

CONSULTATION UNDER TOWN AND COUNTRY PLANNING ACT 1990

Application Number	PL/2023/01622/PPFL
Address	Four Oaks Back Lane Meriden Solihull CV7 7LD
Proposal	Retrospective change of use of the ancillary swimming pool outbuilding at Four Oaks House, CV7 7LD, for commercial use between the houses of 09:00 and 17:45 on weekdays.
Case Officer	Benn Watkinson

Date comments sent	18/08/23
Name of consultee department	Highways
Consultation response author	Gurdip Nagra

No Comments	
No Objection	
No Objection Subject to Conditions	
Objection	
Further information Requested	X

<p>Comments: (Please explain the reason for your response)</p>
<p><u>Proposal</u> This planning application is seeking retrospective permission for a change of use of the of the ancillary swimming pool outbuilding, at Four Oaks House, CV7 7LD, for commercial use between the houses of 09:00 and 17:45 on weekdays with works to the access proposed.</p> <p><u>Planning History</u> Two previous planning applications withdrawn (ref. nos. PL/2019/01591/COU & PL/2019/01282/MINFHO) that sought permission to change the use of a portion of the property to establish commercial uses. Highway concerns were raised at the time regarding the width of the access not being sufficiently wide enough to allow to vehicles to pass one another.</p> <p><u>Accessibility</u> Policy P7 of the Solihull Local Plan 2013 states the following: All new development should be focused in the most accessible locations and seek to enhance existing accessibility levels and promote ease of access. Development will be expected to meet the following accessibility criteria, unless justified by local circumstances.</p> <p>ii. Proposed offices, retail and leisure development should be located in town centres, or other established locations including Birmingham Business Park,</p>

Blythe Valley Business Park, Birmingham Airport and NEC, as defined in Policies P1, P2 and P19. Here and elsewhere they should be within a 400m walk distance of a bus stop served by a commercially run high frequency bus service;

- iii. Proposed education, health and other public service facilities should be located where they are easily accessible on foot, by bicycle and bus by the local community they serve;
- iv. Proposals for change of use are likely to be resisted if they reduce accessibility to levels below those listed in this policy.

Due to the lack of footway provisions; high frequency bus services; and accessibility by bicycle, it is considered that the proposals fail to accord with Policy P7 of the Solihull Local Plan 2013. It is likely that the location of the application site will result in the development being car dominant. The Planning Statement states visitors predominantly arrive by car.

Vehicular Access

The proposed access to be widened off Back Lane has a 40 mph speed limit that requires visibility splays of 90m to be provided to the near edge of the carriageway, when measured 4.5m back from the edge of the carriageway.

Further information required (if applicable):

(Please explain the reason for your response)

1. It should be demonstrated that the application site is in an accessible location to comply with Policy P7 of the Solihull Local Plan 2013.

Should further information not be submitted to address the concerns outlined above, the Highway Authority would recommend that the proposed development is refused for the following reason:

- a) The application site is not considered to be in an accessible location and therefore fails to accord with Policy P7 of the Solihull Local Plan 2013.
2. The proposed access off Back Lane has a 40 mph speed limit that requires visibility splays of 90m to be provided to the near edge of the carriageway, when measured 4.5m back from the edge of the carriageway.

Visibility splays are formed in the following way:

- a. measure 4.5 metres from the carriageway in the centre of the entrance or driveway
- b. draw lines to the left and right until they reach the opposite end of the carriageway
- c. any space within the resulting two triangle areas must remain free of any obstruction above 1 metre in your plans

To ensure adequate visibility for access users in accordance with Policy P8 of the Solihull Local Plan 2013.

Amendments recommended (if applicable):

(Please explain the reason for your response)

Recommended conditions (if applicable):

(Please provide justification for any pre-commencement conditions)

If the application is to DISCHARGE CONDITIONS, please confirm the list of documents you are approving below:

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/ukdsi/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.

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| • 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) | |