

APPLICATION REFERENCE: PL/2016/01378/PPFL**Site Address:** Wyevale Garden Centre Barston Lane Barston Solihull B92 0JJ

Proposal:	Demolition of existing garden centre and associated buildings, and the erection of a care facility (Use Class C2) comprising a 50 bed care home, 18 extra care two bedroom bungalows and 12 extra care two bedroom apartments, and associated works including car parking, access, landscaping and related engineering works.
Web link to Plans:	Full details of the proposal and statutory consultee responses can be found by using the above planning application reference number at: http://publicaccess.solihull.gov.uk

Reason for Referral to Planning Committee:	Major development with a significant impact outside of its immediate vicinity; substantial weight of local concern.
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Recommendation:	APPROVAL CONSENT SUBJECT TO CONDITIONS AND REFERRAL TO THE NATIONAL PLANNING CASEWORK UNIT UNDER THE TOWN AND COUNTRY PLANNING (CONSULTATION) (ENGLAND) DIRECTIONS 2009.
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EXECUTIVE SUMMARY

The proposal represents the re-development of an existing closed garden centre, within the settlement of Eastcote, which is a previously-developed site in the Green Belt.

Whilst the proposal is considered to cause significant material harm to the openness of the Green Belt (due to the increase in respect of the size, height and extent of the built form proposed), which carries substantial weight in the planning balance. However, this is considered to be outweighed by the advantages of the proposal – notably; the need for additional C2 (nursing home) accommodation in the Borough, that it involves the re-development of previously-developed land in the Borough, the provision of a sustainable travel scheme to serve the care home and other economic benefits. It is thus considered to be in compliance with Policy P5 and P17.

The amended site layout and building design is considered to produce an acceptable and sympathetic design response to the site and its surroundings and existing landscape features, and thus complies with guidance in Solihull Local Plan Policy P10 and P15. Matters of neighbour amenity have been addressed in the design and layout in compliance with Policy P14.

Highway access to the site from Knowle Road already exists and subject to no adverse highway comments, the impact of the additional development on the highway network is not considered to be significant or severe. The proposed internal road layout and footpath/cycle network is considered to be acceptable, and thus complies with guidance in Solihull Local Plan Policies P7 and P8.

The proposal is considered to be acceptable in all other aspects, subject to appropriate conditions, and is thus considered to comply with Policies P4, P5, P7, P8, P10, P11, P14, P15 and P17 of the Solihull Local Plan (2013).

The proposal is therefore considered to have positive overall weight and is therefore recommended for approval.

KEY PLANNING ISSUES

The following key planning issues are material to the determination of this application:

- Green Belt;
- Sequential Test;
- Need for the C2 Care Home;
- Loss of Existing Nursery;
- Design & Impact on Character of Locality;
- Neighbour Amenity;
- Landscape and Ecology;
- Highway Considerations;
- Affordable Housing;
- Sustainability; and
- Planning Balance.

CONSULTATION RESPONSES

Statutory Consultees The following Statutory Consultee responses have been received:

West Midlands Fire & Rescue – Objects on following grounds:

- Vehicle access does not comply with diagram 50 of ADB as there are no turning facilities provided for dead end roads over 20m long.
- There should be vehicle access to within 45m of all points in each dwelling (16.2,b).
- There is no provision for fire hydrants on site

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

SMBC Drainage - No objection subject to conditions

SMBC Highways – Final comments awaited, no objection in principle.

SMBC Landscape – No objections

SMBC Urban Design – No objections

SMBC Housing Officer - No objections.

PUBLICITY

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

21 responses were received. All correspondence has been reviewed and the main issues raised are summarised below (Planning Committee Members have access to all third party correspondence received):

Sustainability

- Poor bus services to area
- No shops, health or community facilities nearby
- Concern that sustainability of the site is being overplayed by the applicant e.g. there are no footpaths or safe walking routes to Hampton or Knowle.

Scale and impact on Character of area

- Proposal is inappropriate because of its large scale.
- The scale and design would affect the intrinsic character of this medieval
- It would dwarf the existing settlement of Eastcote and increase by around a third the population of Barston

Amenity

- views from my dwelling would be affected – currently the garden centre is only low-rise
- would increase ambient noise levels significantly
- extreme light pollution would result

Green Belt

- Development in Green Belt should not be permitted
- Would contradict Green Belt
- Policy would question the demand for a nursing home in this location

- Do not agree with applicant's assertion that another operator for the garden centre could not be found
- More appropriate development in this Green Belt location should be considered
- Scheme is totally inappropriate and not much different from Cala Homes scheme previously rejected.

Highways

- Far to big and would result in an increase in traffic that the infrastructure could not cope with
- The increase of 68 family units in the area would result in increased servicing staff, visitors etc

Ecology

- Bats and swallows use this site

Comments on revised scheme:

10 further objections have been received relating to the revised Plans. The key points are as follows:

- Previous comments/objection still stand
- Will lead to excessive and dangerous increase in traffic
- Unsuitable location
- Inappropriate development in the Green belt – concerns over validity/impartiality of alternative site review
- Would affect ambiance of one of last remaining villages in Meriden gap
- Assisted living facilities should be situated within communities they serve so that they are close to services and facilities
- Size of development out of scale with village – would be invasive on locality
- Site directly to the south is a long established stonemasons producing dust and noise.
- Knowle Rd is very busy with no path to Knowle village alongside it
- Traffic generated would be significant
- Most garden centre buildings are temporary in nature and site surrounded by a large car park – site is mainly open
- Fact that site has been trading at a loss is not a reason to allow inappropriate development
- Definition of PDF in NPPF covers land that is occupied by a permanent structure – allowing the temporary buildings to be included would be a travesty of interpretation of the NPPF
- Proposal is premature in advance of Local Plan review
- Scale and impact on openness
- Unsustainable location
- Proposal fails all of the key tests for Green Belt development – no VSCs stand up to scrutiny - other similar schemes in Green belt demonstrated VSCs

- Concerns from Hampton Surgery re-iterated – would put pressure on existing surgery provision and estimated to increase waiting times to see a doctor by 20%

PLANNING ASSESSMENT

This report considers the proposal against the relevant policies of the National Planning Policy Framework (“NPPF”) 2012, the National Planning Practice Guidance and the adopted planning policies of Solihull Council. The policies of the Solihull Local Plan “SLP” 2013 that have been used to assess this application are considered to be in accordance with the NPPF and as such are material planning considerations.

Background.

This application relates to the former Wyevale Garden Centre which is located to the south east of the Knowle Road/Barston Lane crossroads in the village of Eastcote. This village lies in a rural part of the Borough and is washed over by the Green Belt.

There are two points of access to the site – the main entrance off Knowle Road and a secondary access close to the above junction off Barston Lane. These accesses lead onto a large tarmac car park covering the western portion of the site. A range of glasshouses/retail buildings plus covered and open sales areas lie on the eastern part of the site. There is a run of mature trees along the northern boundary to Barston Lane and a low bank with some tree and shrub planting along the southern boundary. Residential properties lie to the north and west on the opposite sides of Barston Lane and Knowle Road. They also abut the eastern and southern site boundaries.

The garden centre has been closed for more than 12 months.

Initial Planning Application Submission:

The initial scheme was submitted in September 2016 and sought development spreading across most of the site. It comprises the following:

- A 50-bed Care Home in a two-storey building situated in the SE portion of the site
- A two-storey building containing 12no Extra Care 2-bed apartments in the NE portion of the site.
- 18 no 2-bed Extra-Care bungalows situated in the western portion of the site, grouped around a series of courtyards.

The site is accessed from Knowle Road, and a driveway runs into the site, then splitting to connect to small car parking areas close to each building.

Amended Planning Application

No changes to the positioning of the Care home or apartment buildings are proposed.

The 18 two-bed bungalows have been re-designed so that they are now contained in a two-storey 'L'-shaped building in the SW portion of the site. The road layout and parking areas has been slightly re-designed and an area of open gardens created in the NW portion of the site.

Green Belt/ Principle of Development

The application site is located within the Green Belt. The application proposal is currently occupied by an existing garden centre/nursery comprising the following:

- Sales Buildings - 2,295sq.m. x average height of 4m = 9,180 cubic metres
- Outdoor Sales Area/Structures - 5,170 sq.m. x average height of 1.25m = 6463 cubic metres

TOTAL – 15,643 cubic metres

This will be replaced by 3 no. two-storey buildings providing a range of care home facilities, providing the following:

- Nursing Home - 1,600 sq.m x average height of 6.5m = 10,511 cubic metres
- Extra Care Apartments (12no) – 712 sq.m x average height of 6.5m = 4984 cubic metres
- 2-bed Apartments (18no) – 1,130 x average height of 6.5m = 7,345

TOTAL – 23,840 cubic metres

Whilst the application site currently occupies a part-brownfield site, it nevertheless has a Green Belt location and redevelopment to increase the size and scale to this extent would represent inappropriate development, falling outside the exceptions described in paragraph 89 of the NPPF.

The government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The proposed development would therefore, clearly cause harm by definition, and would cause urban sprawl causing material harm to the openness. The development would harm two of the five purposes of the Green Belt, namely it would add to unrestricted sprawl of a large built up area, it would cause the erosion of an important gap and thus lead to potential merging and coalescence of towns and villages together, namely Knowle to the hamlet of Eastcote and the village of Barston, which is an important strategic gap (The Meriden Gap). Finally, the development would cause further encroachment of built form into the Green Belt.

The NPPF at paragraph 87 states that "...inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances". Paragraph 88 carries on to require local planning authorities to ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

In light of the harm identified above substantial weight should be given to this significant harm that the development would cause to the purposes of the Green Belt and to its openness.

Very Special Circumstances - Need for Development

The adopted Local Plan at Policy P4 deals with 'Meeting Housing Needs' and identifies a need to provide homes to meet the increasing demand from older people and those with disabilities and other needs. Paragraph 8.2.3 of the Local Plan explains that the Strategic Housing Market Assessment (SHMA) has provided evidence that demonstrates a growing need for homes, which are suitable for older people and those with disabilities. This is also evidenced by a local Borough wide data supporting the Council's Independent Living and Extra Care Housing Strategy (ILEX).

The Planning Need Assessment produced by Carterwood (May 2016) submitted to support the application indicates that the population of the UK is set to age dramatically over the coming years, with a substantial increase in the number of people living to over the age of 85, when dependency levels and the prevalence of dementia increase dramatically.

Nationally, approximately 30 per cent of existing Care Home provision is not to the standard required to cope with the needs and expectations of today's elderly care home residents. According to Laing Buisson's Extra Care Housing UK Market Report 2010, the supply of extra care provision is limited, with potential demand nationally for an additional 600,000 extra care units by 2020.

This is backed up by local evidence. The report indicates that in a 4.5mile radius of the site, there is currently a shortfall of 377 elderly care home market standard beds in terms of planned beds which rises to 647 over the whole of the Borough.

In terms of need for extra care units there is an indicative shortfall of 1,816 beds in all private planned units within 7.5miles of the application site and 444 within the Borough itself.

The analysis shows there to be unmet need for market standard care home beds (defined as a bedroom with an en-suite comprising at least a WC and wash hand basin) within both the market catchment area and the local authority area given the low likelihood of imminent development of much of the planned provision in the area.

- Similarly, the analysis of private extra care units shows a significant undersupply, despite the inclusion of all the planned units, within the market catchment area
- Solihull Metropolitan Borough Council's market position statement recognises the need for both high-quality care home beds, that provide care to people with nursing needs and those living with dementia, and extra care housing.
- This concludes that there is both a compelling quantitative and qualitative need for the proposed development which is supported by the commissioning strategy.

SMBC's Housing Officer concurs with the above views and there is no dispute between the Council and the applicant that a clear unmet need is present in the Borough.

This element can contribute towards very special circumstances. However, need is also an argument that can be advanced for other types of 'housing' need including conventional housing, where currently the council cannot demonstrate a 5 year land supply. The existence of need in its own right is not sufficient to overcome the Green Belt balancing exercise, but does constitute weight within the balancing exercise.

Very Special Circumstances - Sequential Test

Having demonstrated a need for the development, the applicant has provided further evidence of why this site, within the green belt, has been chosen. Residents typically move into a care home within a 5 mile radius of their home, although no doubt some would be attracted from beyond this catchment. A 5 mile catchment has therefore been used to inform the sequential test. Brownfield sites have been identified first being considered as more preferable and as advocated within the NPPF. Three main tests for development are that the sites identified are suitable, available and deliverable. In terms of site area, for a scheme of this size the development site would need to no smaller than 0.81 hectares and no larger than 2.23 hectares.

The sequential test considered allocated sites within the Local Plan, Employment Land Study, Strategic Housing Land Availability Assessment (SHLAA) and Urban Capacity Studies. The majority of sites found were discounted for being either under development, too large (although sites could be subdivided), already in green belt, or unavailable.

Initial research identified 235 potential properties within the catchment area all of which were assessed against the care home operators requirements. This filtering process resulted in 13 sites as potential alternatives, which required further investigation and on-site inspection. Having completed this assessment of the area, of the identified sites the application site is the only one that is suitable, achievable and available for a care home development of this size.

It is considered that the sequential test undertaken has been extensive and thorough and is therefore supported, the existence of need in its own right is not sufficient to overcome the Green Belt balancing exercise, but does constitute weight towards it.

Very Special Circumstances – Sustainable Transport Solutions.

The applicant has carried out a Transport Assessment for the development.

This compared the existing conditions of traffic generated by the garden centre use to that of the proposed nursing home use. The average trip generation rates/flows for the AM/PM peak house (08:00-09:00 and 17:00 to 18:00) was 17 trips and 33 trips respectively with a daily total of 830 trips. This compared to 11 AM peak hour trips and 11 PM Peak hour trips for the proposed use and 144 daily trips.

The assessment accepts that the high daily trip rate for the garden centre is likely to be at weekends rather than during the week, but concludes that vehicle movements to the site from the proposed use would be much lower than the existing garden centre. The Assessment concluded that there are no highway or transportation reasons, why the proposed development should not be permitted.

Following discussion with Officers, the applicant has provided details of a similar scheme in a Green Belt location at Burcot in Bromsgrove DC. The key feature of this is the provision of a suitably adapted minibus service, which provides a bespoke and private transport service for both residents and staff. This would include:

- Hospital/Doctors appointments;
- General Outings;
- Combined Weekly Grocery Collections; and
- Staff Pick Up at Designated locations in Solihull and the train station at Hampton in Arden.

This would ensure that the reliance on the private car would be reduced, thus reducing the number of car borne journeys to and from the site. As a result very few residents would be expected to own their own vehicles.

To assist staff travelling to and from the facility a staff collection service would operate, picking up at designated pick up locations at nearby settlements.

The sustainable transport proposal will require a strong Travel Plan to be drawn up to ensure that it is a viable and can be provided during the lifetime of the development.

SMBCs Highway office is currently assessing the mechanics of the sustainable transport package and the acceptability of the proposal in highway and transportation terms, and the formal comments will be reported to the meeting.

On the basis that no adverse highway comments are received, the proposal is considered to be acceptable and the sustainable transport proposal (including the requirement for a robust Travel Plan) can be afforded weight in the planning decision.

Housing Supply.

Currently, Solihull MBC cannot demonstrate a 5 Year Supply of Housing Land, as evidenced by the Lowbrook Farm and Tidbury Green Farm Appeal Decisions (APP/Q4625/13/2192128 dated 8th March 2016 and APP/Q4625/A/14/2220892 dated 5th November 2015).

As a result paragraph 49 of the NPPF is again engaged meaning that the Borough's development plan policies, upon which a decision is normally based, are deemed not to be up to date. Where policies are deemed to be out-of-date then paragraph 14 of the NPPF is applied for decision making – this indicates that permission should be granted unless any adverse impacts of doing so would significantly and

demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole or specific policies in the Framework indicate development should be restricted.

A key benefit of the development of this site is to provide a significant number of additional units of accommodation for elderly people. In terms of the development's contribution towards meeting the housing needs of the Borough, paragraph 34 of the Government's Planning Practise Guidance (PPG) advises that unmet housing need is unlikely to outweigh the harm to the Green Belt and any other harm to constitute the VSCs justifying inappropriate development on a site within the Green Belt. Furthermore, the Framework does not say or imply that a shortfall in housing land is, in itself, overriding when appraising a Green Belt site. Whilst the contribution to the supply of housing is recognised as being important, the weight that can be attached to this benefit in the planning balance is limited.

Loss of Existing Garden Centre.

A confidential Marketing Report regarding the trading conditions at Eastcote Garden Centre has been prepared and submitted to the Council to support the application.

This concluded that the garden centre has been trading at a loss for a number of years before it closed in 2015. Staff have been transferred to the nearby Wyndley Garden Centre in Knowle, which is also operated by the same owner. The sale of the Eastcote site will result in a re-investment at Wyndley, including the creation of a new glasshouse and upgrading of existing facilities. This should then ensure the long-term continuation of 29 jobs in the business with the prospects of additional job creation in the future.

The retention of existing employment in the Borough is also an important consideration and should be given positive weight in the overall planning balance.

Design and Layout

The design and layout has been amended to reduce the extent of built development on the site and to contain the new buildings closer to the site of the existing garden centre buildings, to attempt to reduce their impact on the openness of the Green Belt.

The building style has also been amended to try to provide a more rural vernacular, with a tighter grouping of buildings and the use of steeper pitched roofs, appropriate building materials and dormers in the roof-slopes. The building massing is also broken up by varied building heights, gaps between building elements and the use of reduced height eaves and dormers. Further work is required in terms of the choice of building materials, with the use of more wooden boarding, is required, to produce a rural barn vernacular. This matter is therefore conditioned.

The proposed building heights and massing are larger compared to the existing garden centre buildings. The existing buildings have a height of up to 4.5m and are

The proposed buildings have a height to the eaves generally measuring 4.5m with heights to the ridges of between 7.5m to 9.0m at the highest part. The proposal will therefore undoubtedly impact on the existing openness of the locality due to the increase in height and massing. This is considered to have negative weight in the overall planning balance.

Impact on Neighbouring Amenities.

The nearest affected property is Eastcote Cottage, which fronts onto Eastcote Lane. Whilst the orientation of this building faces North-South. The apartment building will be 6m from the side boundary of this property. Amended plans will be sought to move this building 5m to the west, so that habitable room windows will be 11m from this boundary. This, plus the retention of the tree screen will prevent any serious impact on the residential amenities at this dwelling.

Residential properties to the south of the site are considered to be sited at a suitable distance from the proposal, so as not to be affected.

Other residential properties lie on the north side of Barston Lane and are separated by the road and a tree screen from the development.

Affordable Housing.

SMBC's Housing Officer has commented in respect of affordable housing provision as follows:

1. Agree that the Care Home is C2 (nursing home) & that there is no obligation under Policy 4 a) Affordable Housing; and
2. More information required on the bungalows & apartments before a decision on use class can be agreed. This matter has now been clarified by the applicant and all of the future residents will be subject to a requirement to sign up for a care package (the level would depend on particular need at the time), which would therefore make the use fall within use Class C2 rather than C3 (Residential).

A condition could be applied restricting all units to be occupied under Class C2 and that they cannot be occupied by persons under the age of 60. This will prevent the houses being occupied as open market houses (C3).

Landscape and Ecology.

The site does contain a large number of mature trees particularly around the site periphery. These in the main will be retained and protected during construction periods. Additional planting will be provided, which will enhance the site setting.

Conditions are recommended which cover tree protection measures during construction and new landscape planting.

SMBC's Ecologist originally recommended that the application be deferred awaiting further bat surveys, as a common pipistrelle roost was identified in one of the portacabins attached to the main garden centre building. Additional surveys are

required to determine exactly how bats are using this structure as a roost, and to inform a Natural England licence.

The applicants ecological consultant has provided further information on the bat roost at Eastcote Garden Centre (application ref PL/2016/01378/PPFL), and they considered that in their professional opinion the plastic sheeting over the portacabin is not capable of supporting a maternity roost.

The Biodiversity British Standard BS 42020::2013 states that ecological surveys should only be secured by condition in exceptional circumstances. In this case we can apply an exception as adequate information is already available and further surveys would not make a material difference to the planning decision.

In order to discharge the bat survey condition a full Roost Characterisation Survey report should be submitted, alongside a schedule of appropriate mitigation measures. I will also expect to see alternative bat roost creation in the form of bat access tiles or bricks incorporated into the new buildings.

In this instance SMBC have removed their holding objection subject to a Further Bat Survey condition, plus additional ecological conditions and notes.

During the ecological surveys, a small population of grass snake was identified. Suitable habitat for grass snake should therefore be incorporated into the design of landscape areas. Middlemarch Environmental have produced a Herptofauna Reasonable Avoidance Method Statement which is sufficient to inform site clearance works - this document should be appended to the Construction Management Plan for the site. In the event of an approval, a condition will be needed to secure implementation of this document.

The submitted Herptofauna Reasonable Avoidance Method Statement is sufficient to address any potential impacts on GCN that may arise as a result of the development.

Any proposed vegetation clearance should not take place during the bird nesting season. If this is unavoidable, then areas to be cleared must be checked beforehand by a suitably qualified ecologist. If any active nests are discovered then they must be left undisturbed until any young have fledged naturally.

On the basis of the above the proposal is considered to have a neutral weight in the planning balance.

Flood Risk

A Flood Risk Assessment has been prepared by Banners Gate on behalf of the applicant. This document has been reviewed by Drainage colleagues who raise no objection subject to recommendations made being delivered. This is dealt with at condition 13 and 14 below.

Planning Obligation/CIL.

No planning contributions can be sought from the development in this instance as it falls with Class C2 (nursing home) rather than C3 (dwelling).

However, the development will also be subject to a CIL contribution comprising 5,498 sq.m of total floorspace x £25/sq.m. This amounts to £137,450.

Planning Balance

Planning Balance.

The proposal does cause harm to the openness of the Green Belt, due to the increase in respect of the size, height and extent of the built form proposed. This is considered to cause significant harm and substantial negative weight should be given to this harm that the development would cause to the purposes of the Green Belt.

This clearly identified harm has to be balanced against the advantages of the proposal set out in the report, including:

- The lack of a 5 Year housing supply in the Borough
- The clearly identified need for C2 Uses in the Borough for which there is an identified shortfall
- The fact that the site is in the main 'previously developed' and will bring back a vacant site into a beneficial use in this rural area
- The proposal for the inclusion of a sustainable transport solution to enable residents and staff to travel to /from the site using alternative means to the motor car.
- The fact that the sale of the site will help to secure the future of the business and help to maintain employment at a nearby garden centre in the Borough.
- The reduction in the size and extent of built development on the site, bring it closer to the extent of the existing built form on the site

The above matters are considered to be very finely balanced.

Paragraph 14 of the NPPF advises LPAs when making decisions, that where policies are out of date, permission should be granted unless; any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole, or, specific policies in the NPPF indicate development should be restricted.

In this instance, whilst the impact on the openness of the Green Belt is significant, this is not so adverse so as to outweigh the many benefits of the proposed scheme identified above which demonstrate many sustainable development benefits. Guidance in paragraph 15 of the NPPF suggests that in these instances development which is sustainable should be approved without delay.

It is therefore concluded that the planning balance falls in favour of the development.

CONCLUSION

The proposal represents the re-development of an existing closed garden centre, which is a previously-developed site in the Green Belt

Whilst the proposal does cause harm to the openness of the Green Belt (due to the increase in respect of the size, height and extent of the built form proposed) this is considered to be outweighed by the advantages of the proposal – notably; the lack of a 5 year housing supply, the need for additional C2 accommodation in the Borough, that it involves the re-development of previously-developed land in the Borough, the provision of a sustainable travel scheme to serve the care home and other economic benefits. It is thus considered to be in compliance with Policy P5 and P17. .

The amended site layout and building design is considered to produce an acceptable and sympathetic design response to the site and its surroundings and existing landscape features, and thus complies with guidance in Solihull Local Plan Policy P10 and P15. Matters of neighbour amenity have been addressed in the design and layout in compliance with Policy P14.

Highway access to the site from Knowle Road already exists and subject to no adverse highway comments, the impact of the additional development on the highway network is not considered to be significant or severe. The proposed internal road layout and footpath/cycle network is considered to be acceptable, and thus complies with guidance in Solihull Local Plan Policies P7 and P8.

Amended plans will be submitted showing the NE building re-located further from the eastern boundary.

The proposal is considered to be acceptable in all other aspects, subject to appropriate conditions, and is thus considered to comply with Policies P4, P5, P7, P8, P10, P11, P14, P15 and P17 of the Solihull Local Plan (2013).

The proposal is therefore considered to have positive overall weight and is therefore recommended for approval.

RECOMMENDATION

A resolution of approval is recommended subject to the following précis of conditions a full list of standard conditions is available using the following link, as well as referral to the National Planning Casework Unit (for reason of the amount of development proposed in this green belt location):

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

1. Compliance with all Plans (CS00)
2. Commencement within 3 Years – full (CS05)
3. Elevations Not Approved (CS10)
4. Barriers around trees to be retained (CL03)
5. Hard Landscaping Scheme to be Submitted (CL04)
6. Details of Boundary Treatment to be Provided (CL10)
7. Travel Plan (CI23) – Occupants/Staff/Visitors.
8. Occupation restricted to over 60s (CD23)

9. Occupation restricted to persons purchasing an appropriate care package from the applicant or successor in title no properties on this development shall not be sold or occupied as open-market (C3) housing.
10. No occupation until access/footpaths provided (CH02)
11. Turning Area to be provided – Suitable for emergency vehicles (CH15)
12. Approved parking to be provided, surfaced etc (CI01)
13. Sustainable Drainage Systems – Hard Surfacing ((CW13)
14. Sustainable Drainage System – to be submitted for site (CW14)
15. Construction Management Plan – Details of Site Compound/Site Office Buildings, Hours of Working, Car Parking for Employees and Visitors to the Site, Deliveries to the Site, Wheel Cleaning facilities for Vehicles leaving the Site.

Additional Ecology Conditions & Infomatives.

16. Further bat survey required :

The development hereby permitted (including demolition) shall not commence until further bat survey of the site, to include appropriate activity surveys in accordance with BCT Bat Surveys for Professional Ecologists– Good Practice Guidelines, has been carried out and a detailed mitigation plan including a schedule of works and timings has been submitted to and approved in writing by the District Planning Authority. Such approved mitigation plan shall thereafter be implemented in full.

Reason: To ensure that protected species are not harmed by the development.

17 Construction and Environmental Management Plan:

The development hereby permitted shall not commence until a Construction and Environmental Management Plan has been submitted to and approved in writing by the District Planning Authority. In discharging this condition the LPA expect to see details concerning pre-commencement checks for badgers, grass snakes, great crested newts, breeding birds, and bats and appropriate working practices and safeguards for wildlife 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.

Reason: To ensure that protected species are not harmed by the development

18 Combined Ecological and Landscaping Scheme

No works to commence on site, including site clearance, until a combined ecological and landscaping scheme has been submitted and agreed between the applicant and the local planning authority (with advice from WCC Ecological Services). The scheme must include all aspects of landscaping including details of native species planting and habitat creation. The agreed scheme to be fully implemented before/during development of the site as appropriate.

Reason: In accordance with NPPF, ODPM Circular 2005/06.

19 Lighting Scheme

The development hereby permitted shall not commence until details of all external light fittings and external light columns have been submitted to and approved by the

District Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. In discharging this condition the District Planning Authority expects lighting to be restricted around boundary trees and hedgerows to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats. This could be achieved in the following ways:

- Narrow spectrum lighting should be used to avoid the blue-white wavelengths
- Lighting should be directed away from vegetated areas
- Lighting should be shielded to avoid spillage onto vegetated areas
- The brightness of lights should be as low as legally possible;
- Lighting should be timed to provide some dark periods;
- Connections to areas important for foraging should contain unlit stretches.
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Reason: In accordance with NPPF, ODPM Circular 2005/06

NOTES:

Trench Note

Particular care should be taken when clearing ground prior to development, and if evidence of badgers, amphibians or reptiles is found (such as the presence of newts, lizards, snakes, reptile sloughs or badger snuffle holes, latrines or established setts) work must stop immediately while Natural England are contacted. Applicants are advised to pay particular attention to foundation ditches, which can be hazardous to badgers. Sloping boards or steps should be provided to allow animals to escape from such ditches should they become trapped. Failure to consider this matter, leading to the death of individuals, may leave the developer liable for prosecution. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 01733 455136. Badgers and their setts (communal place of rest) are protected under the Protection of Badgers Act 1992, making it illegal to carry out work that may disturb badgers without a Natural England licence. Reptiles and amphibians are protected to varying degrees under the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 and great crested newts are additionally deemed European Protected Species.

Invasive Species Note

Cotoneaster horizontalis is an invasive plant listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended). This means that, although it is not illegal to have the plant on your land, it is illegal to plant it or actively allow it to spread (e.g. through translocation of soil containing cotoneaster seeds or cuttings). Any polluted soil or plant material that is discarded, intended to be discarded or required to be discarded is classed as controlled waste and should be accompanied by appropriate Waste Transfer documentation. Invasive plants threaten biodiversity by out-competing native species and should be eradicated where possible.

Nesting Bird Note.