

DISCHARGE OF CONDITION DECISION NOTICE

DETERMINATION OF DISCHARGE OF CONDITION APPLICATION

Town and Country Planning Act 1990

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

Application No:	PL/2022/00150/DIS
Case Officer:	Ian Hiscock
Date of Decision:	03.03.2022
Location:	Moat Barn , Oldwich Lane East, Fen End, Solihull
Proposed Development:	Discharge condition Nos. 4 (Drainage: Foul and Surface Water Drainage Plan drawing no. 21-39-03 Drainage & Landscaping Plan) and 6 (Landscaping: Hard and Soft Landscaping Plan drawing no. 21-39-03 Drainage & Landscaping Plan) on planning approval PL/2013/01734/CU.
Date Registered:	26th January 2022
Applicant:	Mr R Peace
Agent:	Miss Natasha Blackmore da Silva

The Local Planning Authority hereby **APPROVES THE DISCHARGE** of Condition(s) as requested in the application described above.

Any other condition(s) within that permission still applies to the site or development, unless it has previously been formally discharged, and this discharge of condition is wholly subject to the implementation of the development authorised by the relevant planning permission in strict accordance with all approved plans and details.

Condition 4 (Foul and Surface Water Drainage)

I can confirm that the drainage details set out on drawing no. 21-39-03 (Drainage & Landscaping Plan) are acceptable and this condition is discharged.

Please note that the Lead Local Flood Authority (LLFA) advise that given that it is proposed to connect the development to a new soakaway, it is recommended that the applicant carries out

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soakaway tests to ensure that the proposed soakaway will work and is sized correctly. As the borough predominantly has impermeable soils there is a reasonable chance that the soakaway, unless correctly sized, designed and constructed, will not infiltrate effectively and will pose a flood risk as a result. Further advice, guidance and reviews of infiltration tests can be obtained from Solihull Council as the LLFA on 0121 704 8000 or drainage@solihull.gov.uk

If the applicant chooses not to carry out infiltration tests and/or installs an ineffective soakaway, the applicant is potentially making themselves legally liable if the soakaway causes flooding on neighbouring land. Solihull Council as the LLFA has a duty to investigate all reports of flooding, including flooding on and from private land.

Condition 6 (Hard and Soft Landscaping)

I can confirm that the details relating to hard and soft landscaping set out on drawing no. 21-39-03 (Drainage & Landscaping Plan) and the Material Schedule received on the 8th February 2022 proposing the use of Marshalls Brackendale Sandstone Paving and Hanson 10mm gravel are acceptable and this condition is discharged.

Signed



Mark Andrews
Head of Planning, Design and Engagement
Services

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Economy & Infrastructure Directorate
Development Management
Planning Services, Solihull MBC
Council House, Manor Square
Solihull, B91 3QB
Telephone 0121 704 8008
planning@solihull.gov.uk

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.

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