

# 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

<b>Application No:</b>	PL/2023/01071/PPFL
<b>Case Officer:</b>	Rebecca Hadley
<b>Date of Decision:</b>	11.08.2023
<b>Location:</b>	1806 Warwick Road, Knowle, Solihull, B93 0DT
<b>Proposed Development:</b>	Replacement of the existing main dwelling, that has been subject to fire damage and is now partially demolished (approximately 90%), and the replacement of the existing fire damaged outbuildings, specifically the annexe, green house and boat house.
<b>Date Registered:</b>	16th May 2023
<b>Applicant:</b>	Mr Goswami
<b>Agent:</b>	Mr Aaron McNally

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:

31128 00 - Site Location Plan

31128 01 - Survey Drawing - Main Dwelling - Existing Plans and Elevations

31128 02 - Survey Drawing - Annexe - Existing Plans and Elevations

31128 10 - Proposed Replacement Building - Main Dwelling Plans and Elevations

31128 11 - Proposed Replacement Building - Annexe Plans and Elevations

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## 31128 20 - Proposed Block Plan

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 materials, finishes, brick bond, mortar and joint detail, external joinery and stone details 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.

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

4. A nocturnal Bat survey of the buildings to be demolished to assess whether they are currently supporting roosting bats shall be carried out and any necessary mitigation measures needed be detailed and submitted prior to demolition of the outbuildings to the LPA.

To ensure that protected species are not harmed as a result of the development in accordance with NPPF and P10

5. All existing trees/hedges and large shrubs except those agreed for removal, shall be protected by barriers. Details of the type of fencing and its siting shall be submitted to and approved in writing by the Local Planning Authority, 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.

To minimise disturbance to existing vegetation during development in accordance with Policy P10 and P15 of the Solihull Local Plan 2013.

6. 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. furniture, play equipment, refuse or other storage units, lighting etc.); retained historic landscape features and

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proposals for restoration. Soft landscape works shall include 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.

To minimise the effect and enhance the character of the development in accordance with Policy P10 and P15 of the Solihull Local Plan 2013.

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

7. The Local Planning Authority has worked positively and proactively with the applicant during the application process to check and 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 have been secured by planning condition(s). On this basis the Local Planning Authority have therefore implemented the requirements in Paragraphs 38 'Decision taking' of the National Planning Policy Framework.

The following policies of the Solihull Local Plan 2013 were considered relevant:

- P10 - Natural Environment
- P14 - Amenity
- P15 - Securing Design Quality
- P17 - Countryside and Green Belt

Policy VC1 of the Knowle, Dorridge and Bentley Heath Neighbourhood Plan.

## **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.

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

Telephone 0121 704 8008  
[planning@solihull.gov.uk](mailto:planning@solihull.gov.uk)

**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.

**Note:** From 15<sup>th</sup> June 2022, changes to the following Building Regulations Approved Documents will take effect: Part L (Conservation of Fuel and Power), Part F (Ventilation); and the following Building Regulations Approved Documents will be introduced: Part O (Overheating); Part S (Infrastructure for the charging of electric vehicles). This does not apply to work subject to a building notice, full plans application or initial notice submitted before that date, provided the work for each building is started before 15 June 2023.

**NOTE:** Given that it is proposed to connect the development to a new soakaway, it is recommended that the applicant carries out 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 Lead Local Flood Authority (LLFA) on 0121 704 8000 or [drainage@solihull.gov.uk](mailto: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.

**NOTE:** Buildings of all ages and trees with suitable features (i.e. rot-holes, cracks, fissures) are frequently used by roosting bats. Bats are a mobile species and can move into a property with potential access at any time. 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 licence may be necessary to carry out any works. Further information about species licensing and legislation can be obtained from the Species Licensing Service on 0845 601 4523. If evidence of bats is found during works, work should stop immediately and Natural England (Bat Helpline) must be contacted on 0845 1300 228 for advice on the best way to proceed.

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[planning@solihull.gov.uk](mailto:planning@solihull.gov.uk)

**Signed**

A handwritten signature in black ink on a light blue background. The signature appears to read 'M. Andrews'.

**Mark Andrews**  
**Head of Planning, Design and Engagement  
Services**

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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.

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