

APPLICATION REFERENCE: PL/2021/00002/PPFL

Site Address: 56, 59, 60, 63, 64, 65, 69, 71, 79, 81, 86, 98, 101, 103, 104, 105, 108, 109, 111, 114, 120, 128, 132, 141, 147, 161 And 165 Cambridge Drive Marston Green Solihull B37 5N

Proposal:	Installation of energy saving and carbon footprint reducing EWI (external wall insulation) to external elevations including all necessary enabling and finishing works.
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: https://publicaccess.solihull.gov.uk/online-applications/applicationDetails.do?keyVal=QMB5HFOEJSK00&activeTab=summary

Reason for Referral to Planning Committee:	Application submitted on behalf of the Council and one objection has been received
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Recommendation:	APPROVAL SUBJECT TO CONDITIONS
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EXECUTIVE SUMMARY

This application seeks full planning permission to install energy saving and carbon footprint reducing external wall insulation to the external elevations (including all necessary enabling and finishing works) to the above mentioned properties. The works are part of an ongoing project to improve the thermal properties of council owned properties.

This report will demonstrate that the proposal is visually acceptable and will not be unduly harmful to neighbouring amenity.

Accordingly, the proposal is compliant with policies P14 and P15 of the Solihull Local Plan (2013) and is therefore recommended for approval.

MAIN ISSUES

The main issues in this application are the effects of the development:

- Firstly, on the character and appearance of the host properties and surrounding area; and

- Secondly, on the living conditions of the occupiers of the neighbouring properties

CONSULTATION RESPONSES

Statutory Consultees

None

Non Statutory Consultees

The following Non-Statutory Consultee responses have been received:

SMBC Drainage – No comments

PUBLICITY

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

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

Character and Appearance

- Properties that have already been treated with this installation have green mould on them which would impact on the design and appearance of properties

Other Considerations

- Concern mould may affect neighbouring properties
- Workmen have entered onto neighbouring properties previously without permission

RELEVANT SITE HISTORY

None.

SITE DESCRIPTION

The application properties are all social housing provided and managed by Solihull Community Housing, located within an established residential estate comprising of 2 storey houses, single and 2 storey flats and maisonettes, and 3 storey townhouses.

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

The effect of the proposal on the character and appearance of the host properties and surrounding area

The Solihull Local Plan (2013) seeks to ensure that that development proposals achieve good quality, inclusive and sustainable design that conserves and enhances the local character, distinctiveness and streetscape quality. The level of enhancement required is dependent on and proportionate to the scale and nature of the development. The development in this case is external wall insulation applied to the application properties. This is minor in nature when compared to the full spectrum of planning submissions made to the LPA, and therefore the level of enhancement required would be minor and limited to its acceptability by way of a sympathetic design and compliance with the design principles as set out in Policy P15.

The proposed external wall insulation is a non-combustible mineral fibre insulation board which is to be fixed to the external wall of the application properties, white in colour. Whilst the proposal will result in an alternative appearance to the host dwellings, it is of minimal depth with no increase in floor area and considered in keeping with properties throughout the estate. In addition, it would update and modernise the existing dwellings, improving their thermal performance. Concern has been raised that properties previously treated with this type of insulation show signs of green mould which impacts on the appearance and character of the area. However, no evidence has been provided of this.

It is therefore considered the proposal is in accordance with Policy P15 of the Solihull Local Plan 2013. Neutral weight should be given to this matter in the planning balance.

The impact on the living conditions of the occupiers of neighbouring dwellings.

The Solihull Local Plan (2013) seeks to protect and enhance the amenity of existing and potential occupiers neighbouring an application site.

Given that the insulation boards are of minimal depth (120mm) and would not result in an increase in floor area, it is not considered the proposal would have an adverse impact on the amenities of occupiers of neighbouring properties in terms of overbearing, loss of light or privacy.

Therefore the proposal is considered to be in accordance with Policy P14 of the Solihull Local Plan 2013. Neutral weight should be given to this matter in the planning balance.

Other Considerations

Concern has been raised that mould witnessed on other properties treated with this type of insulation may affect neighbouring properties. However, as stated previously, no evidence has been provided of this.

Workmen entering onto neighbouring properties without permission is a private, civil matter between homeowners and not a material planning consideration.

Public Sector Equality Duty

In determining this application, Members 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 balanced 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 determining this application, Members 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.

Members 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

The proposed Installation of energy saving and carbon footprint reducing external wall insulation to external elevations of all application properties is of a good design, considered acceptable in both scale and design and would not have a detrimental impact to the existing properties or surrounding area. As such, the development is compliant with Policy P15 of the Solihull Local Plan (2013).

The proposal would not result in an unacceptable harm to the living conditions of nearby occupiers. As such, the development is considered to be compliant with Policy P14 of the Solihull Local Plan 2013.

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. Compliance with approved plans (CS00)
2. Statutory time limit (CS05)
3. The external facing materials of the development hereby approved shall match in colour, texture and brick bond to plan number(s) C222-CD-101, C222-CD-103.105, C222-CD-104, C222-CD-108, C222-CD-109.111, C222-CD-114, C222-CD-120, C222-CD-128, C222-CD-132, C222-CD-141, C222-CD-147, C222-CD-161, C222-CD-165, C222-CD-56, C222-CD-59, C222-CD-63.65, C222-CD-64, C222-CD-69, C222-CD-71, C222-CD-79, C222-CD-81, C222-CD-86 & C222-CD-98. Where a close match cannot be found, or where the existing building consists of a mix of materials, no building works shall be commenced until material samples have been submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out in accordance with the approved schedule of materials.

To safeguard the visual amenities of the area in accordance with Policy P15 of the Solihull Local Plan 2013.