**CONSULTATION UNDER TOWN AND COUNTRY PLANNING ACT 1990**

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| **Application Number** | PL/2022/00084/PPFL |
| **Address** | 96 High Street Solihull Lodge B90 1JS |
| **Proposal** | Redevelop petrol station & convenience shop with a convenience shop.  | |
| **Case Officer** | BW |

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| **Date comments sent** | 28 Mar |
| **Name of consultee department** | Policy & Delivery |
| **Consultation response author** | MF |

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| No Comments | |  | |
| No Objection | |  | |
| No Objection Subject to Conditions | |  | |
| Objection | |  | |
| Further information Requested | |  | |
| PREAPC | |  | |
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| **Comments:**  (Please explain the reason for your response) | | |
| **NPPF**  7) The purpose of the planning system is to contribute to achieving sustainable development. A ‘very high level’ summary of sustainable development is provided – meeting the needs of the present without compromising the ability of future generations to meet their own needs. Also, reference is made to UK agreement to pursue the ‘17 Global Goals for Sustainable Development’ to 2030, that address social progress, economic well-being and environmental protection.  8) 3 overarching objectives of the planning system, linked to sustainable development, are provided:   * Economic – this seeks to create a strong, responsive, competitive economy supported by necessary infrastructure. * Social – this is about supporting strong vibrant, healthy communities in a well-designed safe built environment with appropriate accessible services and open spaces. * Environmental – this seeks to protect and enhance the natural, built and historic environment.   11) The NPPF presumes in favour of Sustainable Development (as does para. 10 – but see footnote 7 in regard to any development in the green belt).  80) Planning policies and decisions should help to create conditions in which business can invest, expand and adapt. Significant weight should be given to the need to support economic growth and productivity, taking account of local business needs and wider opportunities for development.  86) Planning policies and decisions should support the role of town centres at the heart of local communities, by taking a positive approach to their growth, management and adaptation.  87). The sequential test is required for applications for main town centers uses that are not within a centre. The term town centre includes local centres (NPPF page 73). Main town centre uses should be located within town centres, then edge of centre locations and only if suitable sites are unavailable should out of centre sites be considered.  122) Planning policies and decisions should support the efficient use of land. A number of considerations are listed that include the importance of well designed, attractive and healthy places.  126) The NPPF deals with design in section 12. The creation of high-quality buildings and places is fundamental to the planning and development process. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.  130 a-f) Lists a number of design related requirements of development proposals, including that they should function well and add to the quality of the area and are visually attractive through architecture, layout and landscaping. Planning should also establish and maintain a strong sense of place using the arrangements of streets, spaces, buildings types and materials to create attractive, welcoming and distinctive places to live, work and visit and amenity should be of a high standard for existing and future users.  134) Development that is not well designed should be refused, especially if it fails to reflect local design policies and government guidance on design (in the code and design reference in footnote 52). Significant weight should be given to developments that do reflect local design policies and government guidance and also to outstanding designs (as referenced in 134a & 134b).  **Solihull Local Plan**  P14) Amenity. Seeks to protect and enhance the amenity of existing and potential occupiers of houses, businesses and other uses in considering proposals new development. Measures are listed as part of achieving these which prospective developers should acknowledge.  P15 Design. Seeks to achieve good quality design and a number of design principles are set out that should be taken on board by developers. One of the principles is that the design should conserve and enhance local character, distinctiveness and streetscape quality and ensure that the scale and massing, density, layout, materials and landscape of the development respect the surrounding natural, built and historic environment.  P19) Range & Quality of Local Services. Part b) seeks to sustain parades and local shops providing for day to day needs. Prposals for Change of use or new development will be supported where this role is not prejudiced. New development needs to be sensitive to local character and enhance the public realm. 12.4.1 encourages shops and other facilities and services to develop and modernise in a sustainable way that encourages retention.  Other generic policies of the SLP include: P7 & P8 Transport and Access, P9 Climate Change, P11, Water Management, P12 Waste, P18 Health, P21 Contributions.  **Local Plan Review**  The Review plan was submitted to the Secretary of State on the 13th May 2021. Review Inquiry hearings began in September and are programmed to end early in 2022. The Review plan will gain importance in decision making as the review process progresses towards adoption.  P14) Amenity. Includes greater emphasis on high quality design and on making efficient use of land.  P15) Securing Design Quality. All developments are to be of high-quality design and to contribute to high quality places and spaces that have regard to local distinctiveness and achieve inclusive and sustainable design. Lists expectations of proposals in achieving high quality design.  P19) Range & Quality of Local Services. Acknowledge the importance of local shops as a community resource. Their loss, without a suitable alternative replacement is not supported unless it can be demonstrated that there is no prospect of retention. 462 acknowledges that shops providing for day to day needs contribute to health and well-being. At 465 facilities will be expected to support sustainable development principles and meet the requirements of other parts of the Review plan, including Policy 15 relating to design quality.  **Comments**  The premises are located at the corner of Yardley Wood Road and High Street Solihull Lodge and are a petrol station with small convenience shop. The proposal is to redevelop the site to remove the fuel sales facility and provide a relatively small convenience shop (211 sqm), albeit about twice the floor area of the existing shop.  The conclusion to the planning statement describes the site as ‘edge of centre’, but it would seem to be a freestanding use away from any retail centre. As such the ‘sequential test’ is relevant. The test has been applied in a suitably methodical and focussed way based on Shirley Town Centre and Hall Green Centre. A number of premises have been examined but all have been dismissed, largely because in terms of size they are not in the ‘Goldilocks’ range for the applicant’s business model.  SLP Policy P19 (and the Review) provides some general support for the further development of local shops serving local day to day needs, as might be expected of a relatively small convenience shop. Located within a petrol station there may have been an intent to serve car borne visits, but visits on foot would not have been precluded. Redevelopment as proposed would enable the prospect of a better local shop facility of an appropriate local scale. Local amenity and highway safety would need to be protected.    Policies SLP P14 and P15 (Amenity and Design) will be important considerations through the development management process and including the comments of others. The comments of the Highways Officer may also be important (SLP P7 & P8 and any other highway/transport related comments). | | |
| **Further information required (if applicable):**  (Please explain the reason for your response) | | |
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| **Amendments recommended (if applicable):**  (Please explain the reason for your response) | | |
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| **Recommended conditions (if applicable):**  (Please provide justification for any pre-commencement conditions) | | |
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| **If the application is to DISCHARGE CONDITIONS, please confirm the list of documents you are approving below:** | | |
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| **If the application requires a S106 contribution/ requirement, please include the following information:**  Please note: The legal tests for when a S106 contribution can be requested are set out in regulation 122 and 123 of the Community Infrastructure Levy Regulations 2010 (as amended). The regulations and guidance can be viewed here: <https://www.legislation.gov.uk/ukdsi/2010/9780111492390/regulation/122> and <https://www.legislation.gov.uk/uksi/2010/948/contents/made> and  <https://www.gov.uk/guidance/planning-obligations> and  The tests are:   1. Necessary to make the development acceptable in planning terms; 2. Directly related to the development; and 3. Fairly and reasonably related in scale and kind to the development. | | |
| * Contribution description |  | |
| * Contribution amount £ (if applicable). Please provide justification. |  | |
| * Trigger point for payment (i.e. upon commencement of development, upon first occupation, upon 50% occupation…) |  | |
| * Trigger point for works to be undertaken (if applicable) |  | |