

FULL PLANNING DECISION NOTICE

DETERMINATION OF APPLICATION FOR FULL PLANNING PERMISSION

Town and Country Planning Act 1990

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

Application No:	PL/2021/03072/MAJFDW
Case Officer:	Matt Preece
Date of Decision:	29.04.2022
Location:	Kingshurst Village Centre And Former Mountford Public House, Marston Drive, Over Green Drive, Gilson Way And Church Close., , ,
Proposed Development:	Demolition of existing local centre and development of new mixed-use local centre including up to 79 residential units (including a new vicarage) (Use Class C3), retail, commercial, business and services and healthcare (Use Class E (a),(b),(c),(d),(e),(f),(g)(i)), hot food take-away (Sui generis), and local community uses (Use Class F1 and F2 (a),(b)), open space, landscaping, car parking and associated infrastructure.
Date Registered:	26th November 2021
Applicant:	UK Central / Solihull Community Housing
Agent:	Cushman & Wakefield

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:-

1. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

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

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18023-BDS-XX-ZZ-DR-A-0100-S4-P01 - Existing Site Location Plan
18023-BDS-ZZ-00-DR-A-0158-S4-P11-Proposed Masterplan
05578-PJA-XX-XX-M2-C-1200-S3-P04 - Indicative Levels Strategy
05578-PJA-XX-XX-M2-C-1103-S3-P01 - Proposed Highway General Arrangements
18023-BDS-ZZ-XX-DR-A-1006-S4-P04 - Parking & Access Plan
18023-SMBC-ZZ-XX-DR-L-1001-S3-P03 - Landscape Masterplan
18023-BDS-XX-01-DR-A-1101-S4-P01 - Community, Health & Retail First Floor Shell and Core Layout
18023-BDS-XX-GF-DR-A-1100-S4-P01 - Community, Health & Retail Ground Floor Shell and Core Layout
18023 BDS XX ZZ DR A 2120 - S4 -P03 - Community, Health and Retail Building - GA Elevations A and B
18023 BDS XX ZZ DR A 2121-S4-P03 - Community, Health and Retail Building - GA Elevations C and D
18023-BDS-XX-XX-DR-A-1103-S4-P01 - Retail Ground and First Floor Plans
18023-BDS-XX-ZZ-DR-A-2130-S4-P01 - Retail Building GA Elevations
18023 BDS XX RL DR A 1102-S4-P02 - Community, Health & Retail Roof Layout
18023-BDS-XX-ZZ-DR-A-1130-S4-P02 - Community, Health & Retail Site Plan
18023-BDS-XX-01-DR-A-1091-S4-P01 First Floor Plan Vicarage
18023-BDS-XX-02-DR-A-1092-S4-P01 Second Floor Plan Vicarage
18023-BDS-XX-GF-DR-A-1090-S4-P01 Ground Floor Plan Vicarage
18023-BDS-XX-RL-DR-A-1093-S4-P01 Roof Plan Vicarage
18023-BDS-ZZ-XX-DR-A-2140-S4-P01 Vicarage Front Elevation
18023-BDS-ZZ-XX-DR-A-2141-S4-P01 Vicarage Rear Elevation
18023-BDS-ZZ-XX-DR-A-2142-S4-P01 Vicarage Side Elevation A
18023-BDS-ZZ-XX-DR-A-2143-S4-P01 Vicarage Side Elevation B
18023-BDS-Z1-ZZ-DR-A-1210-S4-P02-Plots 1-5
18023-BDS-Z1-ZZ-DR-A-1211-S4-P02-Plots 6-10
18023-BDS-Z1-ZZ-DR-A-1212-S4-P02-Plots 11-13
18023-BDS-Z1-ZZ-DR-A-1213-S4-P01-Plots 14-25
18023-BDS-Z3-ZZ-DR-A-1214-S4-P02-Plots 26-29
18023-BDS-Z3-ZZ-DR-A-1216-S4-P02-Plots 32-34
18023-BDS-Z3-ZZ-DR-A-1217-S4-P02-Plots 35-38
18023-BDS-Z3-ZZ-DR-A-1218-S4-P02-Plots 39-40
18023-BDS-Z3-ZZ-DR-A-1219-S4-P02-Plots 41-44
18023-BDS-Z3-ZZ-DR-A-1221-S4-P02-Plots 47-50
18023-BDS-Z4-ZZ-DR-A-1222-S4-P03-Plots 53-55
18023-BDS-Z4-ZZ-DR-A-1223-S4-P02-Plots 56-58
18023-BDS-Z4-ZZ-DR-A-1224-S4-P02-Plot 61
18023-BDS-Z4-ZZ-DR-A-1225-S4-P02-Plots 64-72 Layouts
18023-BDS-Z4-ZZ-DR-A-1226-S4-P02-Plots 64-72 Elevations
18023-BDS-Z5-ZZ-DR-A-1228-S4-P02-Plots 76-78

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18023-BDS-Z6-ZZ-DR-A-1227-S4-P03-Plots 73-75
18023-BDS-ZZ-ZZ-DR-A-1215-S4-P02-Plots 30-31 and 59-60
18023-BDS-ZZ-ZZ-DR-A-1220-S4-P02-Plots 45-46, 51-52 and 62-63 (62-63 'handed')
18023-BDS-ZZ-XX-DR-A-1009-S4-P01 - Land Ownership
18023-BDS-ZZ-XX-DR-A-1010-S4-P01 - Masterplan Tenure Mix
18023-BDS-Z1-ZZ-DR-A-1200-S4-P01-Development Parcel Zonal Plan - DP1
18023-BDS-Z3-ZZ-DR-A-1201-S4-P01-Development Parcel Zonal Plan - DP3
18023-BDS-Z4-ZZ-DR-A-1202-S4-P01-Development Parcel Zonal Plan - DP4
18023-BDS-ZZ-ZZ-DR-A-1203-S4-P01-Development Parcel Zonal Plan - DP5 & DP6
18023-BDS-ZZ-ZZ-DR-A-2150-S4-P03-Street Scene Elevations A, B & C_compressed
18023-BDS-ZZ-ZZ-DR-A-2151-S4-P03-Street Scene Elevations D to H_compressed
18023-BDS-ZZ-ZZ-DR-A-2152-S4-P03-Street Scene Elevations J to N_compressed
18023-BDS-XX-XX-RP-A-0004-S4-P01 - Design & Access Statement
18023-BDS-ZZ-XX-DR-A-1008-S4-P01- Boundary Treatment
18023-BDS-XX-XX-DR-A-0150-S4-P01 - Proposed Location Plan
18023-BDS-XX-XX-DR-A-0151-S4-P01 - Site Plan
18023-BDS-XX-XX-DR-A-0152-S4-P01 - Demolition Plan
18023-BDS-XX-XX-DR-A-0153-S4-P01 - Parameter Plan with Proposed Access
18023-BDS-XX-XX-DR-A-0154-S4-P01 - Parameter Plan with Public Realm
18023-BDS-XX-ZZ-DR-A-0101-S4-P01 - Existing Site Plan
18023-BDS-ZZ-00-DR-A-0155-S4-P01 - Parameter Plan with Development Parcels
00578-PJA-ZZ-XX-DR-C-0200-S3-P03 - PJA External Levels
00578-PJA-ZZ-XX-DR-C-0105-S3-P01 - Vehicle Tracking Residential
00578-PJA-ZZ-XX-DR-C-0104-S3-P03 - Vehicle tracking Commercial
Flood Risk Assessment and Drainage Strategy
Kingshurst Park Illustrative Masterplan
Planting Strategy
Biodiversity Calculations

To ensure compliance with the approved plans and details to safeguard amenity and the quality of the environment in accordance with Policy P14 and P15 of the Solihull Local Plan 2013.

2. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Pursuant to the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.

3. No 'above-ground' building works shall proceed above damp-proof course level or equivalent on any buildings or structures hereby approved until a schedule and samples of all bricks, tiles and other materials to be used in the external elevations have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

4. 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: -

- Retail, commercial, business and services and healthcare (Use Class E (a), (b), (c), (d), (e), (f), (g), (i)) - 3,150sqm up to 3,250sqm.
- Local community uses (Use Class F1 and F2 (a), (b)) - 200 sqm
- Hot food take-away (Sui generis) /or Retail, commercial, business and services and healthcare (Use Class E (a),(b),(c),(d),(e),(f),(g)(i)) - up to 100 sqm and at no time shall the retail floorspace exceed 3,250sqm.

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.

5. 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.

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.

6. 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.

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.

7. Before the development hereby approved is brought into use a scheme detailing the installation / provision of residential dwelling Electric Vehicle (EV) Charging facilities (including make and model) and other scheme wide provision (such as the installation, use and management of shared or public EV charging provision). The approved scheme shall be carried out before the occupation and use of the development and be thereafter retained.

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.

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8. 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.

In order to protect future occupants and nearby noise sensitive receptors from external noise in accordance with policy P14.

9. 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.

To protect the neighbourhood from dust, fumes or odour emissions in accordance with policy P14 of the Solihull Local Plan 2013.

10. 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.

In order to protect future occupants and nearby noise sensitive receptors from external noise in accordance with policy P14.

11. 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

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

This must be conducted in accordance with DEFRA / Environment Agency's Land Contamination Risk Management (LCRM)

(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

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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 condition 1, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 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 condition 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 of 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 / Environment Agency's Land Contamination Risk Management (LCRM)

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.

12. 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.

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

13. 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 plan should include details of planting and maintenance of all new planting, details of habitat enhancement/creation measures and management, such as native species planting, marshy and semi-improved neutral grassland creation, and provision of habitat for protected and notable species (including location, number and type of bat and bird boxes, location of log piles/deadwood). The landscape (and Ecology) management plan shall be carried out as approved.

To ensure a net biodiversity gain and in accordance with NPPF and enhance the character of the development in accordance with Policy P10 and P15 of the Solihull Local Plan 2013.

14. Prior to the commencement of work on site, full details of all external lighting shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

To minimise impact on nocturnal animals, protect existing and future occupants from lighting impacts, and in the interests of the visual amenities of the locality in accordance with Policies P10, P14 and P15 of the Solihull Local Plan 2013 and guidance in in the NPPF, and ODPM Circular 2005/06

15. The development hereby permitted, including site clearance work, shall not commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. In discharging this condition, the LPA expects to see details concerning appropriate working practices and safeguards for bats, badgers, hedgehogs, amphibians and nesting birds that are to be employed whilst works are taking place on site. The agreed Construction and Environmental Management Plan shall thereafter be implemented in full.

To ensure that protected species are not harmed by the development in accordance with NPPF, ODPM Circular 2005/06.

16. No deliveries shall be taken at or despatched from the service area in DP2 & DP7 on the drawing number 18023_BDS-XX-XX-DR-A-0154-S4-P01 outside the hours of 0700 to 2200 Monday to Friday, 0900 to 2000 Saturday and 0900 to 1800 on Sundays. Reason:

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

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17. The uses hereby permitted within DP2 & DP7 on drawing number 18023_BDS-XX-XX-DR-A-0154-S4-P01 shall not be open to customers / member of the public outside the following times:
07:00 - 23:00hrs.

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

18. First floor windows to be installed in the flank elevation(s) of the following plots as shown on Drawing Number 18023-BDS-ZZ-00-DR-A-0158-S4-P11 (Proposed Masterplan) shall be obscurely glazed and opening shall be restricted to a maximum of 100mm using a permanent restrictor. The windows shall thereafter be permanently retained in that condition.

Plot number and elevation:-

- Plot 14 facing number 84 Over Green Drive
- Plot 20 facing number 29, 30 & 31 Holliars Grove
- Plot 24 facing plots 11, 12 & 13
- Plot 18 facing plots 8, 9 & 10
- Plot 26 facing plots 51 & 52
- Plot 38 facing plots 39 & 40
- Plot 46 facing plots 47 & 48
- Plot 79 facing plot 78
- Plot 78 facing plot 79

To safeguard the amenities of neighbours in accordance with Policy P14 of the Solihull Local Plan 2013.

19. No dwelling, or use class as detailed in Condition 3 of this permission, shall be occupied or used until the junctions and traffic calming features have been laid out and constructed in general accordance with Drawing Number 18023-BDS-ZZ-XX-DR-A-1006-S4-P04 (Parking & Access Plan) and to the standard specification of the Local Highway Authority.

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

20. No dwelling, or use class as detailed in Condition 3 of this permission, shall be occupied or used until the estate roads (including footways and cycleways) serving it have been laid out and substantially constructed to the satisfaction of the Local Highway Authority in accordance with details approved in writing by the Local Planning Authority.

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

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21. No dwelling, or use class as detailed in Condition 3 of this permission, shall be occupied or used until the cycle link between Meriden Drive and Chester Road has been laid out and constructed to the standard specification of the Local Highway Authority.

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

22. 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 routing; 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.

23. No dwelling, or use class as detailed in Condition 3 of this permission, shall be occupied or used until the new bus stops, bus shelter, flag pole and associated road markings have been implemented in general accordance with Drawing Number 18023-BDS-ZZ-00-DR-A-0158-S4-P11 (Proposed Masterplan) and constructed to the standard specification of the Local Highway Authority.

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

24. No dwelling, or use class as detailed in Condition 3 of this permission, shall be occupied or used until a scheme has been approved in writing by the Local Planning Authority and implemented to amend the existing Traffic Regulation Order to introduce a 20mph speed limit within red line boundary and the installation of associated infrastructure including consideration of the addition of a toucan crossing so that needs of partially sighted and blind people can be catered for within the development. .

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

25. No Class E use as detailed in Condition 3 of this permission shall be occupied or used until a scheme to implement a new Traffic Regulation Order to introduce on-street parking restrictions on and around the Gilson Way / Boulevard junction has been submitted to, and agreed in writing by, the Local Planning Authority. The scheme shall provide details of the enforcement of the new on-street parking restrictions, including funding. The new Traffic Regulation Order shall be implemented in accordance with the approved scheme.

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

26. Before the development is occupied (or at such later time as may be agreed in writing with the Local Planning Authority) a Travel Plan and a Travel Information Pack shall be submitted to and approved by the Local Planning Authority. Thereafter, the Travel Plan shall be reviewed on a biannual basis. The review report shall be submitted biannually to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details.

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

27. No 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 include, as a minimum:

- a) Drawings showing overall site concept design principles
- b) Site layout plan, incorporating SuDS drainage design, site ground levels, finished floor levels, any integration with landscaping, earthworks or other features.
- c) Surface Water Drainage Design including:
 - Confirmation of the lifetime of the development
 - 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'),
 - Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates in accordance with BRE365 methodology;
 - Confirmation of discharge rates and volumes (both pre and post development)
 - Confirmation of proposed discharge location.
 - Innovative and Multi-Functional SuDS Design that makes good use of the site space, supported by robust calculations and demonstrating full compliance with SMBC 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.
 - Engineering details for all surface water drainage features
 - 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;
 - Details of water quality controls, where applicable. For example, demonstration that the final design provides appropriate treatment for water leaving the site
- d) Surface Water Drainage adoption and maintenance strategy
- e) On and off site extreme flood flow routing and proposed resilience measures that ensure

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the buildings and infrastructure are safe from flooding

f) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);

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

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

28. No work shall commence until such a time as the detailed design for a scheme to manage the surface water flood risk to and from the development, based on the designs in the Flood Risk Assessment (FRA), and confirming all built development will be outside areas identified to be at flood risk in the 100 year plus climate change event storms 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:

- a) Detailed hydraulic modelling confirming the appropriate sizing of the flood alleviation features.
- b) Full detailed design drawings
- c) Design reporting including methodology and maintenance commitments
- d) Independent model audit confirming the appropriateness of the modelling and findings
- e) Demonstration that the improvement/protection and maintenance of existing flood defences will be provided.
- f) Identification and provision of safe access and egress route(s).
- g) Confirmation of the opening up of any culverts across the site.
- h) Finished floor levels are set no lower than 150mm above surrounding ground levels or no lower than the 1 in 100 year plus allowance for climate change plus 300mm freeboard whichever is the higher.

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

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

29. 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:

- a) The arrangements for adoption by an appropriate public body or statutory undertaker,

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- 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.

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

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

30. Prior to the commencement of work on site, the tree survey and Arboricultural Impact Assessment by Aspect Arboriculture (October 2021, ref 10625_AIA.001 Rev A), which accompanies the application shall be updated to a line with the updated Landscape Masterplan (Drawing number 18023-SMBC-ZZ-XX-DR-L-1001-S3-P03). The updated Tree Survey and Arboricultural Impact Assessment Report shall include a detailed Arboricultural Method Statement (AMS) supported by 1:500 scale technical drawings should be prepared which expand on Appendix C of the Arboricultural Impact Assessment Report by Aspect Arboriculture (October 2021, ref 10625_AIA.001 Rev A) shall be submitted to and approved in writing by the Local Planning Authority. 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, including, for example 'no dig' construction. Details of proposed levels and service routes should be included, and a scheme for auditing tree protection and subsequent reporting to the Council.

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

31. The tree work hereby approved must be carried out in accordance with British Standard 3998: 2010 Tree Work - Recommendations All pruning works should be undertaken in accordance with section 7.3 (for removal of deadwood), section 7.6 (for crown lifting) and section 7.8 (for selective pruning) of BS3998: 2010 Tree Work -Recommendations. Works should be carried out by a competent tree contractor, to ensure that cuts are performed correctly and positioned to avoid future structural defects or physiological issues, facilitate growth, and maintain aesthetic value.

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

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32. 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: 2012, or a suitable alternative. Details of the 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.

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

33. 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 the relocation of tree protection barriers to a secondary position during construction to facilitate works within proximity to retained trees
- Procedures for dealing with variations and incidents; and
- Regular inspection and maintenance of the physical protection measures and monitoring of working practices during construction.

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

34. The development hereby approved shall not be occupied until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. street benches, furniture, play equipment, refuse or other storage units, lighting etc.); retained historic landscape features and proposals for restoration. Soft landscape works shall include details of tree planting in hard landscape, including details of appropriate soils volumes and planting pits, planting plans; written specifications (including cultivation and other operations associated with plant and grass

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establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

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

35. The development hereby approved shall not be occupied until full details of the surface water drainage works have been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of sustainable drainage system combined with street tree planting in hard surfacing, and the results of the assessment provided to the Local Planning Authority. Where a SuDS scheme combined with street tree planting is to be implemented the submitted details shall:

- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters.
- ii) specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and,
- iii) provide a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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

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

36. All hard and soft landscape works shall be carried out in accordance with the approved 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.

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

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37. 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.

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

38. 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.

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

39. 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 of any such failures with plants of similar size and species within the following six months

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

40. The development hereby approved shall not be occupied until full details of where access is required by large mowing machines. Details shall include a 3.6m width lockable swing gate should be provided. Indicative areas for these are shown on the updated Landscape Masterplan. However, exact locations of these should be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

To secure the landscape areas and in the interests of the visual amenities of the locality in accordance with Policies P10, P14 and P15 of the Solihull Local Plan 2013.

41. Notwithstanding the submitted plans, no development shall take place until a detailed hard and soft landscape scheme of the drainage scheme and green space on the corner of Over Green Drive as shown on Drawing Number 18023-BDS-Z1-ZZ-DR-A-1200-S4-P01 (Development Parcel Zonal Plan - DP1) has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The works shall describe the design, function

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and appearance of the attenuation pond, Health and Safety risk to the public, including the retaining structure/gabion wall and the habitat enhancement through on site signage and interpretation. Signage to include a depth gauge marker post. Details to include the positions, design, materials and type of retaining structure/gabion wall, including habitat walls/ hibernaculum for the benefit of invertebrates, and amphibians. Such details shall include plans, sections and structural calculations to prove that the wall(s) is/are capable of supporting the likely future loading. Soft landscape works shall include planting details of a diverse range of native marginal plants, species rich grassland and a variety of tree and shrub planting. Tree planting to include the mitigation measures required for the loss of the existing street from trees this location, using larger tree stock and strategic placement of equivalent significance to the role and canopy coverage of those trees to removed.

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

42. Notwithstanding the submitted plans, no development shall take place until a detailed hard and soft landscape scheme of the 'School Square Open Space' scheme has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The works shall include the detail design of the 'Doorstep Play' and the design, function and appearance of the area of hard landscape paving and seating outside the school entrance to provide an important social space. These details shall include proposed finished levels or contours; means of enclosure; pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, lighting etc.); retained historic landscape features.

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

43. Notwithstanding the submitted plans, 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 'Doorstep Play' to be erected on the Mews Street between the Park and the School. The 'Doorstep Play' shall be completed before the building(s) is/are occupied. Development shall be carried out in accordance with the approved details.

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

44. Notwithstanding the submitted plans, no development shall take place until a detailed hard and soft landscape scheme for Kingshurst Park has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The works shall include the detail design of the proposals outlined within the Kingshurst Park Illustrative Masterplan (18023-SMBC-XX-XX-DR-L-1006-S3-P01). These details shall include the following:

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- New and replacement play equipment to the existing Local Play Space
- New and additional seating
- Footpath widening and resurfacing
- New footpath connection to Over Green Drive
- Planting to include ornamental trees for seasonal colour, native hedgerow, wildflower / floral meadow and bulbs
- Biodiversity enhancements through planting
- Signage and wayfinding, community notice board

These details shall include proposed finished levels or contours; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, lighting etc.); retained historic landscape features and proposals for restoration/enhancement. Soft landscape works shall include details of tree, shrub and hedgerow planting, including details of wildflower/ floral meadow and bulb planting, planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

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

45. 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.

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

46. The development hereby approved shall not be occupied until full details of a signage scheme has been carried out in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Except where otherwise stipulated by conditions attached to this permission the signage scheme shall include interpretation material explaining the function and biodiversity benefits of the SuDS, swales, and rain gardens, including any necessary Health and Safety information (including depth gauge marker posts as required) pertaining to a risk lead approach to design. The signage scheme shall include details indicating the positions, design, materials, and type of signage to be erected.

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

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47. Before the development hereby approved is brought into use a detailed scheme for the storage of refuse for all residential properties and commercial development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme shall be implemented and retained in accordance with approved details.

To protect the visual amenities of the area in accordance with policy P15 of the Solihull Local Plan 2013.

48. Before the development hereby approved is brought into use, details for the relocation of the existing Kingshurst stainless steel art installation and any other stainless-steel artwork to the village centre shall be submitted to and approved in writing by the local planning authority.

To mark the heritage of Kingshurst local centre and in accordance with Policy P15 of the Solihull Local Plan.

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

49. 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
- P8 - Managing Demand for Travel and Reducing Congestion
- P9 - Climate Change
- P10 - Natural Environment
- P11 - Water management

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- 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

National Guidance

National Planning Policy Framework (2021)
Planning Practice Guidance

SPDs and Other Guidance

Meeting Housing Needs (Including Affordable Housing (2014))
Vehicle Parking Standards and Green Travel Plans (2006)
New Housing in Context (2003)

Informatives

NOTE: 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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NOTE: Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats and their 'roost' sites are fully protected under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) making them a European Protected Species. It is a criminal offence to disturb or destroy a bat 'roost', even if the roost is only occasionally used. Where a bat 'roost' is present a license may be necessary to carry out any works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0300 060 3900. The applicant is advised that to ensure no bats are endangered during destructive works, the roof tiles should be removed carefully by hand. If evidence of bats is found during works, work should stop immediately and Natural England must be contacted on 0300 060 3900 for advice on the best way to proceed.

NOTE: Work should avoid disturbance to nesting birds. Birds can nest in many places including buildings, trees, shrubs, dense ivy, and bramble/rose scrub. Nesting birds are protected under the Wildlife and Countryside Act 1981 (as amended). The main nesting season lasts approximately from March to September inclusive, so work should ideally take place outside these dates if at all possible. N.B birds can nest at any time, and the site should ideally be checked by a suitably qualified ecologist for their presence immediately before work starts, especially if during the breeding season.

NOTE: If you're developing single, small or large scale developments, you'll need to complete our Street Naming and Numbering Application Form, which can be found at <http://www.solihull.gov.uk/Resident/housing/houseroadrenaming> and returning it with the relevant: location plan - site layout plans - apartment floor plans

These need to be returned at least 15 weeks prior to properties being occupied. Please contact streetnamingandnumbering@solihull.gov.uk **EV Charging points**

NOTE: The applicant is strongly encouraged to install an EV charging point to each dwelling during the construction phase. Information on grant eligibility can be found using the following web link <https://www.gov.uk/government/news/electric-vehicle-chargepoints-set-to-become-next-great-british-emblem>

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.