

## PLANNING COMMITTEE - 2 November 2022

### MINUTES

Present: Councillors: M Allen, J Butler (Vice-Chairman), S Caudwell, R Grinsell (Chairman), Mrs D Holl-Allen MBE, M McCarthy, D Pinwell, J Ryan and M Wilson

#### 1. APOLOGIES FOR ABSENCE

There were no apologies received.

#### 2. DECLARATIONS OF INTEREST

Councillors Diana Holl-Allen and Dave Pinwell declared they were members of the Knowle Society and took no part in the application 2022/00064 – St Johns Way Shopping Centre, St Johns Way, Knowle.

#### 3. REQUESTS OF MEMBERS TO ADDRESS THE MEETING

Councillor Alan Rebeiro requested to speak on application 2022/00064 – St Johns Shopping Centre, St Johns Way, Knowle.

#### 4. QUESTIONS AND DEPUTATIONS

There were no questions or deputations.

#### 5. MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 5 October 2022, were confirmed as a true record.

#### 6. PL/2021/02770/MINFHO - 32 SOLIHULL ROAD

Deferred by the Chairman, prior to the meeting, to allow for neighbour consultation on amended block plans.

#### 7. PL/2021/03246/PPFL - 64-66 STATION ROAD

Conditional approval, as per the Officer recommendation, together with additional conditions and subject to the applicant entering into a Section 106 Agreement.

##### Additional Conditions

(21) The apartments hereby approved shall be solely occupied as private rented accommodation and no other tenure and thereafter the apartments shall not be sold as separate individual units on the open market and remain as private rented accommodation in perpetuity.

To ensure that the apartments remain in private rented accommodation to comply with Policy P4 of the Solihull Local Plan.

(22) Before the apartments hereby approved are occupied, full details of the management company, its roles and responsibilities shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the approved details shall be maintained and implemented in perpetuity.

To ensure that the apartments remain in private rented accommodation to comply with Policy P4 of the Solihull Local Plan.

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### 8. **PL/2022/00064/PPFL - ST JOHNS SHOPPING WAY**

Conditional approval as per the Officer recommendation and subject to the applicant entering into a Section 106 Agreement to provide an affordable housing contribution and a parking displacement scheme that will benefit Knowle. A number of conditions were amended to read as follows:-

#### Amended Conditions

(5) Prior to occupation of any of the new apartments hereby permitted, a Green Travel Plan Statement, based on the Travel Plan submitted with the application and relating to the residential element of the scheme, shall be submitted to and approved in writing by the Local Planning Authority. In order to reduce car travel and increase travel by more sustainable transport modes, the Plan shall specify targets for mode share shifts to be achieved and a time period to achieve this from the use of the development. The Plan shall be implemented and monitored in accordance with its terms. In the event of failing to meet these targets a revised Plan shall be submitted to and approved in writing by the Local Planning Authority to address any shortfalls and where necessary make provision for and promote improved sustainable forms of access to the site. The Local Plan thereafter shall be implemented and updated in agreement with the Local Planning Authority.

In order to encourage sustainable modes of travel to accord with Policy P8 of the Solihull Local Plan 2013.

(13) Before any unit of the development hereby approved which requires any external plant or equipment is first occupied a noise assessment shall be submitted to and approved in writing by the Local Planning Authority. The noise report will demonstrate the rating level of the cumulative noise emitted from external plant/equipment and shall:

- Not exceed the background noise level (expressed as an LA90);
- The noise levels shall be determined at the nearest noise sensitive premises; and
- The measurements and assessment shall be made according to BS4142:1997 Method for rating industrial noise affecting mixed industrial and residential areas.

Thereafter the scheme for each unit shall be implemented and maintained in accordance with the approved details.

To safeguard the amenities of neighbours in accordance with Policy P14 of the Solihull Local Plan.

(14) Delete condition 14 as merged into condition 13.

(15) No deliveries to the development shall take place outside of the hours of 7am-7pm Monday-Friday, 8am-5pm Saturday, and 9am-5pm Sunday.

To safeguard the amenities of residents in accordance with Policy P14 of the Solihull Local Plan.

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(16) before each unit is brought first into use a scheme of noise insulation between commercial and residential premises shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to occupation of the building and maintained thereafter.

To safeguard the amenities of the apartments above the development from the transmission of noise in accordance with Policy P14 of the Solihull Local Plan.

(19) Prior to the commencement of ground works a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.

To ensure adequate opportunity for site research and recording in accordance with Policy P16 of the Solihull Local Plan.

### Additional Condition

Before the development hereby approved is first occupied full details of the siting and design of the secure cycle parking within the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in accordance with the approved details.

In order to encourage sustainable modes of travel to accord with Policy P8 of the Solihull Local Plan 2013.

Councillors Diana Holl-Allen and Dave Pinwell declared a conflict of interest and took no part in proceedings.

Mr Kevin Martin spoke against the application whilst Mrs Sarah Butterfield and Councillor Alan Rebeiro spoke in support, and a statement of support was read out on behalf of the Knowle Society.

### **9. PL/2022/00844/MINFHO - 9 CROPTHORNE ROAD**

Deferred by the Chairman, prior to the meeting, as awaiting amended and accurate plans.

### **10. PL/2022/00877/PPRM - PLOT 4 WEST THE GREEN**

Conditional approval, as per the Officer recommendation, to include one additional condition relating to low level lighting on walkways. A contribution towards a LEAP (Locally Equipped Area of Play) as per the existing Section 106 Agreement entered into at the outline stage is triggered.

### **11. PL/2022/01467/MAJFOT - LAND TO THE WEST OF A452 COMPRISING THE FORMER STONEBRIDGE QUARRY**

Conditional approval as per the Officer recommendation together with an additional condition to read:-

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(41) No phase or sub-phase of the development hereby approved in outline shall be commenced (including site clearance) unless, and until, a Biodiversity Impact Assessment 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 or sub-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; and
- (d) A completed Biodiversity Metric which assesses the biodiversity impact value of the development. The Approved Scheme shall be implemented in accordance with the requirements of the Offsetting Measures Scheme or any variation approved by the Local Planning Authority.

Reason: In the interests of protecting valuable ecologically important land in accordance with Policy P10 of the Solihull Local Plan 2013.

That Condition 17 (landscape maintenance) be deleted and replaced with reworded Condition 18, as follows:-

(18) No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Not later than the 1<sup>st</sup> October in each of the 5 calendar years following the planting of any trees, hedges or shrubs on this site in connection with the development hereby permitted the operator shall submit to the Local Planning Authority a written statement 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.

SMBC Public Protection recommend an additional condition in relation to ground remediation, as follows:

"Unless otherwise agreed in writing by the local Planning Authority development, other than that required to be carried out as part of an approved

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scheme of remediation, must not commence until conditions 1-6 have been complied with:-

1. A preliminary risk assessment (a Phase I desk study) submitted to the Local Authority in support of the application has identified unacceptable risk(s) exist on the site as represented in the Conceptual Site Model. A scheme for detailed site investigation must be submitted to and approved in writing by the Local Planning Authority prior to being undertaken to address those unacceptable risks identified. The scheme must be designed to assess the nature and extent of any contamination and must be led by the findings of the preliminary risk assessment. The investigation and risk assessment scheme must be compiled by competent persons and must be designed in accordance with the Environment Agency's 'Land Contamination: Risk Management' guidance.
2. The detailed site investigation and risk assessment must be undertaken in accordance with the Scheme and a written report of the findings produced. This report must be approved in writing by the Local Planning Authority prior to any development taking place.
3. Where the site investigation identified remediation is required, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors must be prepared and is subject to the approval of the Local Planning Authority in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
4. The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.
5. Following the completion of the measures identified in the approved remediation scheme a validation report that demonstrates the effectiveness of the carried out must be produced, and is subject to the approval of the Local Planning Authority prior to the occupation of any buildings.
6. In the event that contamination is found at any time, when carrying out the approved development that was previously identified, it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken and where necessary a remediation scheme must be prepared, these will be subject to the approval of the Local Planning Authority. Following the completion of any measures identified in the approved remediation scheme a validation report must be prepared, which is subject to the approval in writing by the Local Planning Authority prior to the occupation of any buildings.

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological system, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy P14 of the Solihull Local Plan 2013.

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### **12. APPEAL DECISIONS**

The appeal decisions for 2021/00039 – 4 Portmanteau Mews, Hockley Heath; 2022/00022 – 100 Grange Road, Olton; and 2022/00024 – 33 Lodge Road, Knowle were noted.

### **13. DELEGATED DECISIONS**

The delegated decisions for the period 28 September - 26 October 2022, were noted.