

**APPLICATION REFERENCE: PL/2020/01511/PPFL****Site Address:** 68 Needlers End Lane, Balsall Common, Solihull. CV7 7AB.

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| <b>Proposal:</b>          | Demolition of existing dwelling and erection of 6 two bedroom flats with access, parking and landscaping.  |
| <b>Web link to Plans:</b> | <b>Full details of the proposal and statutory consultee responses can be found by using the above planning application reference number at:</b><br><br><a href="https://publicaccess.solihull.gov.uk/online-applications/">https://publicaccess.solihull.gov.uk/online-applications/</a> |

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| <b>Reason for Referral to Planning Committee:</b> | <b>The application has been called-in by Councillor Diccio and the application has given rise to a substantial amount of public concern</b> |
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| <b>Recommendation:</b> | <b>GRANT CONSENT SUBJECT TO CONDITIONS</b> |
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**EXECUTIVE SUMMARY**

This application seeks full planning permission for the demolition of the existing dwelling at 68 Needlers End Lane, and the erection of an apartment block containing six apartments. The proposed apartment block has been sensitively designed so that it appears as a large dwelling in the street scene.

The previous planning application, reference PL/2020/00037/PPFL, was withdrawn following officer delegated recommendation for refusal. The proposed reasons for refusal were over development of the site and loss of amenity for existing residents along Winsford Close and proposed new occupiers; therefore the proposal was contrary to Policies P14 and P15 of the Solihull Local Plan 2013 (SLP). It is considered that this scheme addresses the previously proposed reasons for refusal and therefore this application is recommended by officers for approval.

It is considered that this scheme is acceptable and ensures that the proposal is not overbearing on existing neighbours and that no overlooking issues arise. The proposal includes two parking spaces per unit, a total of 12 car parking spaces, to the front of the apartment building and amenity space for residents utilises the existing rear garden although the footprint of the proposed apartment building is larger than the existing dwelling.

On balance, it is considered that the proposed development accords with Policies P5, P14 and P15 of the Solihull Local Plan 2013, as well as SPG New Housing in Context and guidance in the National Planning Policy Framework (NPPF) and the relevant

policies of the referendum version of the Balsall Parish Neighbourhood Development Plan including H.1, BE.2 and BE.5.

## **MAIN ISSUES**

The main issues in this application are: -

- Whether the proposal provides an appropriate residential use in accordance with relevant planning policy;
- The effect of the development on the appearance of the street scene and character and local distinctiveness of the local area;
- The effect of the proposal on the living conditions of the occupiers of neighbouring properties; and
- The effect of the proposal on highway safety and the free flow of the road network.

Other Material Considerations

- Ecology;
- Landscape;
- Drainage;
- CIL contribution; and
- Other matters

## **CONSULTATION RESPONSES**

**Statutory Consultees:** The following Statutory Consultee response has been received:

Balsall Parish Council –Objects to the proposal. The proposal is contrary to Policy P5, P14 and P15 of the Solihull Local Plan 2013, and Policy BE.2 and BE.6 the referendum version of the Balsall Parish Neighbourhood Development Plan in terms of appearance, character, scale and parking provision.

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

SMBC Drainage - No objection subject to conditions.

SMBC Highways – No objection subject to conditions.

SMBC Urban Design - No objections.

SMBC Ecology – No objections subject to conditions.

## **PUBLICITY**

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

16 responses were received, all were objections to the proposal. All correspondence has been reviewed and the main issues raised are summarised below:

#### Character and appearance of area

- Out of keeping with area, which is predominantly houses not flats;
- Development is too large – height and width;
- There is no clear boundary treatment for the site's southern boundary;
- Dormer windows do not appear on other properties in the vicinity;
- Proposed new building is closer to the road;
- Topographical survey shows 70% of site covered by hardstanding in a rural area; and
- Loss of hedgerows and trees impacts rural character of the area.

#### Highways and safety

- No visitor car parking spaces will result in on-street parking;
- Heavy logistics in an area where OAPs and children live;
- Needlers End Lane is too narrow for on-street parking;
- Headlights will cause nuisance issues to those opposite;
- On-street parking will obstruct footpaths, obstruct drive and pedestrian views making it unsafe;
- Vulnerable road users i.e. pedestrians will be affected;
- Needlers End Lane is already a rat-run and there have been accidents on the road in the past; and
- Concerned that application is promoting cycle use – no cycle parking locally at shops, no allocated cycle paths.

#### Amenity

- Properties will be overlooked;
- Overlooking into the rear gardens along Winsford Close;
- Increase in the number of people living on the site will increase noise and CO2 footprint;
- Loss of privacy;
- Refuse storage facilities are unclear;
- Increased localised pollution from increase in residents on the site;
- Smell;
- Loss of light for 2 Winsford Close who suffer due to two conifers, 'which you will not let them take down';
- Loss of light will be felt down the lane, as it will feel closed in and darker; and
- Use as a B&B is not the same as six fully occupied apartments.

#### Drainage

- Area is susceptible to flooding and this development will exacerbate this issue; and
- Soakaways are unsuitable.

## Infrastructure

- Local schools and surgery cannot cope; and
- Schools, doctors and dentists are oversubscribed.

## Ecology and Landscape

- Removing existing hedges to the front of the site is a loss of habitat; and
- Limited opportunities exist for planting to enhance biodiversity on the site, increased tree planting should be carefully considered to ensure trees do not block light.

## Other non-material planning considerations

- Roads will be dug up;
- Existing HS2 disruption;
- Sets a precedent for other developments in the area;
- Covenants on houses in Winsford Close restricts the installation of dormer windows in roof space;
- Any application at 60-64 Needlers End Lane should be rejected if this development is allowed;
- Frog Lane comparison is smaller than this one and is designed to look like a large house rather than apartments;
- Refuse bins will not be collected in a timely manner on collection day and will create an eyesore; there will be 12 bins instead of 2;
- Loss of property value;
- No mixed affordable development;
- The planning notice was removed and therefore it is likely that lots of residents were not aware of the proposal;
- Lack of market appeal for apartments, people want houses; and
- Parking at the railway station is limited, buses are not ideal for commuters due to restricted times.

## **PLANNING ASSESSMENT**

Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that: -

'Where in making any determination under the planning acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise'.

The National Planning Policy Framework at paragraph 2 states that planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

This report considers the proposal against the Development Plan (Solihull Local Plan), the relevant policies of the National Planning Policy Framework (“NPPF”) 2019, the National Planning Practice Guidance and Balsall Common Neighbourhood Development Plan 2018 - 2033.

Whether the proposal provides an appropriate residential use in accordance with relevant planning policy

The NPPF sets out the Government's planning policies for England and is underpinned by a presumption in favour of sustainable development. Although the NPPF aims to boost significantly the supply of housing, great importance is still attached to the design of the built environment. The NPPF makes clear 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 (paragraphs 124–132). Decisions should aim to ensure that developments respond to local character and are visually attractive as a result of good architecture and appropriate landscaping.

Paragraph 70 of the NPPF details where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area. This latter point is laid out in the local plan detailed below.

The site is located within the mature sustainable residential area of Balsall Common. Challenge C of the Solihull Local Plan (SLP) acknowledges the challenge of accommodating more development in the mature suburbs and rural settlements while conserving the qualities that make them attractive. The SLP sets objectives to meet the challenge including by ensuring high quality design and conserving the qualities of the environment that contribute to character and distinctiveness (which envisages mature suburbs retaining their leafy suburban character) and ensuring development doesn't adversely impact on residential or other amenities.

Policy P5 of the SLP supports new housing on unidentified sites in accessible locations where they contribute to meeting borough wide needs and towards enhancing local character and distinctiveness. Policy P5 of the SLP is consistent with policies set out in the NPPF and full weight can be attributed to this SLP Policy.

In order to find support in Policy P5, developments should; (a) be located in accessible locations; (b) contribute to meeting borough wide housing needs and; (c) enhance local character and distinctiveness.

*- (a) Accessibility*

In terms of the first test, Policy P7 of the SLP provides accessibility criteria in relation to local circumstances. Policy P7, amongst other things, seeks to ensure that new development is focused in the most accessible locations and promotes ease of

access. When looking at housing development, this Policy sets out criteria of walking distances that new development should seek to achieve and comments on distances from primary schools; doctor's surgeries and food shops as well as distances from bus stops and railway stations. The intention is that development should be easily accessible and linked to existing amenity facilities that are capable of being arrived at on foot. Policy P7 of the SLP is consistent with policies set out in the NPPF and full weight can be attributed to this SLP Policy.

|                | Policy P7 distance requirement | Local Authority calculation of distance |
|----------------|--------------------------------|---|
| Bus stop       | 400m                           | 480m                                    |
| Rail station   | 800m                           | 1600m                                   |
| Food store     | 800m                           | 800m                                    |
| Primary school | 800m                           | 1200m                                   |
| GP surgery     | 800m                           | 1400m                                   |

Policy P7 expects development to meet certain accessibility criteria (as shown in the table above) "*unless justified by local circumstance*". It is recognised that the development falls outside the ideal distances that Policy P7 aspires to, but the differences are not considered to be significant. Importantly, the application site is located within the existing mature suburbs of Balsall Common and, as such, the application proposal is considered to accord with Policy P7.

For the reasons set out above, the spirit of Policy P7 is met, and the principle of the redevelopment of this site for residential purposes within the C3 Class of the Use Classes Order (1987) (as amended) meets the accessibility test in Policy P5.

- (b) *Contribute to meeting borough wide housing needs*

Turning to the second test, paragraph 11 of the NPPF indicates that there is a presumption in favour of sustainable development. The correct test to apply is based upon whether an authority can demonstrate a 5 year land supply (5YHLS) or not. If it can't then for decision making the presumption means granting permission unless (i) the application of policies in the NPPF that protect areas or assets of particular importance (that are listed in foot note 6 of the NPPF) provides a clear reason for refusal or (ii) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF when taken as a whole. This is often referred to as the 'tilted balance'. The latest figures the Council has published in relation to the 5YLS indicates that the Council can demonstrate a supply of 4.19 years (as of 1st April 2020) and therefore the tilted balance is engaged. This shortfall is considered to be modest on a scale of marginal-limited-modest-substantial-severe. As the shortfall is considered to be modest this can have a bearing on the weight attached to the tilted balance.

The principle of the redevelopment of this site for residential purposes within the C3 Class of the Use Classes Order (1987) (as amended) would contribute to meeting borough wide housing needs and therefore meets the housing test in Policy P5.

- (c) *Enhancing local character and distinctiveness*

Finally, considering the third test, Policy P15 of the SLP provides guidance on Securing Design Quality. Policy P15 of the SLP requires all development to achieve good quality, inclusive and sustainable design, which conserves and enhances local character, distinctiveness and streetscape quality and ensures the scale, massing, density, layout, materials and landscape of the development respects the surrounding natural, built and historic environment.

An assessment of the effect of the proposed development by reason of its scale, massing, layout, design and landscaping on the character and appearance of the area is set out in the next section of this Report. Your officers have concluded that the proposal would meet the relevant criteria as set out in Policies P5 and P15.

The principle of the redevelopment of this site for residential purposes within the C3 Class of the Use Classes Order (1987) (as amended) would enhance local character and distinctiveness and therefore meet the test in Policy P5.

*- Summary*

For the reasons set out above, the principle of the redevelopment of this site for residential purposes within the C3 Class of the Use Classes Order (1987) (as amended) is compliant with Policy P5 of the Local Plan.

The proposal would be compliant with Policy H.1 of the BPNDP as it constitutes infill residential development within the village and, as demonstrated in this report, the proposal responds positively to the criteria set out within the policy. Policy H.2 of the BPNDP relates to housing mix; this policy seeks to provide a mix of dwelling types and sizes and states that there is a need for 30-40% two bedroom dwellings which this proposal would supply at market level.

Overall, the proposal is policy compliant on this matter and this should be accorded neutral weight in the planning balance.

The effect of the development on the appearance of the street scene and character and local distinctiveness of the local area

Policy P15 of the SLP is a wide-ranging design policy that sets out the relevant guidelines by which development proposals will be assessed, including that all development proposals will be expected to achieve good quality, inclusive and sustainable design. This local plan policy is consistent with the NPPF and therefore carries significant weight.

The Balsall Parish Neighbourhood Development Plan (BPNDP) referendum version 2020 built environment objective is to provide well-designed and high quality sustainable homes sensitive to the characteristics of the local area, to ensure adequate off-road parking, improve road safety and ensure adequate parking provision.

Furthermore, Policy BE.2 of the BPNDP requires proposal to be compatible with the distinctive character at the location, respecting the local settlement pattern, building

styles and materials and be of an appropriate scale so as not to dominate or adversely affect the amenity of neighbouring users.

The Council has also adopted Supplementary Planning Guidance contained within 'New Housing in Context' document which provides greater clarity regarding what constitutes suitable development, detailing all new development in existing residential areas will be required to respect, maintain or enhance local distinctiveness and character. The guidance identifies a number of key characteristics and common elements that lead to local distinctiveness and character, all of which should be taken into account in the determination of the applications, these include plot format, building line build up, building set back, plot access, building format, key dimensions etc.

Against this policy background, local residents have raised concern that the use of this site for this proposed residential development will cause harm to the character and distinctiveness of the local area and harm amenity and privacy to neighbours and highway safety. In relation to this, the NPPF does exclude urban private residential garden land as previously developed land (Annex 2), and the NPPF also advises that *'Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area'*. (Para 70). At the local level, the Solihull Local Plan – section 5.5.2 details *'protecting the environmental quality and attractiveness of the mature suburbs, including garden areas where these contribute to character'*. However, these policies do not preclude the development of urban garden land altogether, provided it can be demonstrated that there would be no harm to the local area or, if harm is identified, this can be mitigated. Throughout the Borough of Solihull, there are now many examples of built residential developments on urban garden land, providing new residential properties, to help meet an identified need for additional dwellings in accessible, sustainable locations within urban areas.

The existing dwelling is a large detached two storey property, which extends to the full width of the plot. This is considered to be characteristic of this linear run of development sited on the southern side of Needlers End Lane. The building line is staggered, with the application site and No. 2 Winsford Close being sited further forward than Nos. 64 and 62 Needlers End Lane, to the west of the application site. The existing dwelling is attractive, with an integral double garage, forward projecting gable and three dormer windows.

The proposed apartment building has been sensitively designed to ensure it appears as a large dwelling within the street scene. The proposed building utilises the existing footprint, and extends further to the rear than the existing dwelling. Design features from the existing dwelling have been replicated in the design of the apartment building including the gable features and dormer windows. The existing building line is respected and the proposed building aligns with No.2 Winsford Close and No.58 Needlers End Lane ensuring it projects no further forward into the street scene than the existing building line. Needlers End Lane benefits from varied residential designs therefore it is considered that the proposed apartment building at the application site will create a coherent feature in the street scene, enhancing the local distinctiveness of the area.

It is recognised that comments have been made by local residents regarding the overdevelopment of the site and the lack of existing apartment buildings within Needlers End Lane. Whilst it is acknowledged that there are no other apartment buildings within close proximity of the application site, the proposed use would remain in the C3 use class as an apartment building, which is wholly compatible with the surrounding dwellings. The proposed design of the apartment building is attractive and reflects the design characteristics of the existing dwelling. Whilst illustrative only, the proposed street scene drawing demonstrates that the proposed apartment building will harmonise with the local character and appearance of the area due to the varying styles of dwelling adjacent to the application site. This includes the 1990's development at Winsford Close. The proposed development seeks to make efficient use of an existing residential plot within the urban residential area, which is compliant with Policies P5 and P15 of the SLP, Policy BE.2 of the BPNDP as well as guidance contained within the NPPF.

Having regard to the above, significant weight should be attributed to this in the planning balance.

#### The effect of the proposal on the living conditions of the occupiers of neighbouring properties

Policy P14 of the SLP seeks to protect and enhance the amenity of existing and potential occupiers of houses. Policy P14 of the SLP is consistent with policies set out in the NPPF and again full weight can be attributed to this Local Plan Policy.

The proposed apartment building has been sensitively designed to ensure existing residents are not overlooked by the future residents who would occupy this building. There are minimal openings on the side elevations of the proposed building, and those openings which are proposed are ensuite windows which can be obscure glazed through the use of a planning condition. This will ensure that privacy levels for existing residents are maintained, mitigating any potential overlooking issues between properties.

Adequate separation distances exceeding 25 metres would be maintained between the furthest rear point of the proposed apartment building, which is a bedroom window on all three floors, and the rear of Nos. 4, 6 and 8 Winsford Close.

The rear garden of the proposed apartment building would be 15 metres at the shortest point. Although the Council has no specific policy regarding private garden sizes, it is considered that the proposed separation distances to the rear and retained garden length detailed above in this report are sufficient and represent acceptable urban design, allowing the existing dwellings and gardens to be used without any detriment between the neighbours and future occupiers of this proposed building.

It is acknowledged that comments have been made by local residents regarding the impact of the proposed apartment building on those residents on the opposite side of Needlers End Lane who will face the proposed site. The proposed site plan shows the location of the existing dwelling on the site in comparison to the proposed footprint of the apartment building. This demonstrates that the proposed apartment building will be sited further into the application site than the current dwelling by up to 3.6 metres

in the north-west corner, and no closer to the front of the site than the existing overall, because the proposed apartment building has been sited more centrally within the plot than the existing dwelling. Given that separation distances of 35 metres will be retained between habitable windows with those existing properties to the north of Needlers End Lane, it is considered that amenity and privacy levels will not be compromised by the proposal.

Overall the resulting separation distances, garden depths and design would ensure amenity and privacy levels would not be harmed between properties and maintained without any unacceptable levels of overshadowing and overlooking. On this basis the proposal would accord with Policy P14 of the SLP, SPG New Housing in Context and guidance in the NPPF.

Given there is no identifiable harm that cannot be mitigated by planning condition number 8, neutral weight should be attributed to this in the decision making process.

#### The effect of the proposal on highway safety and the free flow of the road network

Policy P8 of the SLP advises inter alia that: 'All development proposals should have regard to transport efficiency and highway safety [and] development will not be permitted which results in a significant increase in delay to vehicles, pedestrians or cyclists or a reduction in safety for any users of the highway or other transport network'.

Policy BE.5 of the BPNDP states that new development should allow for appropriate measures, including sufficient off-street parking, to ensure highway safety, particularly for pedestrians, motor scooters and cyclists. Policy BE.6 of the Neighbourhood Development Plan addresses parking provision and states that development proposals must have regard for the higher levels of car ownership evident within the neighbourhood area whilst also having regard for the accessibility of the site, the type, mix and use of the development and the availability of public transport.

With regard to parking provision, each of the six apartments proposed will benefit from off-street car parking for two cars with turning space to allow each vehicle to exit the site in a forward gear. There will be a single access to the application site from Needlers End Lane, and this access has been aligned to the centre of the site. This access will be 5.5 metres wide and will enable two vehicles to pass each other within the vehicular access, so as not to obstruct the public highway.

It is understood that comments have been made by local residents regarding the impact of the proposal on traffic congestion in Needlers End Lane because no visitor parking is proposed on-site. The proposed parking provision accords with the requirements of the Council's adopted Vehicle Parking Standards and Green Travel Plans SPD 2006. It is noted that most dwellings along Needlers End Lane, and in the surrounding residential streets such as Winsford Close, have provision for one or two off-road parking spaces and that the accepted provision proposed for this development is in-keeping with the locality.

The proposal includes the provision of a bicycle store to the rear of the apartment building, to encourage alternative methods of transport. The application site is also sustainably located, within a 20 minute walk of the local train station.

Given that the existing dwelling has been used as a bed and breakfast enterprise for a number of years, the level of traffic generated by the proposed development is unlikely to generate congestion issues along Needlers End Lane or in the vicinity of the application site, and thus the proposal is compliant with Policy P8 of the SLP as well as policy BE.5 of the BPNDP.

The Council's Highway Engineers have reviewed the proposal and have raised no objection subject to conditions including the submission of a parking management strategy before the development is occupied.

On this basis of the above, the proposed development would be compliant with the requirements of Policy P8 of the SLP as well as Policies BE.5 and BE.6 of the BPNDP and neutral weight should be attributed to this in the decision making process.

### Other Material Considerations

- Ecology

Policy P10 of the SLP addresses the natural environment and seeks biodiversity enhancement where feasible. Policy NE.4 of the BPNDP is supportive of the principles of Policy P10, and requires development proposals to enhance ecological networks and retain biodiversity features.

The application has been supported by a Biodiversity Impact Assessment, which describes no net loss to biodiversity on site as a result of the development. The Council's ecologist has reviewed the BIA, the Ecological Method Statement and Ecological Landscape Plan. The Council's Ecologist is satisfied with the content of these reports, which demonstrate some modest increases in connectivity and biodiversity subject to the recommendations within the reports being followed. The proposal therefore accords with Policy P10 of the Local Plan and moderate weight can be attributed to the matter in the planning balance given the increase in connectivity and biodiversity.

- Landscape

The planning application was supported by the submission of an arboricultural report which has assessed the quality of the trees to be lost through the development of the site. The majority of the trees are category C, with the magnolia tree and shrubbery in the front of the application site to be lost to facilitate the improved access. Subject to the soft landscaping condition seeking the planting of replacement trees and a condition seeking appropriate tree protection, it is considered that the proposal accords with Policy P10 of the SLP and Policy NE.1 of the BPNDP and neutral weight can be attributed to the matter in the planning balance.

- Drainage

The applicant has not provided any flood risk or drainage information with the application therefore the Council's Drainage Engineers have requested a planning condition seeking detail on the management of the surface water run-off, with no

occupation of the site until the scheme is operational. This ensures compliance with Policies P11 and P15 of the SLP and neutral weight can be attributed to the matter in the planning balance. Comments submitted by local residents are noted however there is no documentary or anecdotal evidence to indicate previous flooding events for this site.

- Affordable housing provision and CIL contribution

The development of 6 apartments falls below the Government's threshold of when affordable housing is required.

However, the proposal involves the provision of new housing in an urban area and as such the Community Infrastructure Levy (CIL) contribution is required. In this instance the CIL amount generated by the proposal relates to the addition of 548.0 square metres of internal floor space equating to a liability of £101,308.76 (at £184.87 per square metre for residential in a rural area).

### Public Sector Equality Duty

In making your decision, you must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149 is only one factor that needs to be considered, and may be balance against other relevant factors. It is not considered that the recommendation to grant permission in this case will have a disproportionately adverse impact on a protected characteristic.

### Human Rights

In making your decision, you should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority to act in a manner that is incompatible with the European Convention on Human Rights.

You are referred specifically to Article 8 (right to respect for private and family life), Article 1 of the First Protocol (protection of property). It is not considered that the recommendation to grant permission in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general interest and the recommendation to grant permission is considered a proportionate response to the submitted application based on the considerations set out in this report.

## **CONCLUSION**

Overall, the design and site layout of the proposed development is considered to produce a sympathetic response to the site and its surrounding local area respecting and enhancing the local character and distinctiveness of this residential area to be

built within the rural settlement of Balsall Common. The proposed development would make efficient use of this site which is enhanced by having good accessibility to local services.

Good design has been secured through the resubmission of this revised application, while also demonstrating an acceptable impact upon residential amenity, highway safety and drainage.

The Council are unable to demonstrate a five year supply of housing and there is a desire at national level to 'boost significantly' the supply of housing. Given the lack of a 5 year housing supply, paragraph 11 of the NPPF is therefore engaged and permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

In this instance no harm is identified that would be so significant or demonstrable to outweigh the benefits of approval, or that would attach more weight than to the recognised need to boost housing supply numbers as advocated by paragraphs 11 and 67 of the NPPF.

The proposal is considered to be acceptable in all other aspects, subject to appropriate conditions, and is thus considered to comply with Policies P5, P7, P8, P10, P11, P14, P15 and P21 of the SLP and be in accordance with the NPPF. The proposal is considered to address the principles of Policies H.1, H.2, BE.2, BE.5, BE.6, NE.1 and NE.4 of the BPNDP.

The proposal is therefore recommended for approval subject to conditions.

## **RECOMMENDATION**

Approval is recommended subject to the following précis of conditions a full list of standard conditions is available using the following link:

<http://www.solihull.gov.uk/Resident/Planning/searchplanningapplications:>

1. CS05 – commencement within 3 years
2. CS00 – compliance with plans
3. CS06 – materials to be submitted
4. CL04 – Hard and soft landscaping
5. CL06 – Implementation of landscaping scheme
6. CL07 – Replacement of tree or hedging lost within 5 years
  
7. No building or engineering works shall proceed on site until a scheme for the protection of all existing trees and hedges to be retained on site has been submitted to and approved in writing by the Local Planning Authority and has been put in place. The scheme must include details of the erection of stout protective fencing and be in accordance with British Standard BS5837:2012, Trees in Relation to design, demolition and construction. Nothing shall be stored or placed in those areas fenced in accordance with this condition and nor shall the ground levels be altered or any excavation take place without the prior consent in writing of the Local Planning Authority. The approved scheme shall be kept in place until all parts of the

development have been completed and all equipment, machinery and surplus materials have been removed.

To protect trees and other features on site during construction.

8. CD15 – obscure glazed bathroom windows on side elevations

9. 'No above-ground work shall commence until such a time as a scheme to manage the surface water runoff from the development has been submitted to and approved in writing by the Local Planning Authority, with no occupation until the scheme is operational. The submitted details shall include:

i) Engineering details of all surface water drainage features.  
ii) Demonstration that the final design provides appropriate treatment for water leaving the site.

iii) Maintenance plan for the proposed system.

iv) Model and calculations demonstrating that the proposed system will manage flows to greenfield rates in all storms up to a 1 in 100 year storm with an appropriate allowance for climate change.

v) Overland flow routing plan demonstrating that the buildings will be safe from flooding in the event of blockage or exceedance of the drainage system.

vi) Foul drainage plans

The scheme shall be implemented, maintained and managed in accordance with the approved details.

To secure the satisfactory drainage of the site in accordance with the NPPF, as well as Policy P11 and P15 of the Solihull Local Plan 2013.'

10. The development shall not be occupied until the access for vehicles has been laid out in general accordance with Drawing Number 10C (Proposed Site Plan), and constructed to the standard specification of the Local Highway Authority.

In the interests of road safety and amenity in accordance with Policy P8 of the Solihull Local Plan 2013.

11. No development shall take place until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority and Local Highway Authority. The Construction Management Plan shall be strictly adhered to and shall provide for: the anticipated movements of vehicles; the parking and loading/unloading of staff, visitor, and construction vehicles; the loading and unloading of plant and materials; hours of operation and deliveries; the storage of plant and materials used in constructing the development; a turning area within the site for construction vehicles; and, wheel washing facilities and other measures to prevent mud/debris being passed onto the public highway.

In the interest of highway safety in accordance with Policy P8 of the Solihull Local Plan 2013.

12. The development shall not be occupied until a Parking Management Strategy has been submitted to and approved in writing by the Local Planning Authority. The car park shall thereafter only be operated in accordance with that approved strategy.

In order to secure the satisfactory development of the application site in the interests of highway safety in accordance with Policy P8 of the Solihull Local Plan 2013.

13. No dwelling shall be occupied until a detailed scheme for the provision of cycle parking has been implemented in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

In the interests of satisfactory parking and to encourage sustainable travel in accordance with Policy P8 of the Solihull Local Plan 2013.

14. No development shall take place until full details of the finished floor levels of buildings and site levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved details.

To safeguard the amenity of neighbouring properties in accordance with Policy P14 of the Solihull Local Plan 2013.

15. The development hereby approved shall be carried out in complete accordance with the Ecological Method Statement including the Ecological Landscape Plan dated April 2020 unless otherwise agreed in writing with the Local Planning Authority.

To minimise the impact of the development on protected species and the landscape, providing biodiversity net gain where possible in accordance with Policies P10 of the Solihull Local Plan 2013.