

OUTLINE PLANNING DECISION NOTICE



Economy & Infrastructure Directorate
Development Management
Planning Services, Solihull MBC
Council House, Manor Square
Solihull, B91 3QB

Telephone 0121 704 8008
planning@solihull.gov.uk

DETERMINATION OF APPLICATION FOR OUTLINE PLANNING PERMISSION

Town and Country Planning Act 1990
Town and Country Planning (Development Management Procedure) (England) Order 2015

Application No:	PL/2020/01235/MAOOT
Case Officer:	Matt Preece
Date of Decision:	22.09.2020
Location:	Kingshurst Village Centre & Former Mountford Public House, Marston Drive, Overgreen Drive, Gilson Way & Church Close, Kingshurst, Solihull
Proposed Development:	Outline planning application with all matters reserved except access for demolition of existing local centre and development of a new mixed use local centre including up to 86 residential dwellings (Use Class C3), up to 1,200 sq m of retail uses (Use Class A1-A5), up to 1,700 sq m of healthcare and community uses (Use Class D2) with open space, landscaping, parking and associated infrastructure.
Date Registered:	16th June 2020
Applicant:	UK Central
Agent:	Miss Clare Lucey

The Solihull Metropolitan Borough Council as Local Planning Authority hereby **GRANTS PERMISSION SUBJECT TO CONDITIONS** as shown below, for the above described development.

The development must conform with the terms and approved plans and must remain in conformity with such terms and plans, subject to and save as may be otherwise required by any of the following conditions:-

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1. Prior to the commencement of a phase or combination of phases of the development details of the following matters for that phase or combination of phases (in respect of which approval is expressly reserved) shall be submitted to, and approved in writing by, the Local Planning Authority:

- (a) the scale of the development;
- (b) the layout of the development;
- (c) the external appearance of the development;
- (d) the landscaping of the site;

The development shall be carried out in accordance with the approved details.

Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990.

2. Application for approval of the reserved matters shall be made to the local planning authority not later than three years from the date of this permission.

Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990.

3. The development hereby permitted shall begin no later than two years from the date of approval of the last of the reserved matters to be approved.

Reason: In pursuance of Section 92(2) of the Town and Country Planning Act 1990.

4. For those matters not reserved for later approval, the development hereby permitted shall be carried out in accordance with the approved plans:

- Gilson Way Site Access (002 A)
- Gilson Way / Central Boulevard (003 A)
- Over Green Drive / Central Boulevard / Silver Birch Road (005 A)
- Over Green Drive Site Access Junction (006)
- Existing Location Plan (18023_BDS-XX-XX-DR-A-S0-0100-P02.02)
- Existing Site Plan (18023_BDS-XX-XX-DR-A-S0-0101-P02.02)

Reason: To ensure compliance with the approved plans and details to safeguard amenity and the quality of the environment in accordance with P15 of the Solihull Local Plan 2013.

5. The development hereby approved shall not exceed the following specified uses as defined in the Town and Country Planning Act (Use Classes) Order 1987 as amended:

- 86 residential dwellings (Use Class C3)
- 1,200 sq m of retail uses (Use Class A1-A5)
- 1,700 sq m of healthcare and community uses (Use Class D2)

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Reason: To ensure compliance with the approved plans and the Local Plan allocation for the site in accordance with Policy P19 of the Solihull Local Plan 2013.

6. Before the development hereby approved commences a phasing plan identifying all phases of development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter all phases of the development shall be completed and carried out in accordance with the phasing plan unless agreed in writing with the Local Planning Authority.

Reason: In order to secure a comprehensive development of the site in an appropriate timescale in accordance with Policy P14 & P15 of the Solihull Local Plan 2013.

7. The development hereby approved shall be implemented either as a whole or in phases, in accordance with a phasing plan to be submitted to and agreed in writing by the Local Planning Authority and wholly in accordance with this permission. All phases of the development shall be completed to the satisfaction of the Local Planning Authority unless agreed in writing.

Reason: In order to secure a comprehensive development of the site in an appropriate timescale in accordance with Policy P14 & P15 of the Solihull Local Plan.

8. 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 Lead Local Flood Authority in conjunction with the Local Planning Authority, with no occupation until the scheme is operational. The submitted details shall be based on the designs within the consented Flood Risk Assessment and should include, as a minimum:

a) Technical design report confirming overall SuDS features being utilised and wider design principles - the scheme must incorporate multiple dispersed SuDS features as shown within the Flood Risk Assessment including permeable paving, green roofs and bioretention areas.

b) Drawings showing overall site concept design principles

c) Site layout plan, incorporating SuDS drainage design, site ground levels, finished floor levels, any integration with landscaping, earthworks or other features.

d) Surface Water Drainage Design including:

- i. Confirmation of the lifetime of the development
- ii. Design storm period and intensity (1 in 1, 1 in 30 & 1 in 100 year + allowance for climate change see EA advice Flood risk assessments: climate change allowances'),
- iii. Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates in accordance with BRE365 methodology;

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- iv. Confirmation of discharge rates and volumes (both pre and post development), ensuring run-off is restricted to 2l/s/ha.
- v. Confirmation of proposed discharge location including necessary approvals.
- vi. Innovative and Multi-Functional SuDS Design that makes good use of the site space, supported by robust calculations and demonstrating full compliance with SMPC Policy P11 and DEFRA's Non-statutory technical standards for sustainable drainage systems to accommodate the difference between the allowable discharge rate/s and all rainfall events up to the 100 year plus climate change critical event storm.
- vii. Engineering details for all surface water drainage features
- viii. Temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of finished floor levels in AOD;
- ix. Details of water quality controls, where applicable. For example, demonstration that the final design provides appropriate treatment for water leaving the site

e) Extreme flood flow routing and proposed resilience measures that ensure the buildings and infrastructure are safe from flooding

Reason: To ensure the satisfactory drainage of the site in accordance with Policy P11 of the Solihull Local Plan 2013.

9. No above-ground work shall commence until such a time as a scheme to manage the existing and future surface water flood risk, based on the designs in the Flood Risk Assessment (FRA), has been submitted to and approved in writing by the Lead Local Flood Authority, with no occupation until the scheme is operational. The submitted details shall include:

- a) Provision of surface water flood storage
- b) Demonstration within the FRA that the improvement/protection and maintenance of existing flood defences will be provided.
- c) Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.
- d) Finished floor levels are set no lower than the 1 in 100 year plus allowance for climate change plus 300mm freeboard

Reason: To ensure the satisfactory drainage of the site in accordance with Policy P11 of the Solihull Local Plan 2013.

10. No above-ground work shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:

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- a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company
- b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
 - i. on-going inspections relating to performance and asset condition assessments
 - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c) Means of access for maintenance and easements where applicable.

Reason: To ensure the satisfactory drainage of the site in accordance with Policy P11 of the Solihull Local Plan 2013.

11. No occupation shall take place until a Verification Report for the installed surface water drainage system for the site based on the approved Flood Risk Assessment has been submitted in writing by a suitably qualified independent drainage engineer and approved by the Lead Local Flood Authority. The details shall include:

- a) Any departure from the agreed design is in keeping with the approved principles
- b) Any As-Built Drawings and accompanying photos
- c) Results of any Performance testing undertaken as a part of the application process (if required / necessary)
- d) Copies of any Statutory Approvals, such as Land Drainage Consent for Discharges etc.
- e) Confirmation that the system is free from defects, damage and foreign objects

Reason: To ensure the satisfactory drainage of the site in accordance with Policy P11 of the Solihull Local Plan 2013.

12. No dwelling or retail, healthcare or community use shall be occupied or used until the junctions and traffic calming features have been laid out and constructed in general accordance with the following plans:

- Gilson Way Site Access (002 A)
- Gilson Way / Central Boulevard (003 A)
- Over Green Drive / Central Boulevard / Silver Birch Road (005 A)
- Over Green Drive Site Access Junction (006)

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The junctions and traffic calming features shall be laid out and constructed to the standard specification of the Local Highway Authority.

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

13. No dwelling or retail, healthcare or community use shall be occupied or used until details of the internal carriageways, footways, footpaths, verges and service strips have been submitted to and approved in writing by the Local Planning Authority.

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

14. No dwelling or retail, healthcare or community use shall be occupied or used until details of car parking and cycle parking have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory parking is provided in accordance with Policy P8 of the Solihull Local Plan 2013.

15. No dwelling or retail, healthcare or community use shall be occupied or used until adequate turning areas to accommodate refuse vehicles and emergency service vehicles have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure satisfactory turning areas are provided in the interest of highway safety in accordance with Policy P8 of the Solihull Local Plan 2013.

16. 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; details of vehicle routeing; and, wheel washing facilities and other measures to prevent mud/debris being passed onto the public highway.

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

17. No dwelling or retail, healthcare or community use shall be occupied or used until a scheme has been approved in writing by the Local Planning Authority and implemented to amend the

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existing Traffic Regulation Order to introduce a 20mph speed limit within red line boundary and the installation of associated infrastructure.

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

18. No dwelling or retail, healthcare or community use shall be occupied or used until details of a bus strategy have been submitted to and approved in writing by the Local Planning Authority. The bus strategy shall include details of the closure of existing bus stops; the installation of new bus stops including temporary bus stops; and the diversion of existing bus services.

Reason: To ensure adequate bus stops are provided to promote more sustainable transport choices in accordance with Policy P8 of the Solihull Local Plan 2013.

19. Before the development is occupied (or at such time as may be agreed in writing with the Local Planning Authority) a Travel Plan and a Travel Plan Information Pack shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the Travel Plan shall be reviewed on a biannual basis until such times as the aims of the Travel Plan have been met to the satisfaction of the Local Planning Authority. The review reports shall be submitted biannually in writing to the Local Planning Authority and thereafter implemented in accordance with the approved details.

Reason: To promote more sustainable transport choices in accordance with Policy P8 of the Solihull Local Plan 2013.

20. No development shall commence until a details including a phasing programme for a new cycle link between Meriden Drive and Chester Road has been submitted to and approved in writing by the Local Planning Authority. This shall include details of when new cycle link shall be delivered. Thereafter works shall be completed and carried out in accordance with the approved details and phasing programme unless agreed in writing with the Local Planning Authority.

Reason: To ensure delivery of the development hereby approved in a satisfactory manner in accordance with Policy P20 of the Solihull Local Plan 2013.

21. The site shall be landscaped strictly in accordance with the details approved pursuant to Condition 1 details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of 5 years from the date of planting of any tree, that tree or any tree planted in replacement for it, is removed, uprooted, destroyed, dies or becomes seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted at the same place within the next planting season (October-March), unless the Local Planning Authority gives its written consent to any variation.

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Reason: In the interests of the visual amenities of the locality in accordance with Policies P10, P14 and P15 of the Solihull Local Plan 2013.

22. Any tree, hedge or shrub scheduled for retention which is lost for any reason during development works, shall be replaced with a tree, hedge or shrub of a size and species to be agreed in writing with the Local Planning Authority and planted during the first planting season after its loss.

Reason: In the interests of the visual amenities of the locality in accordance with Policies P10, P14 and P15 of the Solihull Local Plan 2013.

23. Notwithstanding the current plans, before development hereby approved commences, an updated Arboriculture Impact Assessment shall be submitted to and approved by the local planning authority.

Reason: In the interests of the visual amenities of the locality in accordance with Policies P10, P14 and P15 of the Solihull Local Plan 2013.

24. Prior to the commencement of work on site, a detailed Arboricultural Method Statement (AMS) and an Tree Protection Plan (TPP) shall be submitted to and approved in writing by the Local Planning Authority with particular regard to trees T414 and T299 (and T368 Option A). To include a schedule of works to retained trees e.g. access facilitation pruning and details of all special engineering works within the Root protection area (RPA) and other relevant construction details. All tree work must be carried out in accordance with British Standard 3998: 2010 Recommendations for tree work.

Reason: In the interests of the visual amenities of the locality in accordance with Policies P10, P14 and P15 of the Solihull Local Plan 2013.

25. Prior to the commencement of work on site a schedule of all those trees, hedgerows, shrubs or existing features of the land to be retained, removed and/or treated shall be submitted to and approved in writing by the local planning authority. No tree, hedge or shrub on the site indicated in the approved schedule for retention shall be topped, felled, lopped or root pruned except with the prior written consent of the Local Planning Authority. The work hereby approved must be carried out in accordance with British Standard 3998 for tree work.

Reason: In the interests of the visual amenities of the locality in accordance with Policies P10, P14 and P15 of the Solihull Local Plan 2013.

26. Prior to the commencement of work on site all existing trees/hedges and large shrubs except those agreed for removal, shall be protected by barriers as specified within BS5837. Details of the

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specifications and methodologies for tree protection measures, type of fencing and its siting, including a methodology for any proposed works that encroach within the root protection areas of retained trees shall be submitted to and approved, thereafter the tree barriers shall be implemented and maintained on site as approved. The protected areas shall be kept free of all materials, equipment and building activity during the site development, and ground levels within the protected areas shall not be raised or lowered.

Reason: In the interests of the visual amenities of the locality in accordance with Policies P10, P14 and P15 of the Solihull Local Plan 2013.

27. No works or development shall take place until a scheme of supervision/site monitoring for the tree (landscape/ecological) protection measures and working practices during construction has been approved in writing by the LPA. This scheme will be appropriate to the scale and duration of the works and may include details of:

- Induction, training and personnel awareness of arboricultural (ecological/landscape) matters to all construction personnel on site.
- Identification of individual responsibilities and key personnel.
- Statement of delegated powers.
- Phasing, timing and methods of site visiting, inspection and record keeping, including updates.
- Procedures for dealing with variations and incidents; and
- Regular inspection and maintenance of the physical protection measures and monitoring of working practices during construction;

Reason: In the interests of protected species and habitats in accordance with Policies P10 and P14 of the Solihull Local Plan 2013.

28. No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenities of the locality in accordance with Policies P10, P14 and P15 of the Solihull Local Plan 2013.

29. 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.

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Reason: In the interests of the visual amenities of the locality in accordance with Policies P10, P14 and P15 of the Solihull Local Plan 2013.

30. Not later than 1st 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

Reason: In the interests of the visual amenities of the locality in accordance with Policies P10, P14 and P15 of the Solihull Local Plan 2013.

31. No development shall commence unless and until a scheme ("the scheme") to ensure that there is no net biodiversity loss as a result of the development has been submitted to and agreed in writing by the Local Planning Authority. The scheme shall include:

1. Proposals for on-site mitigation and/or for offsite offsetting;
2. A methodology for the identification of any receptor site(s) for offsetting measures;
3. The identification of any such receptor site(s);
4. The provision of arrangements to secure the delivery of any offsetting measures (including a timetable for their delivery); and
5. A management and monitoring plan (to include for the provision and maintenance of any offsetting measures in perpetuity).

The written approval of the Local Planning Authority shall not be issued before the arrangements necessary to secure the delivery of any offsetting measures have been executed. The scheme shall be implemented in full accordance with the requirements of the scheme or any variation so approved.

Reason: To secure no net loss to biodiversity in accordance with NPPF and Policy P10 of Solihull Local Plan.

32. A landscape (and Ecology) management plan, including medium (5-10 years) and long term (10-25 years) design objectives, management actions, responsibilities, future monitoring and maintenance schedules for all landscape, habitat mitigation and compensation works, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape and/or ecology management plan shall be carried out as approved

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Reason: In the interests of protected species and trees in accordance with Policies P10 and P14 of the Solihull Local Plan 2013.

33. No development shall commence until a phasing programme for enhancements to Kingshurst Park has been submitted to and approved in writing by the Local Planning Authority. This shall include details of when improved play and leisure, footpath improvements, additional/improved seating and potential fitness equipment shall be delivered. Thereafter works shall be completed and carried out in accordance with the phasing programme unless agreed in writing with the Local Planning Authority.

Reason: To ensure delivery of the development hereby approved in a satisfactory manner in accordance with Policy P20 of the Solihull Local Plan 2013.

34. No development shall take place until a detailed mitigation strategy has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved mitigation strategy.

Reason: To secure the protection of protected species in accordance with Policy P10 of the Solihull Local Plan 2013.

35. Buildings B2, B3, B6, B7 and B4 as detailed in the Bat Roost Assessment Report prepared by Aspect Ecology and dated August 2020 shall be hand stripped of roofing materials under the supervision of a qualified bat ecologist unless otherwise agreed in writing with the Local Planning Authority.

Reason: To secure the protection of protected species in accordance with Policy P10 of the Solihull Local Plan 2013.

36. No use of the development hereby approved shall commence until a noise impact assessment, prepared by a suitably qualified and technically competent individual, has been submitted to and approved in writing by the Local Planning Authority. The assessment shall establish and quantify noise impacts presented by the site (commercial, retail and community use and activity noise including car park use, plant and machinery noise etc.) on existing and proposed noise sensitive receptors. It shall include assessment of off-site noise affecting the development site (and its future occupants). The noise impact assessment shall identify necessary noise mitigation measures, to ensure suitable control of noise impacts (for both onsite and offsite sensitive receptors) and to secure appropriate internal and external noise levels at residential units. The assessment shall meet with the procedural requirements of BS8233:2014, BS4142:2014+A1:2019 and other recognised national standards, where appropriate. All approved mitigation measures shall be carried out before the occupation and use of the development and be thereafter retained.

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Reason: In order to protect future occupants and nearby noise sensitive receptors from external noise in accordance with Policy P14 of the Solihull Local Plan.

37. Before the development hereby approved is brought into use a scheme for the use and installation of any cooking / odorous extract ventilation systems, incorporating grease and odour filtration or other such mitigation, shall be submitted to and approved by the Local Planning Authority. Installation and thereafter use and maintenance of such equipment, shall be in accordance with the approved scheme. Note: The scheme should specify in detail the provisions to be made to control grease and odour. Plans showing internal layout of ducting etc. will not be required except where they are relevant to grease and odour control equipment.

Reason: To protect the neighbourhood from dust, fumes or odour emissions in accordance with Policy P14 of the Solihull Local Plan.

38. Before the development hereby approved is brought into use any air conditioning, electrical or mechanical ventilation scheme must be installed and thereafter used and maintained in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority.

Reason: In order to protect future occupants and nearby noise sensitive receptors from external noise in accordance with Policy P14 of the Solihull Local Plan.

39. 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

An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:

- (i) a survey of the extent, scale and nature of contamination;
- (ii) an assessment of the potential risks to:

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- (a) human health,
- (b) property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
- (c) adjoining land,
- (d) groundwaters and surface waters,
- (e) ecological systems,
- (f) archaeological sites and ancient monuments;

(iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11.

(2) Submission of Remediation Scheme

Where necessary following (1) above, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The 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.

(3) Implementation of Approved Remediation Scheme

Any 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. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

(4) Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with the requirements of part 1, and where remediation is necessary a remediation scheme must be

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prepared in accordance with the requirements of part 2, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with part 3.

(5) Long Term Monitoring and Maintenance

A monitoring and maintenance scheme to include monitoring the long-term effectiveness of any proposed remediation over a period to be agreed, and the provision of reports on the same must be prepared, both of which are subject to the approval in writing of the Local Planning Authority before the development hereby approved is first used or occupied.

Following completion of the measures identified in that scheme and when the remediation objectives have been achieved, reports that demonstrate the effectiveness of the monitoring and maintenance carried out must be produced, and submitted to the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's Model Procedures for the Management of Land Contamination, CLR 11.

Reason: 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 systems, 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.

40. Demolition and construction work shall not begin until a Demolition and Construction Environmental Management Plan has been submitted in writing for approval by the local planning authority. The plan shall detail control measures to minimise noise, vibration and dust emissions escaping beyond the development site boundary. Specific safeguards relating to the burning of waste, and other items on site, shall also be sought and all agreed works which form part of the scheme shall be adopted and maintained throughout the demolition and construction phases of the development.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring are minimised in accordance with Policy P14 of the Solihull Local Plan 2013.

41. Prior to the commencement of development an Employment and Training Scheme shall be submitted to the Local Planning Authority for consideration and written approval. The Scheme shall include a strategy to promote local supply chain, employment and training opportunities throughout the construction of the development. Once approved, the scheme shall be implemented in full.

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Reason: To ensure that recruitment and training is maximised for the local community, in accordance with Policy P1 of the Solihull Local Plan 2013.

42. Prior to commencement of the development, a proposed dwelling mix for the development shall be submitted to and agreed in writing by the Local Planning Authority. The proposed dwelling mix shall be in broad accordance with the table in Appendix 1 of the Housing Needs Statement prepared by Cushman & Wakefield dated June 2020. Any deviation from this mix shall be justified in accordance with Policy P4 of the Solihull Local Plan 2013. The reserved matters shall come forward in accordance with the agreed mix.

Reason: To ensure an appropriate dwelling mix is provided on site in accordance with Policy P4 of the Solihull Local Plan 2013.

43. Prior to commencement of the development, a proposed affordable housing strategy for the development shall be submitted to and agreed in writing by the Local Planning Authority. The affordable housing strategy shall be in broad accordance with the table in Appendix 1 of the Housing Needs Statement prepared by Cushman & Wakefield dated June 2020. Any deviation from this strategy shall be justified in accordance with Policy P4 of the Solihull Local Plan 2013. The reserved matters shall come forward in accordance with the agreed strategy.

Reason: To ensure appropriate provision of affordable housing is provided on site in accordance with Policy P4 of the Solihull Local Plan 2013.

44. Prior to the commencement of development, a strategy shall be submitted and approved in writing by the Local Planning Authority indicating the methodology and measures (including EV charging provision) by which the proposed development will seek to achieve 'net zero carbon' as detailed in the Planning Statement prepared by Cushman & Wakefield dated June 2020. Unless otherwise agreed in writing with the Local Planning Authority the development shall take place in accordance with the approved details.

Reason: To assist and promote the move to a low carbon future and to promote sustainable forms of transport in accordance with guidance in the NPPF.

45. Before any phase of the development hereby approved is brought into use a detailed scheme for the storage of refuse for that phase shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a management and maintenance plan for the lifetime of the development. Thereafter, the approved scheme shall be implemented and retained in accordance with approved details.

Reason: To minimise the effect of the proposal on the neighbourhood in the interests of the character of the site and amenities of the area in accordance with Policies P14 and P15 of the Solihull Local Plan 2013.

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46. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied. Development shall be carried out in accordance with the approved details.

Reason: To safeguard amenity and the quality of the environment in accordance with P15 of the Solihull Local Plan 2013.

47. No deliveries shall be taken at or despatched from the service area in DP2 on the Development Parcels Plan (18023_BDS-XX-XX-DR-A-S0-0155-P02.02) outside the hours of 0700 to 2200 Monday to Friday, 0900 to 2000 Saturday and 0900 to 1800 on Sundays.

Reason: In the interest of residential amenity and in accordance with Policy P14 of the Solihull Local Plan 2013.

48. Before each of the commercial and community units are occupied (Use Classes A1-A5 and D2 respectively), hours of operation shall be agreed in writing with the local planning authority and the units shall not be open to customers outside of the hours so agreed.

Reason: In the interest of residential amenity and in accordance with Policy P14 of the Solihull Local Plan 2013.

Statement in accordance with Article 35(2) Town and Country Planning Development Management Procedure) (England) (Amendment) Order 2015

The Local Planning Authority has worked positively and proactively with the applicant during the application process to check and/ or identify any required solutions to ensure that the proposal is sustainable development and improves the economic, social and environmental conditions of the area in accordance with the development plan. Any solutions identified have been incorporated into the proposal and/or have been secured by planning condition(s). On this basis the Local Planning Authority have therefore implemented the requirements in Paragraphs 186-187 'Decision taking' of the National Planning Policy Framework.

The following policies of the Solihull Local Plan 2013 were considered relevant:

- P1 - Support Economic Success
- P3 - Provision of Land for General Business and Premises
- P4 - Meeting Housing Needs
- P5 - Provision of Land for Housing
- P7 - Accessibility and Ease of Access

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- P8 - Managing Demand for Travel and Reducing Congestion
- P9 - Climate Change
- P10 - Natural Environment
- P11 - Water management
- P14 - Amenity
- P15 - Securing Design Quality
- P16 - Conservation of Heritage Assets and Local Distinctiveness
- P18 - Health and Well Being
- P19 - Range and Quality of Local Services
- P20 - Provision for Open Space, Children's Play, Sport, recreation and Leisure
- P21 - Developer Contributions and Infrastructure Provision

Informative Notes

Noise During Construction: Noise from construction and associated works has the potential to cause disturbance to neighbouring residents. In order to minimise this, this Authority would normally recommend that any work audible beyond the boundary of the site should only be carried out between the hours of 8.00am to 6.00pm on Mondays to Fridays and 8.00am to 1.00pm on Saturdays; there should be no noisy works carried out on Sundays or Bank Holidays. Best practicable means to prevent noise from the site should also be employed as defined in British Standard BS 5228 Part 1: 1984 (or its successors/revisions). Failure to keep these hours or to employ best practicable means to control noise could lead to the service of an enforcement notice under Section 60 of the Control of Pollution Act 1974. We would encourage applications for prior consent under Section 61 of the Act, particularly where the construction and/or demolition phase(s) may be prolonged or if work may be undertaken beyond the aforementioned hours. Please contact the Contact Centre (0121 704 8008) for further details.

Burning or Refuse on Demolition and Construction Sites: Because of the potential for nuisance to neighbours, burning of refuse prior to or during the construction phase is not generally acceptable and may be contrary to waste regulation legislation. If you do have special circumstances, such as a requirement to dispose of wood infected by disease or insects, please contact the Contact Centre (0121 704 8008) for further details.

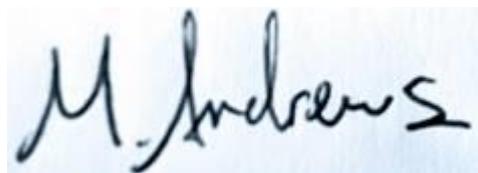
Dust Control on Demolition and Construction Sites: Because of the potential for nuisance to neighbours and damage to property, reasonable steps to reduce dust emissions should be employed, particularly during any demolition works and in periods of dry weather.

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Economy & Infrastructure Directorate
Development Management
Planning Services, Solihull MBC
Council House, Manor Square
Solihull, B91 3QB

Telephone 0121 704 8008
planning@solihull.gov.uk

Signed



Mark Andrews
Head of Planning, Design and Engagement
Service

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TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision of your application, then you must do so within: 28 days of the date of the service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse planning permission for a minor commercial application, if you want to appeal against your local authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of this notice.

If this is a decision to refuse planning permission other than those specified above, if you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice,

If this is a decision to refuse permission for works to a TPO tree, if you want to appeal against your local authority's planning decision then you must do so within 28 days of the date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at <https://www.gov.uk/appeal-planning-decision>.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of the appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.