-use and slight re-configuration of the existing access off Lode Lane, with a new sliding metal gate to close off the parking court from unauthorised access.
- The conversion of the existing two-storey Lodge building into 3 x 3-bed houses, with individual rear gardens (Houses H01-HO3).
- The demolition of all existing garages and the construction of 2 no two-storey buildings, each containing 3 x 2-bed mews houses (except MO5 which has 3 bedrooms), grouped around a paved courtyard (Mews Houses M01 to MO6)
- A total of 11 parking spaces – 6 integral garages within the mews houses and 5 in the open courtyard.
- The extension of the existing brick wall to the south of the Lodge, to screen the rear gardens from Lode Lane.

The proposal will result in a sympathetic restoral of the existing Lodge, making good existing brickwork and the slate roof/wooden eaves detail and retaining the roof cupola. Painted wooden windows will also be used in the existing openings. A new Juliet balcony is proposed for House H01 and new glazed doors are proposed to be inserted in the rear elevations of each house.

The design features of the new mews houses use visual cues from the existing Lodge – brick walls, slate roof, roof pitch etc - but provides a more modern design style to complement and set off the older building. The main windows face into the central courtyard and rooflights are used on the external roof slopes. High level windows are provided to light the ground floor windows in the wall along the Lode Lane frontage and facing the public open space. The garage doors will have vertical wooden timber boards.

The main changes that were sought to the design to improve surveillance of the entrance by introducing additional windows in the gable end walls. In addition two of the Mews Houses (MO4 and MO5) have been re-positioned further away from adjacent bungalows in the grounds of The Hermitage, and small light-wells provided behind the existing boundary brick wall to reduce the bulk and massing close to these property boundaries.

The amended building design and site layout is considered to produce an acceptable and sympathetic design response to the site and its surroundings, and thus complies with guidance in Solihull Local Plan Policy P15, which should be given significant weight in the overall decision.

Impact on Residential Amenity.

There a number of bungalows located in the grounds of The Hermitage, whose gardens back onto the site, as well as a shared community garden. The only properties potentially affected by this proposal are Nos. 14 and 15 The Hermitage. In the original layout, Mews House M04 were proposed to be positioned on the site of existing garages (with fairly flat roofs) which are around 2.3m in height on this boundary. The new dwelling measures 4.2m to the eaves (on this boundary) and has a ridge height of 7.5m. The roof of M04 pitches away from this property.

No. 14 is the closest property to the corner of Mews House M04 – Approximately one third of the rear wall of No.14 will be 6.4m from the corner of M04, although most of the garden to No14 then runs alongside the gable wall. Following concerns raised by your officers, the plans have been amended as follows:

- The rear walls of houses MO4 and M05 have been moved off the rear boundary by 1.2m. The existing wall be retained and a small light well created in the gap
- A section has been provided showing the bungalow is at a slightly higher level (approximately 0.5m) that the application site. The eaves level of houses MO4 and M05 will be 3.8m high at a distance of 7.7m from the rear wall of No. 14 The Hermitage.

Although the scale of development will be bigger on this boundary than existing, the combination of the amendments;

- to increase the distance between existing and proposed,
- the fact that the majority of the garden of No14 projects further past the corner of the new development,

the orientation of the new development being to the north of the existing garden, and, the fact that other buildings along the rear boundary will be removed mean that the impact of the resultant development is not considered to be so severe to warrant

a planning refusal, in terms of its relationship or its potential overbearing impact. In addition, the kitchen window and w.c. window in the new dwellings are either high level windows (to prevent downward views) or are obscure glaze.

The proposal is therefore considered, on balance, to be acceptable on these grounds and complies with Policy P14. The proposal has a moderate negative impact in the planning balance.

Landscape & Ecology

The internal courtyard will be mainly block paved for circulation and for parking spaces. A small area of grass with a 'crab apple' tree is provided for landscape and visual interest is also provided. Opportunities for individual pots and tubs within the internal courtyard also exist.

The design of the site entrance adjacent to the open space (which will be visible from public areas) has not yet been finally resolved but is to be dealt with under condition 4. This is to ensure that an attractive road surface and low maintenance plating results (including appropriate future maintenance).

SMBC's Ecologist has reviewed the submitted bat survey and is content that there will be no impact on bats, although requires an informative to be included on any permission relating to bat roosts in relation to the Wildlife and Countryside Act 1981.

A semi-mature tree in the community garden within the grounds of The Hermitage contains a semi-mature tree partly overhanging the site. This will need to be crown lifted and partly reduced to enable the dwellings to be constructed and details can be secured through its landscaping condition.

These matters are considered to be acceptable, subject to appropriate conditions and thus the scheme would comply with Policy P15 and can be given positive weight in the planning balance..

Highways

Access to the site re-uses the existing site access. A sliding gate is proposed to be provided, but this is set back from the highway boundary so that vehicles do not stop on the highway whilst the gate opens.

The application is accompanied by a Highways Technical Note, comparing the existing and proposed site usage. This indicates that there will be slight increase of 4 two-way trips in the AM peak and no change in the PM peak, with an overall net reduction of 15 two-way trips across a 12 hour period (0700 to 1900).

SMBC Highways have raised concerns that if the garages are fully enclosed by doors, this will encourage them to be used for storage rather than for the parking of vehicles. This is important because the amount of parking provision in the development falls below SMBCs normal parking standards (2 spaces per dwelling), although it is in a fairly accessible location – on a main bus route and close to the town centre.

The applicant has agreed to include a covenant that will ensure that the garages are used for the parking of vehicles and not for storage purposes. In addition the applicants also point out that if most vehicles were parked outside of the garages and within the courtyard, it would not be possible for vehicles to properly turn or circulate within it. Condition 7 is proposed which requires a parking management plan to be submitted for approval and subsequently implemented, to address these concerns.

On this basis the proposal is considered to be acceptable and in compliance with Policies P7 and P8. The proposal has a neutral impact in terms of car parking and highway safety when weighed in the planning balance.

Affordable Housing

Policy P4 in the Solihull Local Plan (2013) requires the provision of affordable housing in housing developments of 3 or more units or 0.2ha in size.

The applicants have provided an Affordable Housing Delivery Statement, which indicates that as the on-site provision is so small and not generally attractive to affordable housing providers i.e.(3 units – 40% of the total) that it is more preferable to provide the contribution as an 'off-site' commuted sum payment. This has been calculated by comparing the land value of 3 no. open market units to the discounted land value if these are built affordable. This equates to a difference of £147,715, which forms the commuted sum value, which will be used to provide affordable housing units elsewhere in the Borough.

SMBC's Affordable Housing Officer raises no objection to the proposal and comments as follows: It is agreed that the standard affordable housing obligation in this case should be discharged by the payment of a commuted sum in lieu of on-site provision. The applicant has clearly set out how this has been calculated and the sum proposed is agreed.

This sum will be secured via a Legal Agreement therefore the proposal is considered to be in compliance with Policy P4 and gives positive weight when weighed in the planning balance.

Ground Conditions:

A Phase 1 Desk Study (Georisk Management has been submitted with this application.

The Ground Condition report indicates that a Phase II site investigation is necessary to address any potential contamination issues at the site and to facilitate the final engineering design.

Drainage:

The Drainage Statement indicates that SUDs drainage techniques are not possible, given poor infiltration qualities of the Mercia Mudstone that underlays the site. As a result, an attenuation tank is proposed to hold water within the site in extreme rainfall conditions, to enable the discharge rate from the site to be reduced from the existing

16 lt/sec to 11 lt/sec – a betterment of 30% which is now required by STWA in new development proposals. Both of these matters are secured at conditions 6 and 10.

CONCLUSION

The proposal represents the refurbishment and re-development of an existing 'previously –developed' site in an established residential area. The principle of development is thus acceptable and in compliance with Policy P5 and weighs positively in the planning balance.

The amended building design and site layout is considered to produce an acceptable and sympathetic design response to the site and its surroundings, and thus complies with guidance in Solihull Local Plan Policy P15. Matters of neighbour amenity have been addressed through receipt of amended plans.

The proposal is considered to be acceptable in all other aspects, subject to the completion of a Legal Agreement to secure an affordable housing commuted sum plus appropriate conditions, and is thus considered to comply with Policies P5, P7, P8, P10 and P15 of the Solihull Local Plan (2013). On balance, the proposal is considered to have positive weight and is therefore recommended for approval.

RECOMMENDATION

Resolution of approval is recommended subject to the completion of a legal agreement and the following précis of conditions:

1. Approved Plans (CS00)
2. Commencement – 3 Years (CS05)
3. Materials – Walls and Roof (CS06)
4. Landscape scheme (including open area at site entrance)– (CL04)
5. Boundary Treatments (CL10)
6. Drainage (CW06)

7. The development shall not be occupied until a car parking management plan has been submitted in writing and approved by the LPA, and is then implemented in accordance with the approved details for the lifetime of the development.

8. The integral garages serving Mews Houses M01 – M06 shall be used solely for the parking of motor vehicles and bicycles associated with the respective dwelling and for no other purpose.

9. The development shall not commence, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for (i) the parking of vehicles of site operatives and visitors (ii) loading and unloading of plant and materials (iii) storage of plant and materials used in constructing the development (iv) the erection and maintenance of security hoarding including decorative displays (v) wheel washing facilities (vi) measures to control the emission of dust and dirt during construction (vii) details of Haul Routes (viii) contact details for the

appointed site agent that can be contacted in the event of any problems arising during construction activities.

10 Phase II site investigation Unless otherwise agreed by the Local Planning Authority, development other than that required to be carried out as part of an approved scheme of remediation must not commence until parts (1) to (4) below have been complied with. If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until part (4) has been complied with in relation to that contamination - (1) Site Characterisation, (2) Submission of Remediation Scheme, (3) Implementation of Approved Remediation Scheme, and, (4) Reporting of Unexpected Contamination

11. Landscaping and Ecological Enhancement to be carried out (CL06)

12. Car Parking to be provided (CI01)

13. Car Parking Management Plan for Courtyard Area

14. Cycle Provision (CI04)

15. Windows on M04 – high level/obscure glaze

Informatives:

REO2 – Reason for Approval/

Ecology informative.

Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and their 'roost' sites are fully protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) making them a European Protected Species. It is a criminal offence to disturb or destroy a bat 'roost', even if the roost is only occasionally used. Where a bat 'roost' is present a license may be necessary to carry out any works. If evidence of bats is found during works, work should stop immediately and Natural England must be contacted on 0345 1300 228 for advice on the best way to proceed.