

Agenda Item 12

PL/2015/51464/MAJFOT

Land East Of Touchwood Manor Square

Proposal:	Demolition of unlisted buildings and construction of extension to Touchwood, remodelling of retained listed buildings, creation of pedestrian route from High Street and associated development on land bounded by Touchwood, High Street, Church Hill Road/The Square and Church Hill House.
Case Ref:	PL/2015/51464/MAJFOT
Location	Land East Of Touchwood Manor Square Solihull
Ward:	St Alphege
Parish:	Non-Civil Parish Or Community
Applicant:	Lend Lease Retail Partnership
Date Registered:	06.07.2015
Case Officer:	Julia Sykes

Reason for Referral to Planning Committee:	Application site relates to Council owned land or property and more than one objection has been received on land use planning grounds.
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Recommendation:	APPROVAL
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PROPOSAL

This planning application seeks full planning permission for the demolition of unlisted buildings which include Orchard House and The Priory. The construction of an extension to Touchwood Shopping Centre, the remodelling of listed buildings. The creation of a pedestrian route from High Street; with associated development on land bounded by Touchwood, High Street, Church Hill Road/The Square and Church Hill House.

The overall quantum of development for the extension would amount to 10,876 sqm GIA (Gross Internal Area) floorspace. This incorporates 608sqm GIA of existing Touchwood Floorspace to be retained and reconfigured. The applicants seek a flexible planning permission to allow for units to be occupied by either A1 (Retail) or A3 (Restaurant) operators, enabling them to respond to market interest and conditions.

The table below sets out the proposed increase in floor area the proposed Touchwood 2 extension. The increase in floor area of Touchwood is approximately 16.4%.

	Existing Touchwood Floorspace within Red Line to be Retained & Reconfigured (GIA)	Floorspace (GIA sq.m.)	Net Increase (sq m)

	sq.m.)		
A1 Floorspace	608	7,944	+ 7,336
A3 Floorspace	0	2,932	+ 2,932
Total	608	10,876	+ 10,268

The proposals incorporate the extension of the existing Touchwood shopping mall, via the addition of a two storey arcade, linking the existing centre to the New Court and St Alphege Church beyond. It is enclosed by a straight run of retail bays to the north, a curved façade to the south and an asymmetrical pitched roof. The retail units have mezzanines set back from the shop front with access to mezzanine level internally within each unit. The arcade roof would be designed with a glazed section to one side to allow a degree of natural daylight from the north. The alignment of the new arcade provides connectivity eastwards from The Atrium towards St Alphege Church.

A new public space akin to a courtyard is to be located between the Internal Arcade and St Alphege Church and would become known as New Court. This space would act as a crossroads to the entrance of the internal arcade, the Drury Lane connection and the pedestrian link with St Alphege Church and Church Hill House. Individual blocks define the square, including a Major Shopping Unit (MSU), an Island Block, a single storey glazed pavilion and restaurant units. The units vary in size and height but the use of brick façade would predominate to allow the units to be read as one. A number of restaurants are proposed around the space, allowing opportunities for outdoor dining under the protection of canopies. The pavilion would provide a sense of enclosure to screen diners from wind and vehicular traffic on Church Hill Road.

The Island Block provides a new pedestrian connection opposite Drury Lane from High Street, via the demolition of Nos. 142-154 High Street. The Listed Buildings fronting the Square would form the basis of this new island block, with modern additions connecting with these existing buildings.

To announce the entrance from High Street, a marker or 'lantern' has been introduced within the block, annotated as Unit 94. This element has been amended during the life of the application and now proposes a slimmed down version of the 'lantern', exhibiting vertical emphasis to glazing and bronze coloured, perforated metal panel detailing. The eaves and roof ridge is also carried through to match that of the adjacent, existing units.

The island block would be serviced via a small passageway that previously existed between 154 and 158 High Street.

A two storey unit termed 'The Belvedere' would front Church Hill Road and immediately opposite St Alphege Church. A fully glazed elevation is proposed, with folded articulated roof and timber soffits, to be up lit at night. A green screen of

vegetation is to be incorporated to the façade of the south elevation. Turning to corner to the council offices, a small south facing public space is proposed.

The extension of Touchwood provides an opportunity to create a new civic space between the proposed extension and Church Hill House (the Council House). The rear elevation to the extension which faces this civic space provides an opportunity for a new piece of public art to be incorporated.

Manor Walk would connect the High Street with the new Internal Arcade. Part of the Manor House's car park would be lost to development, amounting to the loss of some 6-8 spaces.

A Landscape Masterplan accompanies the application, demonstrating how fluid links from the High Street to New Court, with paving, landscaping and street furniture to define and enhance the public realm is to be achieved.

No additional car parking is proposed, given the accessibility of the site by public transport and existing car parking capacity within the wider Town Centre. The current access road off Church Hill Road provides an informal drop off facility would be closed. However it is proposed to extend the existing private hire taxi bay on Homer Road to include pick up and drop off. A financial contribution is sought from the developer to implement this or an alternative scheme to be agreed with the Local Planning Authority. The financial contribution will be sought as part of the Highway Works Contribution.

A new vehicle access would be provided further south of the existing access off Church Hill Road, to provide vehicular access to the Council House complex.

Three associated Listed Building consent applications (PL/2015/51464/LBC; PL/2015/51466/LBC and PL/2015/51467/LBC) can be found elsewhere on this agenda, given the need to demolish various elements of buildings with listed status, to facilitate development.

Key to assembling the land necessary to accommodate the extension to Touchwood, is the demolition and extension of SMBC offices, The Priory and Orchard House. The demolition and extension works form part of the rationalisation of SMBC's wider property portfolio. Further, should planning permission be granted, the retained Church Hill House immediately south of the application site, would be extended and refurbished. The details of the Council House proposals can be found elsewhere on this agenda under planning application ref PL/2015/51507/PPFL. There is also an associated planning application, PL/2015/51606/PPFL, for temporary installation of portable cabin equipment on part of Monkspath Hall Road car park. This application is required to temporarily accommodate staff currently working in the existing Council House, while the works to the Council House take place.

The scheme will create a significant number of new jobs – c.500 full time equivalent (FTE) construction jobs and c.400 permanent positions, many offering entry level positions, opportunities for progression and part-time or flexible working.

SITE DESCRIPTION

The application site comprises c.1,13ha, with a development area of 0.94ha. The site is bounded by the existing Touchwood development to the west, High Street to the north, Church Hill Road/The Square to the east and Church Hill House to the south.

The site encompasses The Priory and Orchard House (SMBC office buildings); part of the retail units forming Touchwood; retail units fronting High Street (numbers 140-156) and Manor Walk (numbers 5 and 6) and associated surface car parking; offices fronting Manor Square/Church Hill Road (numbers 2-6) and associated surface car parking; and Manor Square access road (and associated pick-up/drop off areas).

To the north lies High Street, part of Solihull Town Centre's Primary Shopping Area, the western end of which has a particular concentration of heritage buildings. To the south sits Orchard House, offices of SMBC as well as a number of other civic facilities. The grade I listed St Alphege Church sits to the west of the site across Church Hill Road. The grade II* listed Manor House lies at 126 High Street, to the west.

The buildings surrounding the site vary in scale and height. The buildings along the High Street and The Square, part of the town's historic urban fabric, are small and of domestic scale, ranging from 2-3 storeys in height. St Alphege Church and spire is approximately 54m tall and acts as an important local landmark for the town. Church Hill House located along the southern edge of the site has seven floors and is approximately 26m in height.

The Solihull Conservation Area boundary bisects the site, with land north of Manor Square located within the Conservation Area, whilst land south of Manor Square lies outside.

Grade II listed buildings within the site include 136-144 High Street; 6, The Square; and 158 High Street.

To the wider area of Solihull Town Centre, High Street leads north west from St Alphege to Poplar Road. The High Street is pedestrianized and covers a large proportion of the conservation area. Mell Square lies to the north of High Street and comprises an external 1960's style shopping area around a pedestrianized central square.

Background

The applicant's vision for the site is to expand upon and reinforce Touchwood's reputation and performance as a leading shopping/eating and entertainment destination. The applicant notes that whilst Touchwood remains to this day a strong success story, there is more competition than ever before. Competition is from online retailers and other developments across the region, which could undermine Solihull's position and performance in the retail sector.

As well as existing tenants seeking larger stores, there is also a recognized demand for, and from, retailers and restaurants not currently represented in the town. The

applicants consider that it is vital that Touchwood, and Solihull, maintains its distinct and important regional role by attracting new retailers and restaurants.

Reflecting the planning policy ambition for the redevelopment of the Touchwood Opportunity Site, as identified by Policy P2 of the Solihull Local Plan 2013, a Development Agreement between Solihull MBC and Lend Lease Retail Partnership was signed on 20 October 2014. The extension of Touchwood as the next significant phase in the redevelopment and enhancement of Solihull Town Centre, necessitates the demolition of part of SMBC's existing office accommodation and refurbishment of the retained Church Hill House.

CONSULTATION RESPONSES

SMBC Conservation Planner	: No objection, subject to conditions
SMBC Drainage Engineer	: No objection, subject to conditions
SMBC Ecology	: No objection, subject to signing of a s106 agreement
SMBC Economic Regeneration	: No objection, subject to conditions
SMBC Forward Planning	: No objection
SMBC Landscape Architect	: No objection, subject to conditions and signing of a S106 legal agreement
SMBC Urban Design	: No objection, subject to conditions
Conservation Advisory Committee	: Concern raised
Historic England	: No objection in principle.
Severn Trent Water	: No objection, subject to conditions
Archaeologist	: Views awaited
Centro	: No objection
Birmingham City Council	: No response received
Coventry City Council	: No objection
West Midlands Fire Service	: No objection
Environment Agency	: No objection, subject to conditions
Birmingham Airport	: No response received
West Midlands Police	: No objection, subject to conditions

Press Notice : 17/7/15
Site Notice : 23/7/15
Neighbours Notified : 23/7/15

Pre Application

The proposed development has been the subject of an extensive programme of consultation by the applicant with key stakeholders including the Town Centre Advisory Group (TCAG) and Historic England, as well as a comprehensive public consultation programme. Presentations were also made to members of St Alphege Church and Solihull Business Improvement District.

A public exhibition was held at Solihull Arts Complex on four occasions in March 2015. More than 800 people attended the public consultation events, with 270 questionnaires completed either at the event or online.

The questionnaire responses identified a strong level of support for the proposals, with 237 people (81%) stating they were in favour of the extension. Of those that responded to the statement-led questions, 70% strongly agreed or agreed that the proposals would improve Touchwood's retail offer; 65% strongly agreed or agreed the proposals would improve Touchwood's dining offer and enhance the evening economy; 54% of respondents also stated the extension would encourage them to shop or dine in Touchwood more regularly over other locations.

REPRESENTATIONS

328 objections, plus 2 petitions containing 25 and 54 signatures each, have been received in connection with the application, in summary, on the following grounds:-

Design

- Development is of excessive bulk and scale. Massing should be reduced.
- Incompatible with the design of existing buildings.
- Proposed lantern is totally out of keeping.
- Huge glazed areas are inappropriate along High Street.
- Approach along Church Hill Road would be spoiled by incongruous and misnamed Belvedere – an enormous glass box without any relationship to its neighbours or the church opposite. Materials, roof line and style should relate to its locality.
- Wide plate glass windows to frontage of Missoula are out of keeping with the design and age of the building and existing bays.
- Link between new and old Touchwood could easily be single storey.
- Manor Walk should be kept as a straight line access from High Street rather than a dog leg just to create extra retail space.

- Pale coloured brick and tile inappropriate and not in keeping with red brick and timber typical of old Solihull.
- Belvedere would be better finished in alternate windows and red brickwork as is general all over Solihull Town Centre.

Impact on Grade II* Listed Building, the Manor House

- Proposal will have a detrimental effect on The Manor House businesses.
- Grade II Listed Manor House and garden would be totally spoiled by the development.
- Development should not encroach into the curtilage of the Manor House.
- Proposed unit alongside the Manor House should be removed.
- Overshadowing of the Manor House and gardens would impact upon heritage value of the Manor House.
- Rear access-way alongside Manor House is poor quality and will provide little surveillance or security especially outside of opening hours.
- Extension of Touchwood will turn the Manor House into a hemmed in, over shadowed, 'Canyon'. Manor House will lose all of its customers if the development goes ahead.
- Ancient vernacular building on the High street would be destroyed.
- Application is contrary to Solihull MBC – M42 Economic Gateway Masterplan report. Solihull Town Centre, which identifies town centre/Touchwood extension to be located to the south of High Street to preserve the conservation area.
- Proposal conflicts with and adversely affects the character and appearance of the Conservation Area.
- Harmful to the setting of Listed Buildings, particularly in regard to roofscape, skyline and scale.
- Town's history would be lost if the development goes ahead.
- Demolition of High Street Buildings will destroy a historical link with Solihull's character. Original horizontal roof line and upper storeys could be retained, giving a mews like entrance and unique character. .
- Demolition of The Priory and The Orchard building deprives the town of two very different fine buildings. Neither should be demolished.
- Demolition of 142-154 High Street will destroy all the important frontage and roofline of the south side of the conservation area. Although unlisted, they adjoin listed buildings.
- A passageway into touchwood II could easily be provided beneath a flattened arch through one of the properties in place of the shop fronts, positively improving the Conservation Area.
- There should not be any alteration to the frontages in the High Street.
- As heritage is to be lost through this development we may as well resort to retail parks (which have no car park charges) and online shopping.

- Restaurants are inappropriate next to graveyard due to noise pollution.
- Manor House and Church foundations could be damaged during construction.

Wider impact to the Town Centre

- The Priory should be preserved not demolished.
- More could be done with Mell Square which has limited buildings of special interest and lots of wasted space.
- Better use of the council house land should be made but not at the expense of older high street buildings or church area.
- We do not need any more offices, shops or restaurants.
- People shop online so no more shops are necessary.
- More restaurants could utilise empty shops near the Premier Inn.
- Solihull is losing its character and becoming swamped by boring chain outlets found anywhere on any high street in the country.
- Solihull is severely lacking in individual cafes, shops and restaurants.
- Rents are too high for small traders to compete with large chains.
- Empty shops should be filled rather than building more.
- How can Lendlease say 81% of Solihull residents back the plan when only 247 people filled in forms.
- Solihull Council's mission appears to develop at any cost to maximise income and attract shoppers from outside the town.
- Development should concentrate on Homer Road side of town, where there are empty buildings.
- Development will lead to the loss of 600 sqft of office space at 156 High Street.
- Proposal will result in the loss of a public house and night club.
- Late night entertainment should be excluded.

Amenity

- Increase in traffic and noise levels due to increased bars and restaurants during the evenings.
- Late night uses will increase anti social behaviour and stretch police resources even more.
- Consideration should be given to re-opening public toilets.
- Waste bins to rear of restaurants will reduce air quality to existing businesses.
- Inclement weather will prevent use of outside eating spaces.
- Cooking odours from Touchwood restaurants already affects air quality. More restaurants will exacerbate the problem.

Landscape

- Fine silver birch tree would be lost.

Traffic

- How will the infrastructure cope with the increased traffic accessing the town centre.
- Difficulties could arise regarding pick up and drop off points for the disabled.
- Proposal will remove vehicle access and parking to the Manor House which are essential for servicing its business lettings and for visitors to its café and garden, its only sources of income.
- Traffic congestion will be worsened.
- Lack of parking in Solihull Centre and proposed plans will make this worse as less parking than provided at present. 68 existing spaces to be lost plus 51 other spaces.
- Solihull is already notorious for its lack of spaces and its very heavy charges.
- Drop off within Touchwood is not viable due to the need to queue.
- The Manor House needs the entire curtilage of its building to allow for extensions in the future to fund on-going maintenance of the building.
- Staff parking for shops and restaurants as well as customers is necessary.
- Drop off on Homer Road not appropriate for disabled people due to distance to walk and uphill.
- Applicants need to commit to proper traffic management to offset the increased road traffic.
- Impact of proposal on servicing of no.124 High Street.
- Access road off church Hill Road to Homer Road will increase congestion on Homer Road. Already congestion on Homer Road at peak times at roundabout connecting Church Hill Road with Homer Road.
- Redevelopment would increase parking usage beyond 114 cars per weekend.
- Inclusion of Monkspath Hall Road car park is unfair. Disabled or those with young children unable to use that facility.
- Existing footpaths are narrow and in some places single file.
- Extension would close Manor Square to vehicles currently used as a drop off and pick up area by visitors to Touchwood. This would lead to parking on surrounding residential streets causing noise, pollution and highway safety issues.
- Current waiting restrictions on residential streets are ignored.

Miscellaneous

- Parkgate development in Shirley savaged Shirley Park.
- Council house should be knocked down and affordable houses built instead of this monstrosity.

- Money would be better spent improving services within the Borough for Solihull residents.

1 letter of support has been received, in summary on the following grounds :

- Only major fault is that expansion of Touchwood is too small.

POLICY

National Planning Policy Framework (2012)

The NPPF advises that there is presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. For decision taking this means:

- Approving development proposals that accord with the development plan without delay; and
- Where the development plan is absent, silent or relevant policies are out of date, granting permission unless:

-any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or

- specific policies in this Framework indicate development should be restricted.

There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- **an economic role** – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- **a social role** – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- **an environmental role** – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

The NPPF also carries forward the thrust of Government guidance in the Ministerial statement "Planning for Growth" by attributing significant weight in the need to support economic growth through the planning system. The following sections are relevant to this application:

1. Building a strong, competitive economy
2. Ensuring the vitality of town centres
4. Promoting sustainable transport
5. Supporting high quality communications infrastructure
7. Requiring good design
8. Promoting healthy communities
10. Meeting the challenge of climate change, flooding and coastal change
11. Conserving and enhancing the natural environment
12. Conserving and enhancing the historic environment.

Planning Practice Guidance (2014) ("SLP")

The advice contained within the Government's Planning Practice Guidance, issued on 6 March 2014, has been taken into account in reaching a decision.

Solihull Local Plan (2013)

The following policies within the SLP are considered relevant to the determination of this planning application.

- P1 - Support Economic Success
- P2 - Maintain Strong, Competitive Town Centres
- P7 – Accessibility and Ease of Access
- P8 – Managing Demand for Travel and Reducing Congestion
- P9 – Climate Change
- P10 – Natural Environment
- P11 – Water Management
- P14 - Amenity
- P15 – Securing Design Quality
- P16 – Conservation of Heritage Assets and Local Distinctiveness
- P18 – Health and Well Being
- P20 – Provision for Open Space, Children's Play, Sport, Recreation and Leisure
- P21 – Developer Contributions and Infrastructure Provision

PLANNING HISTORY

There is extensive planning history for the site as individual components of land. This has been reviewed by Officers, and does not affect the proposals under consideration. In the interest of brevity, it is not repeated here.

Members will however note that application ref: 1998/2094 (21 Dec 98) was approved for the comprehensive redevelopment for shopping, retail, commercial leisure development (including multi-screen cinema), multi-storey car parking and

restaurant use including associated servicing arrangements, highway works, landscaping and amenity works. (Touchwood)

APPRAISAL

Principle of development

The NPPF supports sustainable development and seeks to promote strong town centres. The adopted Solihull Local Plan, through Policy P2, seeks to maintain strong competitive town centres that are the focus for new development. Policy P2 is explicit in its aspirations for the future growth of Solihull town centre. The policy identifies Touchwood as an opportunity site for extension. Aspirations of this policy can be summarised as follows:

- The Town Centre is to be developed and sustained as a place of quality and distinction. Its character and quality is to be protected/enhanced through promotion and careful control of new development. This should be sensitive to context but should add a new dimension to visual interest, activity and economic success.
- 34,000 sqm of additional comparison retail development is envisaged by 2021 and a further 23,000 sqm 2021 to 2026.
- Timing of development should pay regard to ensuring a balance of activity throughout the town centre. A particular concern will be to ensure the continued success of both sides of the High Street without either side becoming overly dominant in terms of floorspace or activity (at 7.4.8 it is clear that extending Touchwood is not precluded as an early development that could enhance public realm and attractiveness to shoppers).
- Timing of development should ensure effective provision of public transport, walking and cycling routes and avoid unacceptable levels of traffic congestion.
- New development is expected to make a reasonable and proportionate contribution to the costs of maintaining town centre infrastructure.
- The spatial strategy diagram (page 57) shows the site to be part of the Touchwood II opportunity site for which design principles are set out on page 58 of the Plan. Appropriate land uses include retail and leisure, including food and beverages. The proposal will create an additional 10,268 sqm of additional retail floorspace.

In terms of the principle of extending Touchwood there is clear support in the Plan and the proposal contributes to the Plan's anticipated new retail floorspace to 2021. There is therefore no objection to the principle of the proposal in policy terms, as confirmed by SMBC Planning Policy officers. It is evident that the proposal takes clear support from government guidance within the NPPF where the purpose of

planning is to achieve sustainable development where 'development' is defined as economic growth.

On this basis, the proposals are considered to be acceptable in principle, subject to other relevant criteria within the Local Plan as set out and discussed below.

MAIN ISSUES

- Economic Impact;
- Impact on Heritage Assets;
- Design and Impact on visual amenity
- Impact on landscape features;
- Impact on ecology;
- Impact on neighbouring amenities;
- Drainage issues;
- Sustainability
- Highway Issues; and
- Developer Contributions and Infrastructure Provision

Economic Impact

The proposed next stage of the development of Touchwood, as an integral element of the wider Town Centre strategy, will play a crucial role in maintaining and enhancing the economic vitality of the town centre as a whole, acting as a catalyst for investment and growth and supporting the further development of the visitor economy, as well creating a significant number of local jobs.

The proposed scheme, will play a crucial role in supporting the critically important local visitor economy and to ensure that the town centre is a destination of choice for business investors.

In terms of supporting the local visitor economy, a key sector in its own right, jobs in Retail, Accommodation & Food Services and Arts & Entertainment account for 21% of employee jobs in Solihull (Business Register and Employment Survey (BRES) 2014), with figures produced by Marketing Birmingham's Regional Observatory in 2014 estimating the Borough's visitor economy to be worth over £850m a year in 2013.

In order to ensure that the town centre is a destination of choice for business investors, looking for accessible, well connected locations offering a range of day time and evening amenities to staff, this town centre offer complements the equally important but distinct offer of business park locations such as Birmingham Business Park and Blythe Valley Park. A recent JLL (Jones Lang LaSalle) report on fast growing office property markets in the UK highlighted Solihull as one of its growth leaders, with both the town centre and business park market being important (The Geography of Office Demand: Where next in the UK, 2015).

In order to fulfil this major economic role the town centre needs to develop and improve its offer and experience, ensuring it remains a destination of choice for both visitors and employers. This is consistent with the applicant's vision for the scheme "to expand upon and reinforce Touchwood's reputation and performance as a leading shopping, eating and entertainment destination in one of the UK's strongest town centres."

This is particularly important as employment growth in the wider town centre area (Solihull & St Alphege wards) has not kept pace with growth across the Borough as a whole in recent years, and the area actually experienced a fall in employee jobs numbers between 2009 and 2014, compared to 13% growth across the Borough as a whole (BRES 2014). New investment and development does therefore have a critical role to play going forward.

The previous success of the town centre, its identification as one of the four UK Central economic opportunity zones, and proposals for investment by both Lendlease and IM Properties led to it being identified by DTZ as one of the five most healthy retail locations in five years time in 2014 (GB Retail Property Health Index). The proposals will play a key role in delivering on this potential.

Enhancement and improvement of Touchwood will complement planned investment being brought forward in Mell Square, enabling the Town Centre to continue to compete successfully in a changing retail environment, with a major competitive draw being created by the recently opened Grand Central scheme in Birmingham that includes as its anchor store, John Lewis.

The scheme will also create a significant number of new jobs – c.500 FTE construction jobs and c.400 permanent positions, many offering entry level positions, opportunities for progression and part-time or flexible working. Whilst overall unemployment rates in Solihull are below average (1.3% in September 2015), there are still over 1600 local people looking for work and the rate of 18-24 year old unemployment remains above average – entry level opportunities can offer a vital first step into work for young people lacking significant work experience.

The applicant also has a proven track record of working in partnership to help link local people to jobs. As part of the initial development of Touchwood, Lendlease worked alongside the Council, Solihull College and Jobcentre Plus to create the Touchwood Hub, helping unemployed residents of Solihull and Birmingham access construction, retail and other jobs created by the development also providing a longer term facility offering employment, training and recruitment support for jobseekers and town centre employers. The success of this approach is demonstrated by the number of people not previously in employment accessing support and gaining work at Touchwood – between June and December 2001 (the initial opening of Touchwood), for example, 766 workless people were placed into jobs by the Job Centre Plus employment team. It is expected that similarly effective partnership approaches will be delivered in respect of the proposed scheme, also building on the Council's successful experience with major recruitment initiatives such as the recent Resorts World campaign.

In summary, it is concluded that the proposed scheme plays a critical role in the future economic health of the town centre and wider Solihull economy and, from an economic development and regeneration perspective should be supported. Condition 19 secures the implementation of an Employment and Skills Strategy to ensure that recruitment and training is maximised for the local community. The proposals therefore comply with Policies P1 and P2 of the Solihull Local Plan and this weighs very strongly in favour of the proposal in the Planning Balance.

Impact on Heritage Assets

Historic England (formerly English Heritage) has considered the proposals as a Statutory Consultee to the planning application process, and the Government's advisors on heritage matters. They have raised no objection in principle to the proposals. Observations have been made in relation to the design of the Belvedere element, however, they do not extend to an objection to the proposal in overall terms. Any harm caused being considered less than substantial.

Detailed consideration has also been given to the proposals by SMBC Conservation, and the application was considered by the Conservation Advisory Committee.

Section 66 (1) of the Planning (Listed Building and Conservation Areas) Act 1990 provides that when considering whether or not to grant planning permission for development that affects a listed building or its setting, the local planning authority is required to have special regard to the desirability of preserving any of the following: the building itself; the building's setting; any special architectural or historic features.

The NPPF states that '*The conservation of heritage assets in a manner appropriate to their significance*' is a core planning principle as they are acknowledged as an irreplaceable and finite resource. However, conservation is noted as a dynamic process of maintaining assets and managing change with active and viable use as an important requirement, not simply preserving heritage assets as they are. The NPPF foreword notes that '*Our historic environment – buildings, landscapes, towns and villages – can better be cherished if their spirit of place thrives, rather than withers*'.

Managed change taking account of all historic environment considerations in accordance with the NPPF and guidance represents sustainable development.

The proposed development is on balance considered acceptable in terms of posing less than substantial harm from:

- the impact of the interface with the Touchwood extension and of associated alterations upon the significance of Designated Heritage Assets (DHA) (listed buildings)
- the impacts of the Touchwood extension and of associated alterations upon the setting of DHAs (listed buildings) e.g. St. Alphege church, Manor House, 158 High Street

- the impacts of the construction of the Touchwood extension and of associated alterations upon the character and appearance of the Conservation Area which they would lie within or adjacent to
- the impacts of the Touchwood extension and of associated alterations upon the setting of heritage assets
- the impacts of the demolition of listed buildings upon the character and appearance of the Conservation Area and setting of listed buildings
- the impact of the demolition of unlisted buildings upon the character and appearance of the Conservation Area and setting of listed buildings
- the impacts of public realm alterations upon the setting of heritage assets and the character and appearance of the Conservation Area

Members will note that the potential impact of the proposals on the Manor House and St Alphege Church are the key areas of heritage concern from third party representations and the Conservation Advisory Committee.

St Alphege Church

Concern has been expressed over the design of unit 100 (the Belvedere element of the scheme).

The Conservation Advisory Committee provided summary comments of the community representatives through the Chairman and expressed concern in respect of the scale of the proposed development, notably the Belvedere element being of the view that it would not be in keeping with the existing street scene and character of this part of the town centre and would fail to preserve or enhance the conservation area and the setting of the Grade 1 listed church.

Concern was expressed that the design and materials of the proposals were not in keeping with existing buildings and the character and appearance of the conservation area or setting of listed buildings, in particular through the excessive use of glass in the proposals for the Belvedere.

Historic England have also suggested incorporating additional solidity to the facade opposite the church to produce a building of greater quality, within the setting of this and other heritage assets to 'enhance or better reveal their significance'.

The applicants have stated that a more solid design option for the façade was rejected due to interference with views in and out and the fact that dominant glazing is sought to reflect the imposing west window of the church. The application proceeds to determination on this basis.

Whilst it is accepted that the alternative proposals could exist that may further reduce the impact of unit 100 (Belvedere) element of the scheme upon the setting of the Grade 1 listed church of St. Alphege, the view is taken that subject to materials, colours and textures that it could be successful without conflicting with the church and its significance. It is therefore considered that overall the scale, massing, siting

and materials for this element would cause less than substantial harm to the setting of the Grade 1 church.

This primary glazed elevation of the Belvedere would also have limited impact upon the setting of the Grade 2 listed war memorial and adjacent listed buildings enclosing The Square. The proximity to the busy road and street furniture means that the principle significance of the memorial and buildings (fine detail and relationship to the church) would be less directly affected than that of the church.

Manor House

The Manor House lies just beyond the north west corner of the application site. The Manor House is grade II* listed. Its gardens lie directly beyond the building and the whole of the Manor House side boundary abuts Manor Walk pedestrian link from High Street towards the access road off Church Hill Road. The proposed extension to Touchwood would encroach upon part of The Manor House's existing car parking area and bring built form closer to these premises than at present.

The principal significance of the Manor House lies in its survival as a 15th century high status timber framed house in an imposing position on the High Street with part of its original burgage plot evident to the rear. The façade with exposed elaborate timber framing, plaster infill panels, 18th century brick underbuilding of the jetties and prominent chimneystacks above roofs of hand made tiles is the key elevation and the main element of significance experienced by many visitors.

The brick built east side and rear elevation with early and post-war additions are of course also of significance. Its setting has already been partially eroded by the formation of large surface car parks in the 1960s, the provision of public buildings on former agricultural land and domestic gardens, by the construction of adjacent units to the east in former yard areas and then by the construction of the current Touchwood to the side and rear of its gardens.

These earlier alterations are not sufficient to diminish its key significance which is the façade and its strong contribution to the important High Street streetscene.

The Conservation Advisory Committee expressed some concern that the proposals could have a negative impact on character as a result of the proposed new route and access to the High Street and would adversely affect access to the Manor House.

The trustees of the Manor House have expressed concern that the proposed extension to Touchwood would unacceptably overshadow the grounds of the Manor House, which would in their view would pose such a detrimental impact as to adversely impact upon its viability as tea room and any aspirations of using the space more effectively in future, for weddings, outdoor theatre and other events, plus, in part for a possible extension to increase floor space and income from letting the premises.

The trustees have suggested amendments to the proposals to achieve the following:

- Retain the historic line of Manor Walk.

- Create smaller units facing onto Manor Walk to accommodate independent traders and create a “real sense of place” along the link, as opposed to an “unwelcoming connecting path of no public realm value”.
- Avoid including any of the grounds of the Manor House.
- Introduction of additional glazing within the new building to permit more views out from, or at least an impression of less dominating fabric when viewed from the gardens.

The shadow study accompanying the scheme shows additional shading occurring mainly in the southernmost part of the retained garden, adjacent to tall existing and proposed brick walls. This would not diminish the secluded nature of that area but would reduce direct sunlight to it especially through the winter. Key times of day when overshadowing would be little or no greater are from 11.00 onwards in June and from 13.00 onward in March. The main adverse change would be between 09.00 and midday in March, and before 09.00 in June. The garden area closer to the Manor House itself would be unaffected. The removal of a large silver birch tree at the south end of the garden would allow in more light during the seasons of leaf cover but would also allow the extension to be more clearly seen. These elevations are to be reasonably well detailed to prevent an unduly blank expanse of masonry, using horizontal bands for shading and relief, a projecting window and tall glazed section to the pedestrian link, and decorative metal screening above the walls instead of a plainer parapet detail.

Historic England and SMBC Conservation have assessed the proposal, including its impact on the Manor House and have concluded that the scheme would cause less than substantial harm to the setting of the grade 2* listed Manor House by siting new two storey development across the south west end and along part of the eastern edge of its garden area. The scheme would occupy part of its existing curtilage with a section of unit 82 and the adjoining realigned footpath replacing Manor Walk. The rear elevation of unit 82 is 10.8m high and Historic England has expressed some concern regarding this aspect but acknowledge the balance to be made against any public benefits of the scheme.

Therefore, in considering the impacts of the proposed Touchwood extensions to the setting of the Manor House in the round it is important to consider the existing characteristics of this listed building and its use. The Manor House tea rooms occupy the ground floor of the listed building, with upper rooms let to independent businesses. The existing rear garden is used, in part, as a sitting out area in conjunction with the tea rooms, and as such provides an oasis of tranquillity away from the bustle of the town centre.

Whilst it is acknowledged that this planning proposal introduces new development to the rear of the Manor House, but separated from it by the diverted Manor Walk, the quiet seclusion of this rear garden would remain in tact. Impacts of overshadowing have already been discussed and submitted evidence concludes that any overshadowing of the rear garden area is confined to its bottom most part and would not affect trading hours for the vast majority of the year.

Wider heritage appraisal

The proposed addition of the adjoining element of the extension of Touchwood is the result of the assessment of a number of factors such as the scale and massing of the surrounding development, local character and distinctiveness, and the relationship to the size and density of existing and neighbouring uses.

The proposed development is considered to represent an appropriate extension within and next to the conservation area in terms of its scale and massing as well as the materials proposed to be used. The impact of the scheme upon the character and appearance of the Conservation Area is considered to cause less than substantial harm that would be offset and justified by the benefits that the overall scheme would bring for the viability and vitality of the wider town centre, delivering an overall enhancement.

Whilst adverse impacts of the Belvedere unit upon views from St. Alphege church would not preserve or enhance that aspect of the conservation area but as less than substantial harm it must be balanced against the clear and numerous public benefits offered by the scheme.

Enhancements delivered by the scheme would include the demolition of the obtrusive and visually detrimental 2 storey nightclub at 136 High Street and its replacement with buildings of better quality design and materials. In addition, the contribution of the new buildings to the viability and vitality of the town centre would enhance its appeal to visitors and improve the experience of historic environment and wider town centre.

The lantern and eaves line revisions to the High Street between 158 High Street and the new pedestrian link are welcomed and have reduced the initial schemes impact upon the DHA (Conservation Area) through additional reflection of the context in this highly significant part of the Conservation Area. As such the lantern is considered to be a sound addition which serves as a visual marker and landmark to the newly created Touchwood link to the High Street. It is notable that the design of this aspect is reflective of, and borrows from, certain features of the recently consented Carluccios scheme opposite at the corner of Drury Lane where development works have commenced. The two buildings together will provide a visual synergy and strengthen the interpretation of modernity whilst sitting respectfully within an historic townscape.

The demolition of the unlisted buildings at 148 to 154 High Street would impact upon the character and appearance of the Conservation Area as the buildings are positive contributors to it. This loss has to be balanced against the public benefits of the wider development including the creation of the new link to High Street promoted by the Local Plan. On balance the public benefits outweigh any less than substantial harm to the heritage asset and are in favour of the scheme.

The demolition of The Priory would impact upon both the Conservation Area and the setting of listed buildings such as St. Alphege church, 2 to 6 The Square, and the war memorial. As a suitable element of the setting of DHAs it makes a positive contribution. Its loss is also to be balanced against public benefits of the scheme and

the applicant undertakes to record the building in line with Historic England standards.

The buildings that would replace the 19th century shops to be demolished would have appropriate brickwork, eaves line and roof tiles, but the openings at ground floor require careful treatment to represent a good alternative to the 19th century buildings. The inclusion of an eaves line that pays full regard to that of the predominant building type in this part of the conservation area has helped to ensure a façade design concept more firmly linked to the High Street and The Square at unit 94.

Subject to compliance with detailed conditions of any approval the new buildings proposed need not create any unjustifiable adverse impact that is more than 'less than substantial harm' upon designated heritage assets and their settings.

Such conditions would include the agreement of important details such as materials and finishes, external lighting, hard and soft landscaping and public realm proposals. Temporary adverse impacts upon these DHAs would arise through matters such as noise and dust during demolition and construction. However, these would be sufficiently short lived and controllable to prevent permanent impacts upon the viability of uses or the condition of fabric. Measures can be taken in accordance with details secured under conditions to ensure that the maximum effort is made to prevent adverse effects upon heritage assets through settlement and accidental damage.

The setting of heritage assets is not solely a visual concept; they can also be affected by factors such as noise, dust and vibration. Temporary adverse impacts arising from these factors will be experienced by surrounding retained heritage assets.

The public realm alterations proposed would have only beneficial impacts upon the setting of heritage assets and the character and appearance of the conservation area and materials can be agreed under conditions and are of the quality expected and offered. The inclusion of details such as Yorkstone paving where it would adjoin and complement that which exists and the use of street furniture harmonious with the palette established by the Council would ensure quality and visual harmony in the important public spaces and views into the new courtyard and link to the High Street.

Details such as external lighting, street furniture, lamp columns and highways treatment are considered acceptable as proposed and these would enhance the quality and appearance of the scheme and ensure either neutral or positive impacts upon the Conservation Area and upon the setting of other DHAs.

On balance it is considered that the scheme would comply with the NPPF in sustaining and enhancing the significance of heritage assets, putting them to viable use consistent with conservation, ensuring that historic environment conservation brings wider social, cultural, economic and environmental benefits, and securing new development that contributes positively to local character and distinctiveness and draws on the contribution of heritage assets to the character of the town.

This conclusion is partly on the basis that the less than substantial harm that some elements of the scheme would produce for a limited number of heritage assets would be justifiable when considered in balance against the public benefits that the scheme would deliver, including those for the viability and vitality of the wider centre that seek to ensure a thriving town with heritage assets as part of the core offer to visitors, residents and others. On this basis, the proposals are considered to comply with Policy P16 of the Solihull Local Plan.

Design and impact on visual amenity

The Design and Access Statement (DAS) provides an account of the site context and of the history of the development of the town. It is evident within the DAS that the new extension to Touchwood continues the architectural precedent of the existing shopping precinct. Amended plans have been received for Unit 94, fronting onto High Street which now achieves a comfortable relationship between this building and its adjacent neighbour, taking design cues from the historic High Street and reflecting an understanding of its context. The service yard entrance is also subservient in design.

The design philosophy of this scheme has been to create a meaningful extension to Touchwood shopping centre that responds to latest retail characteristics whilst delivering aspirations set out within Policy P2 of the Local Plan. Paramount to the scheme is a consideration and understanding of the heritage assets that surround the application site.

The submitted documents ensure that existing views of the St Alphege church tower as currently viewed from inside the Touchwood shopping centre are retained and strengthened. The proposed extension to the internal arcade retains views of the church and has done so through careful design that takes account of changes in ground level as well as orientation of the mall required to retain sight of the church. The development is successful in its design and correctly applies urban design principles to ensure that the urban fabric of this part of the town centre is restored. From an urban design viewpoint the scheme provides many benefits and much enhancement to the town centre core. The existing mini roundabout is removed at Church Hill Road as well as existing surface level car parking. The exposed and unsightly rear elevations to the premises along the High Street (to include the modern unsympathetic extension to the nightclub with its profusion of ventilation stacks) are removed. This space is rationalised with fronts of buildings now facing fronts of buildings, and rear elevations facing rear elevations. A valuable area of public realm at New Court is created as well as the mix of uses creating a café culture with tables and chairs proposed beneath meaningful canopies both at New Court as well as the Drury Lane arcade.

The proposal delivers the Local Plan aspiration to create a new link to the High Street thereby providing a legible link to Mell Square and pulling footfall through from the south side, Touchwood side, of the High Street, to Mell Square at the north. This link is set out in a finer grain that is respectful to the more domestic scale of the Historic core at the High Street. Importantly, listed buildings that face toward Church Hill Road and High Street remain in tact.

The lightweight structure of the Belvedere building (Unit 100) on Church Hill Road has merit however conditions should be imposed in order to prevent the glass frontage from becoming cluttered with advertising or shop fittings as secured and described within condition 18.

Amended plans forming the landscaping proposals for the proposal indicate the route and extent of footpaths, taking account of pedestrian desire lines along Church Hill Road and utilities on site. The submitted lighting strategy appears well thought out, with an approach that reduces street clutter and adds a sensory experience to the development at night.

Insofar as the loss of street trees which provide an important amenity value, influencing the character of the area, mitigation for their loss have been secured via the imposition of suitably worded conditions (condition numbers 7,8,9,10,11 and 12) as well as off site provision being secured through a financial contribution within the planning obligation.

The details of external materials informing the public realm around built form, such as paving details, would need to take account of the existing palette of materials used, particularly along High Street, Church Hill Road and around the Church. The use of highways signage must be carefully considered in order to reduce unnecessary street clutter. These details have been secured via the imposition of condition 10 to ensure that sample materials to be used are first submitted to and agreed by the Local Planning Authority.

SMBC Urban Design officers raise no objection to the proposals. The proposal is therefore in accordance with Policies P15 and P2 of the Solihull Local Plan. Given the context of the existing broken urban fabric within the existing development or red line site, together with the sound urban design principles that have been deployed within this scheme, the design of development and its positive intervention in the urban form and realm weigh positively in the planning balance.

Impact on Landscape features

A tree survey has been submitted with the application which identified 36 individual trees and a single group of trees on site. Of these, approximately 50% were found to be category B (moderate quality and value), whilst the remaining were found to be of category C (low quality and value). The proposed development will result in the loss of 16 individual trees and approximately 8 within a tree group. In particular, a lime tree adjacent to Unit 94 along High Street is indicated to be lost.

There are a number of street trees which make a contribution to the area, having a high environmental quality within the townscape. Where trees are not able to be retained as a result of the development, appropriate mitigation for their loss is to be secured.

Insofar as the vegetation along Church Hill Road is concerned, the imposition of suitably worded conditions shall ensure that the sense of enclosure provided by vegetation along Church Hill Road can be maintained in part by the 'terraced' feature outside the 'Belvedere' building, whilst the planting along the embankment adjacent

to the Council House will form part of the landscape plans for the redevelopment of the Council House, should that scheme received planning permission.

Green and Brown roofs are indicated within the submitted proposals (the Belvedere roof), along with a green screen along the rear edge of the service yard. The details of the long term management and maintenance programmes of these would need to be secured and condition 22 secures the implementation of an agreed Landscape and Ecology Management Plan. The Management Plan, when developed, will include long term design objectives, management responsibilities and maintenance schedules for all landscape areas/biodiversity enhancements.

In mitigation for the loss of trees on site, a financial contribution has been agreed to secure off site replacement tree planting, achieved via a section 106 agreement.

Furthermore, in order for the development to comply with the requirements of Policy P20 of the Solihull Local Plan, provision or contribution of new open space or enhancement of the green infrastructure network is required in the form of Environmental Improvements.

In this instance, SMBC Landscape Architecture has suggested that environmental improvements to Malvern/Brueton Park entrance are secured to promote healthy lifestyles and enhancement of the green infrastructure network in line with relevant development plan policy. This mitigation is being secured by the applicant's entering into S106 obligations.

SMBC Landscape Architecture raises no objection to the proposals, which are considered to comply with Policies P14 and P20 of the Solihull UDP 2013.

Given the mitigation that has been secured through this development as well as the improvements to the hard and soft landscape and public realm on site, issues around landscape is considered to provide a positive benefit in the planning balance.

Impact on Ecology

An Extended Phase 1 Habitat Survey of the site has been submitted in support of the application, based on a desk study and survey. This found no connectivity between the site and the River Blythe Site of Special Scientific Interest (SSSI) located 1.1km to the east of the site, or with any of the Local Nature Reserves (LNRs) and Local Wildlife Sites (LWSs) in the surrounding area. Potential impacts on statutory and non-statutory designated sites are therefore unlikely.

The site has limited ecological value at present. The proposed development will result in a biodiversity enhancement of the site through mitigation measures incorporated into the design to achieve new habitats of value to wildlife, including green and brown roofs, replacement tree and shrub planting, green infrastructure in the form of green all and planting within public realm areas, and bird and bat boxes.

The Preliminary Bat Survey concluded that further activity surveys were needed to determine whether or not bats were roosting in some of the buildings to be demolished. These activity surveys recorded low levels of bat activity around the

buildings, but no evidence of roosting bats was recorded. SMBC Ecology advise that there will be no negative impact on bats as a result of the development and no further surveys in relation to bats are necessary.

Mitigation for the unavoidable loss of swallow nests, which have been recorded using buildings 8 (the Priory), 9 (Orchard House) and 3-6 (on High Street) due to the demolition of these buildings, is required via the provision of replacement nesting opportunities for swallows. This can be secured via the imposition of condition 22, with reference to the imposition and implementation of a Landscape and Ecology Management.

Green and brown roofs, if designed correctly, have been shown to provide important areas of habitat within urban areas. Detailed design information has yet to be submitted in relation to the proposed green and brown roofs. This information is crucial as it will determine whether or not these features will provide a biodiversity benefit. Again, this information can be secured via the imposition of condition 22.

On this basis, the proposals comply with Policy P10 of the Solihull Local Plan and your ecologist raises no objection to the proposals, subject to the imposition of a condition to ensure the provision of a Landscape and Ecology Management Plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas/biodiversity enhancements. The development scheme provides betterment in terms ecological enhancements and therefore makes a positive contribution in the planning balance.

Impact on neighbouring amenities

The closest residential properties lie on the opposite side of Church Hill Road, approximately 90m distance from the proposed new vehicular access off Church Hill Road.

Given the distances involved between these residential properties and the proposed development, it is not considered that the bulk, scale or massing of built form associated with the development would be unduly harmful to the amenities of nearby residents, via overlooking, overshadowing or loss of light.

The air quality impacts associated with the construction and operation of the proposed development are assessed via scrutiny of the Air Quality assessment submitted with the application. Through good site practice and implementation of suitable mitigation measures any air quality effects would be significantly reduced and are negligible. Predicted changes in traffic flows brought about on the local road network as a result of the proposed development are considered to be negligible and it is not considered that air quality would be unduly compromised as a result. SMBC Environmental Protection raise no objection to the proposals on this basis.

An Acoustic Report has been submitted with the application, which concludes that given the site's location and commercial context, the nearest residential properties to the site boundary on Church Hill Road and St Alphege Close would not be unduly affected by the issue of noise generated from the proposal, subject to appropriate noise mitigation measures, which can be controlled via the imposition of suitably

worded conditions. SMBC Environmental Protection raise no objection to the proposals on this basis.

Given the nature of the proposed uses within the development, with a proportion of restaurant operations, conditions 14 and 15 are necessary to ensure that odours emanating from premises are suitably controlled. SMBC Environmental Protection raise no objection to the proposal on this basis.

For reason of the proposed night time use of the proposed development, notably that of 'The Belvedere' building on the opposite side of Church Hill Road to the nearest residential properties, the impact of both internal and external illumination of buildings requires careful consideration. A lighting assessment has been submitted with the application to ascertain the potential effects of any new lighting associated with the proposal.

The existing residential properties currently experience low to medium brightness associated with street lights. Views across Church Hill Road towards the development site are partly screened by the mature vegetation that exists adjacent to the highway. Whilst the magnitude of change in terms of impact on residential properties on Church Hill Road is considered to be negligible to low, mitigation in the form of design solutions to minimise the potential for light spill and glare is recommended and is secured at condition 16.

For the above reasons it is not considered that the proposal would have an adverse effect on the amenities of neighbours and is considered to be neutral in the planning balance. The proposal complies with Policies P14 & P15 of the Solihull Local Plan.

Drainage issues

As part of the planning application, a Flood Risk Assessment has been submitted to ascertain the flood risk and drainage implications of the site. The Flood Risk Assessment confirms that the land lies within Fluvial Flood Zone 1 and as such, is an appropriate location for development. Additionally, the site does not fall within a High Risk area covered by the Risk of Flooding from Surface Water Maps. SMBC Drainage have assessed the proposals and are content that there would not be any materially adverse impacts on fluvial or pluvial flooding grounds.

However, whilst the site drainage strategy demonstrates that the surface water runoff can be attenuated in below ground storage, prior to discharge to the Severn Trent sewer, further refinement is required, via the submission and approval of details to address issues of the management of surface water runoff. This has been secured via the imposition of condition 5.

Severn Trent Water and the Environment Agency as well as SMBC Drainage raise no objection to the proposals, which are considered to comply with Policy P11 of the Solihull Local Plan 2013. Drainage considerations are considered to be neutral in the planning balance.

Sustainability

The proposed development presents a significant opportunity to make a positive contribution to sustainability aspirations, by minimising energy requirements and reducing CO2 emissions. This is to be achieved through passive design and energy efficiency measures. This includes a building fabric which can reduce the need for air conditioning or heating, glazing which will provide natural light and reduce dependence on artificial lighting and installation of windows that can be opened to reduce the need for cooling and ventilation systems to operate. Emissions could be further offset through the use of on-site Low and Zero Carbon Technologies including the use of photovoltaics at rooftop level and rainwater recovery. Waste management planning would reduce the amount of waste sent to landfill. Materials used should be locally sourced, alongside recycled aggregates in construction. Other measures could include the use of green and brown roofs to increase biodiversity, increase air quality and reduce surface water runoff.

The proposed development addresses the above requirements to ensure a sustainable environment during and post construction. These measures can be effectively controlled via the imposition of condition 21. The proposals comply with Policy P9 of the Solihull Local Plan. Sustainability credentials are greater improved above that as existing. Sustainability is therefore considered to contribute in a positive way to the planning balance.

Highway issues

Policy Background

Paragraph 32 of the NPPF requires developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment and that development should "*only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe*". At the local level, Policy P7 of the Local Plan specifies that new development should be located in readily accessible area and directs new retail and leisure development to town centres.

Policy P2 of the Local Plan states that within Solihull Town Centre, the provision of additional public parking will only be accepted where it can be shown that there is insufficient public parking already available to serve the development proposed.

It is clear that the site benefits from excellent accessibility and is located in an appropriate area for the nature of the development. The proposal therefore complies with policy P7 of the Local Plan. As set out in the accompanying Transport Assessment, there is sufficient car parking within the Town Centre to support the Proposed Development, without the need for additional car parking on site and therefore the proposal complies with Policy P2 of the Local Plan.

For these reasons, your highway engineers raise no objection to the proposals, subject to conditions and the applicants entering into a section 106 agreement to manage car parking ; improve way finding within and to the town centre; implementation of Traffic Regulation Order's; and implementation of Counter Terrorism measures.

The proposal therefore complies with Policies P2, P7 and P8 of the Solihull Local Plan.

The Highway issues of relevance are therefore as follows:

- Traffic Impact
- Car parking provision
- Drop off
- Impact on Church Hill Road and New Access to Council House
- Accessibility
- Servicing
- Travel Plan

Traffic Impact

The increase in traffic as a result of the proposed extension to Touchwood has been carefully assessed. Extending a retail centre does not result in a proportionate increase in vehicular trips. Research suggests that a 10% increase in floor space results in 2.4% more trips plus an increase in length of stay of 3.7%. Based on these factors, it is estimated that the Touchwood proposals would result in an increase in trips of around 27 movements, (10 in and 17 out), in the evening network peak hour and 30 each way during the weekend network peak hour. These predicted increases are low relative to the existing network flows. They are also lower than the daily variation in network flows around the town centre and will not result in any noticeable impact on the town centre highway network. In addition, the increase in length of stay for existing shoppers will result in some trips being diverted to alternative car parks around the town centre, effectively distributing the already low increase in traffic across the network further diffusing the impact.

The increase in length of stay within the town centre on parking demand is considered below in the section on parking.

Car Parking Provision

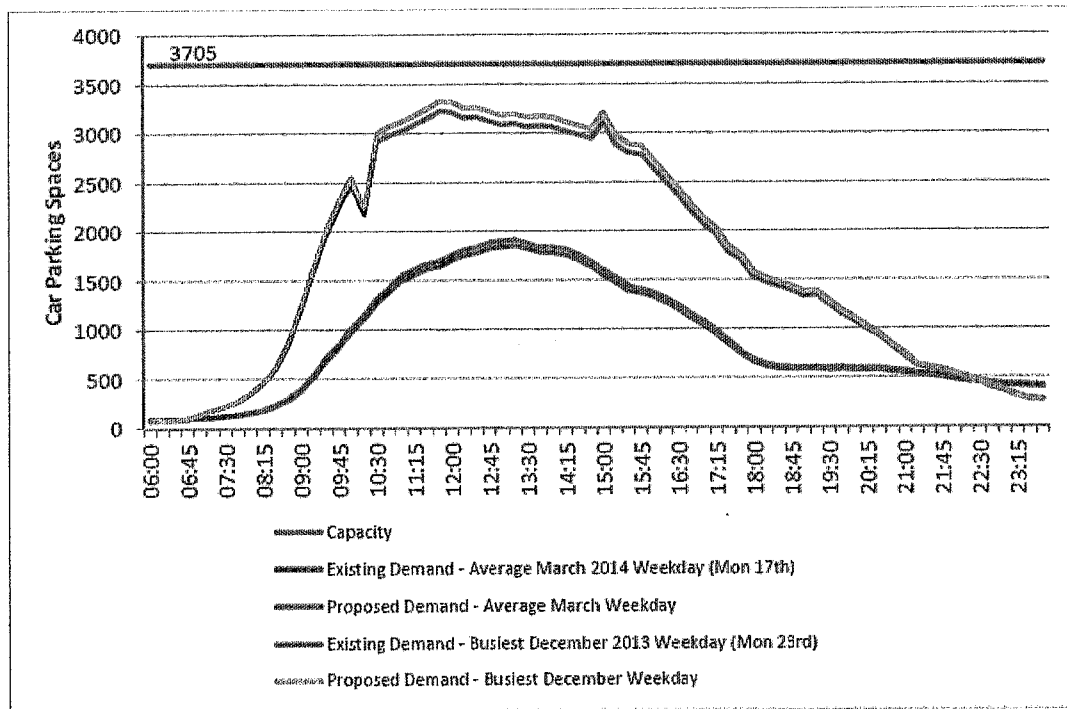
The proposed development contains no additional car parking and a detailed assessment has therefore been carried out to determine whether there is enough capacity within the town centre car parking, in particular within the short stay car parks, to accommodate the increase in car parking demand as a result of the extension to Touchwood.

In order to calculate the trips currently generated by Touchwood, interview surveys were undertaken at the key car parks. Comparing the answers with Solihull MBC (SMBC) car parking data it was possible to estimate the number of existing primary trips to Touchwood. The analysis concluded that the Touchwood extension proposals would generate an additional parking demand of approximately 81 spaces on a weekday and 114 spaces at the weekend.

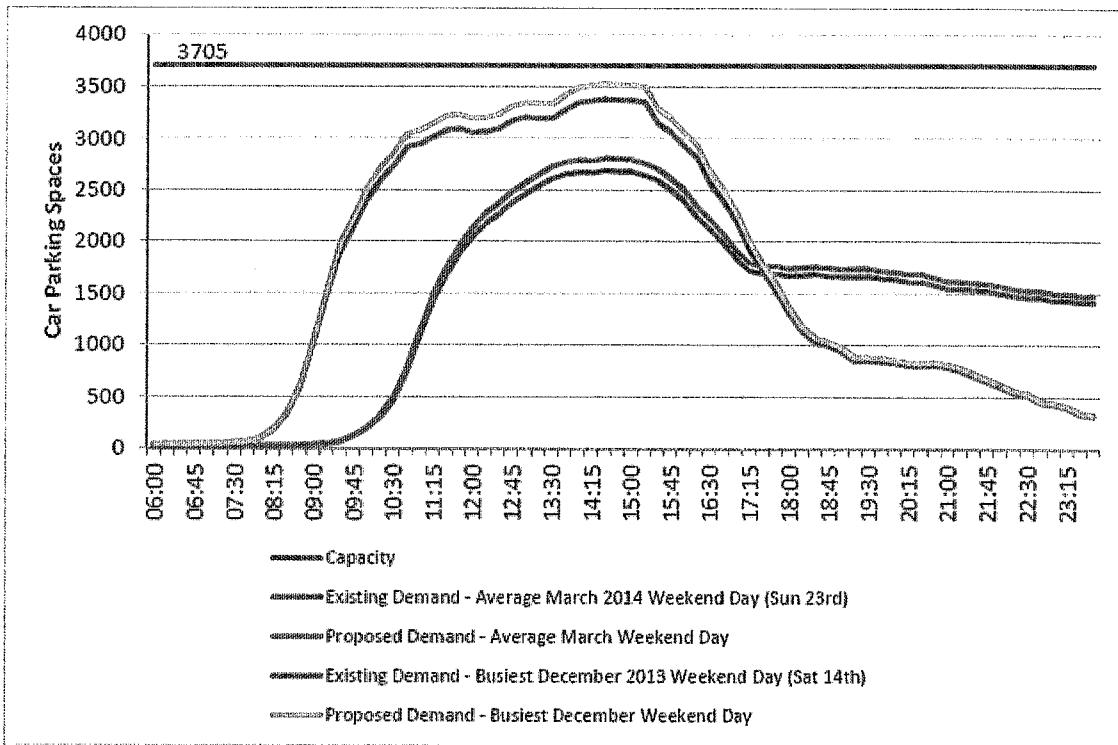
The existing car parking demand across the town centre car parks was then calculated for an average day for each month of the year based on the SMBC count

data. An additional car parking demand of 114 spaces has been added to the peak hour of the average day for the neutral month of March 2014 to account for the proposed Touchwood extension, with 82% assumed to use the short stay car parks and 18% the long stay car park based on the existing proportions. The use of the Transport assessment's (TA) approximate weekend demand increase (114) is considered to provide a robust assessment with respect to the proposed demand, applied to an average day. A 4% increase in demand has been added to the remaining months' average days based on the March 2014 increase. The existing and proposed car parking demand profiles for typical and worst case days are shown below.

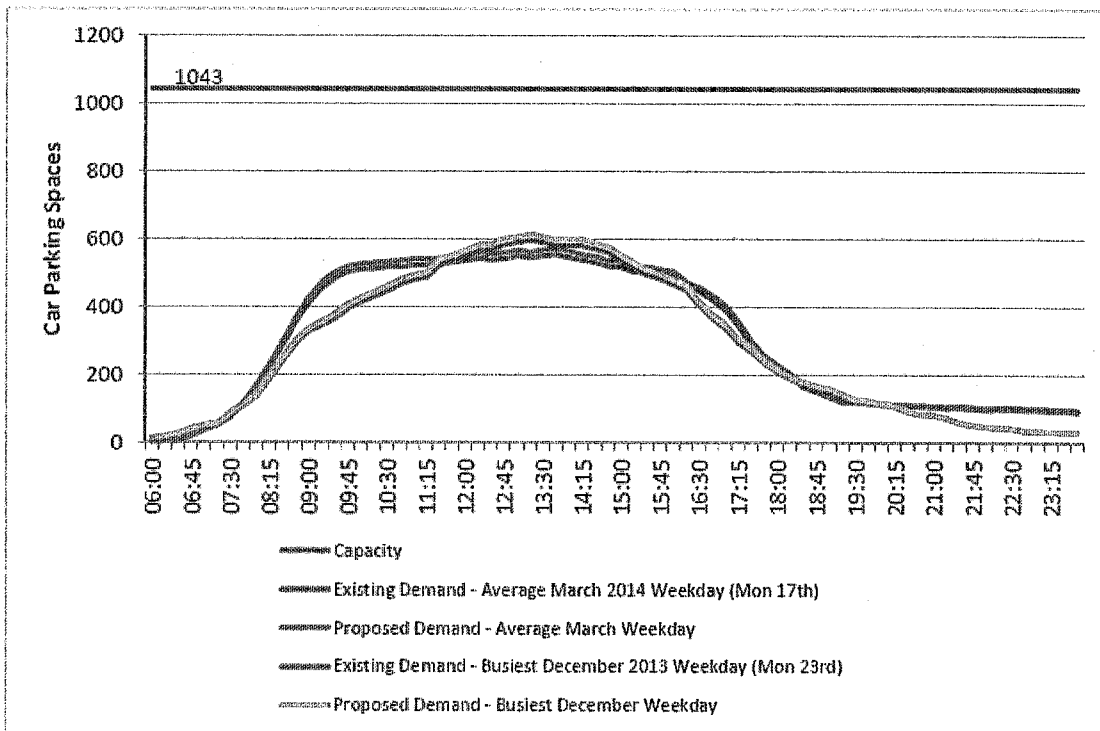
The weekday short stay parking demand is shown below.



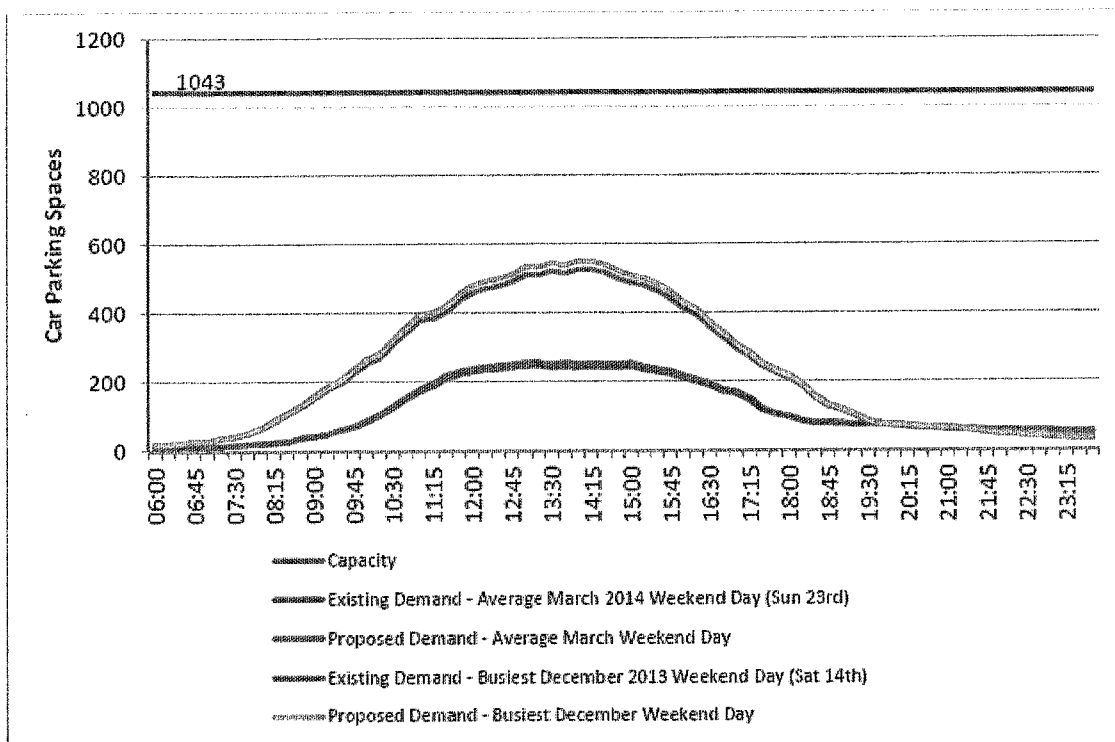
Weekend short stay parking demand is shown below



Weekday long stay parking demand is shown below



Weekend long stay parking demand is shown below.



As can be seen from the graphs above there is sufficient capacity within the town centre car parks to accommodate the increase in parking demand as a result of the extension to Touchwood on both a typical weekday and Saturday and at the busiest periods for the town centre at Christmas.

However it is recognised that some car parks are more popular than others and not only fill up much more quickly but also cause queuing on the local highway network as people wait to enter, notwithstanding the fact that there is car parking available elsewhere.

To ensure that this queuing and the consequential network impacts do not get any worse a strategy for ensuring that car parking demand is better distributed around the town centre is required. A section 106 requirement for a car parking scheme is proposed that ensures:

- That the developer and owner of Touchwood agrees to take part in collaborative working arrangements with other key town centre partners to ensure that car parking across the town centre is managed in a way that supports the vitality and viability of the town centre as a whole; and
- That the developer agrees that the Touchwood and John Lewis car parks are managed in such a way as to achieve the objective that occupancy within the short stay car parks are better balanced within the town centre, which may include (but shall not be limited to) the implementation of differential car parking charges.

Drop Off

The current access road from Church Hill Road provides an informal and well used drop off facility that will be removed as part of the scheme. Comments raised during the public consultation exercise underlined the importance of a drop off facility and so the developer is proposing that the existing private hire taxi bay on Homer Road should be extended to include pick up and drop off. A contribution is being sought from the developer to implement this or an alternative scheme and this is included within the proposed Highway Works Contribution.

Impact on Church Hill Road and New Access to Council House

The proposed development introduces a number of changes to the highway layout on Church Hill. The mini roundabout, which currently provides access to the Council House, drop off facilities and also acts as a traffic calming feature will be removed by the development. A new access to the Council House from Church Hill Road is proposed just to the south of the current access. This new access will result in slow moving turning vehicles towards the top of Church Hill. In addition to these changes there will be, as a result of the development, a significant increase in footfall on and around Church Hill Road and a small increase in HGV traffic.

To accommodate these changes safely, speeds on Church Hill and through the square need to be kept low and appropriate to a 20mph speed limit or zone. Measures are therefore required on the hill as the junction is approached, and through the square to ensure this is the case. This will clearly need to be done in a way that respects, responds to and enhances the Conservation area. A section 106 contribution is therefore sought to cover the works that will be needed in this area. These works will include the introduction of enhanced Counter Terrorism (CT) measures at the end of the High Street and any Traffic Regulation Order's (TRO) that are required.

Accessibility

The Site is in a highly accessible location in Solihull Town Centre and benefits from very good access to public transport. Solihull Rail Station is approximately 800m walking distance from the Site and offers access by rail to nearby regional centres and national destinations.

Servicing

Servicing for the existing Touchwood units takes place from the roof top service area. Parking on the roof is permit controlled by Touchwood management. In terms of service bays, 22 bays are provided, spread across the roof in six locations. Overall, there are 14 bays for articulated vehicles and a further eight for large rigid vehicles, giving a total of 22 bays. As part of the Transport Assessment work a survey of service vehicle numbers was undertaken between Thursday 19th March and Sunday 22nd March, the maximum number of service vehicles at any time was only 10 vehicles spread across the 22 bays. On a Friday a total of 77 service vehicles were recorded.

Retail trading increases over the Christmas period, historic records of service vehicle numbers were obtained from centre management for December 2014 to allow a comparison to be undertaken with the March surveys. The records indicated similar

servicing profiles with Friday again being the busiest day of the week. However, during December, the total daily flow rose from 77 to 108 vehicles. Assuming the same profile and length of stay, this would equate to a maximum of 14 bays occupied at any time; ie an increase of circa 40%. Overall, it can be seen that there is significant spare capacity within the service area to cater for current demands. Turning to the proposals, the majority of Touchwood servicing will continue to take place via the roof top service area, without impacting on public areas. The total additional floor space amounts to a net increase in 16.4%. The calculations below indicate the servicing numbers assuming all this additional space is served from the roof:

Observed and Predicted Number of Daily Service Vehicles using the service yard

	Thurs	Fri	Sat
Observed daily service vehicle totals (19 th , 20 th , 21 st March) .	61	77	23
Predicted daily service vehicle totals (Existing + 16.4%)	71	90	27
Observed peak daily service vehicle totals (during the Christmas period)	85	108	32
Predicted daily service vehicle totals (existing + 16.4 %)	99	126	36

The maximum predicted daily service trips is therefore 126 vehicles in December at peak times, compared to 77 in the March observed surveys. This is an increase of 64% indicating a maximum demand for service bays of 16 or 17, (10 current multiplied by 1.64). It is therefore clear that these predicted flows can be accommodated, even at peak trading times.

With the extension, three specific areas require more detailed consideration:

- Manor Walk Units ;
- Existing Church Hill Road properties; and
- New Island Block units.

The Manor Walk units will be serviced from the Touchwood roof in the same way as the majority of the proposed extension. Access can be gained to these units from the roof via the lift core and service corridor. The retained units fronting Church Hill Road currently benefit from servicing to the rear, accessed off the turning loop from Church Hill Road. This facility will be removed. The existing units are currently occupied by an Estate Agent, solicitors and tattoo parlour. These uses are likely to require fairly limited servicing in terms of vehicle numbers and can be considered together with the proposed new Island Units. Together, there will be circa 10 units, three of which will be restaurant/cafes. Overall, the total floor space for the Island Block units and

retained units amounts to approximately 2% of the total Touchwood floor space. Assuming a pro rata delivery rate compared to the whole scheme, the average daily service vehicle numbers would be around two vehicles (90 x 2%) per day. At Christmas, this would rise to approximately three vehicles per day. It is proposed that these units are serviced 'out of hours' from the High Street. The scheme layout has included a service corridor to the rear of these units directly from the High Street in order to minimise the length of time taken to deliver to units. Refuse collection for the Island Block units, would be undertaken by Touchwood Centre Management out of hours. Refuse would be stored in appropriate bins to the rear of the units during the day and collected over night for processing and recycling with the general Touchwood waste.

In summary, based on the March survey data, and supplemented with vehicle records for December, the existing and proposed Touchwood schemes can be adequately serviced via the existing roof top service area. For the retained units fronting Church Hill, together with the Island Block units, it is proposed to allow these vehicles to be serviced out of hours via High Street.

Travel Plan

A Touchwood Centre Employer Travel Plan was prepared in 2013. This was completed in conjunction with Centro and SMBC as part of the Smart Network, Smarter Choices programme. Given that this Travel Plan exists and is proving to be successful in its aims, it is suggested that, rather than provide a new plan to cover the proposed additional units, the plan be extended to cover the whole of the enlarged scheme.

For the reasons as described above, the transportation mitigation provides for a constructive intervention in the Town Centre and thus is considered as a positive in the planning balance.

Developer contributions and infrastructure provision: S106 Legal Agreement

Policy P21 of the Solihull Local Plan relates to Developer Contributions and Infrastructure Provision. Development will be expected to provide, or contribute towards the provision of measures to directly mitigate its impact and make it acceptable in planning terms; and physical, social and green infrastructure to support the needs associated with the development.

Regulation 122 of the Community Infrastructure Levy Regulations (2010) states that planning obligations may only constitute a reason for granting planning permission for the development if the obligation is:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

In summary the following S106 package has been secured to mitigate the impact of the development.

Mitigation type to include associated costs	Amount
Replacement trees	£124,800
Improvements to Malvern Park Entrance	£17,000
Highway work/ public realm	£305,500
Wayfinding	£25,000
TOTAL	£472,300

Within the highway commuted sum, provision has been made for Church Hill / Church Sq traffic calming /management; a pick up and set down provision; counter terrorism measures and traffic regulation orders to address the highway impacts of removing the mini roundabout; the impacts of additional footfall; the potential impacts of additional HGV's on the conservation area.

Highway related Heads of Terms relate to the need for a car park scheme which will secure the following:

- That the developer and owner of Touchwood agrees to take part in collaborative working arrangements with other key town centre partners to ensure that car parking across the town centre is managed in a way that supports the vitality and viability of the town centre as a whole; and
- That the developer agrees that the Touchwood and John Lewis car parks are managed in such a way as to achieve the objective that occupancy within the short stay car parks are better balanced within the town centre, which may include (but shall not be limited to) the implementation of differential car parking charges.

CONCLUSION

The proposed development seeks to extend Touchwood Shopping Centre to expand and enhance its existing retail, dining and entertainment offer. The proposed development would result in significant quantitative and qualitative improvements to the Town Centre offer, enhancing the diversity, range and quality of retail units available in the Town Centre, attracting new retailers and ensuring the Town Centre remains competitive, with a thriving sense of place. The night time economy is strengthened in particular with the introduction of restaurants and cafes positioned at key corner locations.

The proposed development affords the opportunity to enhance the public realm within the Town Centre by the creation of new pedestrian routes within the Town

Centre, linking up with underutilised areas of the Town Centre and increasing footfall thereto. The provision of A3 units and associated sitting out areas complement the public realm and enliven the space ensuring activity throughout the day and into the evening.

The proposal results in the loss of trees, including street trees which can be mitigated by appropriate replacement tree planting, with biodiversity enhancements to support opportunities to achieve new ecological habitats, achieved through sustainable design.

Certain existing designated heritage assets would be sensitively conserved and enhanced, improving their setting, via the demolition of unsympathetic additions. Where the impact of the proposal would not preserve or enhance the setting of certain designated heritage assets (such as St Alphege Church) this less than substantial harm would be outweighed by the public and economic benefits that the scheme would deliver.

The proposals would not unduly harm the amenities of nearby properties, including residential properties, and the proposals are acceptable in highway safety terms. The scheme delivers a package of off site enhancements to the public highway, public realm, Malvern Park as well as ensuring landscape and ecology betterment is delivered. Taken in the round the scheme is considered to provide significant public benefits that enhance the town centre offer, repairs the urban fabric and ensures a better balance in footfall to this north east corner of the town centre. The development provides significant and substantial economic gain to the Solihull town centre generating additional employment whilst better placing the Borough against its neighbours as a place of quality and distinction whilst providing a competitive town centre offer and in particular an enhanced evening economy. The scheme has knock on effects of improving the public realm to the High Street and Church Square where this end of the High Street can be reclaimed to the pedestrian in what is a unique and quality environment with the Grade 1 St Alphege Church as its backdrop.

The proposal therefore complies with the relevant Policies of the Solihull Local Plan 2013 and on balance is recommended for approval.

RECOMMENDATION

For the reasons outlined above, it is recommend that a resolution of approval is made, subject to the following conditions and the signing of a S106 agreement relating to Highways, public realm and landscape improvements :-

(1) The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers: 140129-A-Si-D001B; 140129-A-P-00-D002B; 140129-A-P-00-B003B; 140129-A-P-00-D004B; 140129-A-P-00-D005B; 140129-A-P-00-D006C; 140129-A-P-00-D007B; 140129-A-P-00-D008B; 140129-A-P-00-D009; 140129-A-P-00-D010B; 140129-A-P-00-D011B; 140129-A-P-00-D012B; 140129-A-P-00-D013B; 140129-A-P-00-D014B; 140129-A-P-00-D015G; 140129-A-P-00-D016G; 140129-A-P-00-D017F; 140129-D018D; 140129-A-E-00-D020B; 140129-A-E-Nth-D022; 140129-A-P-00-D019; 140129-A-VA-

Va-D024A; 140129-A-E-00-D030B; 140129-A-S-00-B031D; 140129-A-E-00-D032D; 140129-A-E-00-D033D; 140129-A-P-00-D040

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 building works shall be commenced until a schedule and samples of all bricks, tiles and other materials 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) The development hereby approved shall not be commenced until details of a scheme to manage the disposal of foul water have been submitted to and approved by the Local Planning Authority. Thereafter the development shall not be occupied until the works have been completed in accordance with the approved details.

To secure the satisfactory drainage of the site in accordance with policy P11 and P15 of the Solihull Local Plan 2013.

(5) The development hereby permitted shall not be commenced until such time as a scheme to manage surface water runoff has been submitted to, and approved in writing by, the local planning authority. The scheme shall be based upon the following principles as detailed by the applicant: Surface water runoff attenuated in below ground storage; Discharge rate restricted to 5 l/s prior to discharge to the Severn Trent sewer. Thereafter, the scheme shall be fully implemented in accordance with the timing / phasing arrangements embodied within the approved scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority, and subsequently maintained for the lifetime of the development.

To secure satisfactory drainage of the site in accordance with Policy P11 of the Solihull Local Plan.

(6) During the commencement of the development hereby approved, if contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

To protect the quality of 'Controlled Waters' receptors on and in the vicinity of the site in accordance with policy P11 of the Solihull Local Plan.

(7) Before development hereby approved commences, a schedule of all those trees, hedgerows, shrubs or existing features of the land to be retained, removed and/or treated shall be submitted to and approved by the local planning authority. No tree, hedge or shrub on the site indicated in the approved schedule for retention shall be topped, felled, lopped or root pruned except with the prior written consent of the Local Planning Authority

To safeguard as many natural features of the site as is reasonable for the proposed development in accordance with Policy P10, P14 and P15 of the Solihull Local Plan 2013.

(8) Prior to the commencement of work on site, 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 safeguard as many natural features of the site as is reasonable for the proposed development in accordance with Policy P10, P14 and P15 of the Solihull Local Plan 2013.

(9) Prior to commencement of work, the details of any special engineering required to accommodate the protection of retained trees as specified within BS5837, (e.g. in connection with foundations and surfacing) shall be submitted to and approved in writing by the local Planning Authority. Such details shall specify a site specific method statement regarding foundation design prepared by a qualified engineer and arboriculturalist and details of the working methods to be employed for the installation of any drive and paths within the RPAs of retained trees to be in accordance with the principles of No-Dig construction under BS5837.

To minimise the effect and enhance the character of the development in accordance with Policy P10, P14, P15 and P16 of the Solihull Local Plan 2013

(10) The development hereby approved shall not be occupied until full details of hard 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 include proposed finished levels or contours, means of enclosure, hard surfacing materials (samples to be submitted), unit sizes and bonding etc, other vehicle and pedestrian access and circulation areas, minor artefacts and structures, proposed walls and planters, such as street furniture, seating, planters, bins, refuse or other storage units, lighting, signage and cycle parking etc.) and retained historic landscape features and proposals for restoration.

To minimise the effect and enhance the character of the development in accordance with Policy P10, P14, P15 and P16 of the Solihull Local Plan 2013.

(11) The development hereby approved shall not be occupied until full details of 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. To include (but not exhaustive) planters, green screen, green wall, green and brown roof etc. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment) maintenance; 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, P14, P15 and P16 of the Solihull Local Plan

(12) All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of 5 years from the date of planting of any tree or hedge, or that tree or hedge any tree planted in replacement for it, is removed, uprooted, destroyed, dies or becomes seriously damaged or defective, another tree or hedge of the same species and size as that originally planted shall be planted at the same place within the next planting season (October-March), unless the Local Planning Authority gives its written consent to any variation.

To minimise the effect and enhance the character of the development in accordance with Policy P10 P14, P15 and P16 of the Solihull Local Plan

(13) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied. Development shall be carried out in accordance with the approved details.

To minimise the effect and enhance the character of the development in accordance with Policy P10 P14, P15 and P16 of the Solihull Local Plan

(14) Before the development hereby approved is brought into use a ventilation system, incorporating grease and odour filtration and/or suppression shall be installed in accordance with a scheme to be submitted to and approved by the Local Planning Authority. The installation shall be subject to testing to demonstrate it is capable of reducing odours to an acceptable level; the methodology for such testing shall form part of the agreed scheme. If as a result of the testing process the equipment does not reduce odours to an acceptable level then upgrading of the system shall take place in accordance with details to be submitted to and approved by the Local Planning Authority. Thereafter the system shall be used and maintained in accordance with the approved scheme.

To protect the neighbourhood from dust, fumes or odour emissions in accordance with policy P14 of the Solihull Local Plan 2013.

Note: The scheme should specify in detail the provisions made to control grease and odour. Plans showing internal layout of ducting etc. will not be required except where they are relevant to grease and odour control equipment.

(15) Before the development hereby approved is brought into use any air conditioning, electrical or mechanical ventilation scheme must be installed and thereafter used and maintained in accordance with a scheme to be submitted and approved in writing by the Local Planning Authority.

To protect the neighbourhood from dust, fumes, odour or noise emissions in accordance with policy P14 of the Solihull Local Plan 2013.

Note: The scheme should specify in detail the provisions made to control noise and odour. Plans showing internal layout of ducting etc. will not be required except where they are relevant to noise and odour control equipment.

(16) No illumination of any external area of the site shall take place except with the prior written consent of the Local Planning Authority and in accordance with details submitted to and approved by them.

In the interests of the amenities of the area in accordance with Policy P14 and P15 of the Solihull Local Plan 2013.

(17) Notwithstanding the details contained on approved plan no. 140129-A-E-00-D032D (Section FF - Council Office Elevation), the development hereby approved shall not be occupied until a scheme for the provision of public art has been provided in relation to the south elevation of the building, in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be implemented and maintained thereafter unless otherwise agreed in writing by the local planning authority.

In the interest of good design and amenity in accordance with Policy P15 of the Solihull Local Plan 2013.

(18) No advertisements, promotional material, transfers or adhered material shall be applied to the internal or external glazed elevations of unit 100 as indicated on approved drawing no.140129-A-P-00-D015G, unless otherwise approved in writing by the Local Planning Authority.

In the interests of maintaining a high quality design and appearance and to preserve the character and setting of the Grade 1 listed St Alphege Church in accordance with policies P15 design and P16 heritage of the Solihull Local Plan 2013.

(19) Before the development hereby approved is commenced, details of an Employment and Skills Strategy shall be submitted to and approved in writing by the Local Planning Authority. Such a strategy shall include a method statement to indicate how the Employment and Skills Strategy shall be implemented. Thereafter, the approved Employment and Skills Strategy shall be implemented in accordance with the approved details.

To ensure that recruitment and training is maximised for the local community, in accordance with Policies P1 and P2 of the Solihull Local Plan 2013.

(20) The development hereby approved shall not be occupied until a scheme of CCTV coverage has been provided in accordance with details that have been submitted to and approved in writing by the Local Planning Authority.

In the interests of the creation of a high quality, safe public realm in accordance with policies P15 and P18 of the Solihull Local Plan 2013.

(21) The development hereby approved shall not be commenced until full details have been submitted to and approved in writing to incorporate sustainable design measures that make a positive contribution to minimising energy requirements and reducing CO2 emissions of the development. Such details shall include measures to be incorporated to the building fabric that reduce the need for air conditioning or heating, glazing to provide natural light and reduce dependence on artificial lighting and installation of windows that can be opened to reduce the need for cooling and ventilation systems to operate; The use of on-site Low and Zero Carbon Technologies including the use of photovoltaics at rooftop level and rainwater recovery; Waste management planning that reduces the amount of waste sent to landfill; Other measures could include the use of green and brown roofs to increase biodiversity, increase air quality and reduce surface water runoff. Thereafter the approved details shall be incorporated into the built development in accordance with the approved details.

In the interests of sustainable development in accordance with Policies P9 and P15 of the Solihull Local Plan 2013.

(22) Before the development hereby approved is commenced, a Landscape and Ecology Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Such a plan shall include long term design objectives, management responsibilities and maintenance schedules for all landscape areas/biodiversity enhancements; provision of replacement nesting opportunities for swallows; and detailed design information for the implementation of green and brown roofs, to establish habitat creation opportunities. Thereafter the Plan shall be implemented in accordance with the approved details.

To secure satisfactory mitigation for the development and to enhance the environment in accordance with Policies P10 and P15 of the Solihull Local Plan 2013.

(23) Prior to the commencement of development, notwithstanding the details contained on the plans hereby approved, as set out in condition 1 of this permission, full details of the proposed access to the Council House shall be submitted to and approved by the Local Planning Authority.

To safeguard the interests of users of the highway in accordance with Policies P7 and P8 of the Solihull Local Plan 2013.

(24) Unless otherwise agreed in writing by the Local Planning Authority, the following servicing arrangements, including deliveries and refuse collection shall apply:

i) All units within the proposed development shall be serviced from the roof of Touchwood, with exception of the 'Island Block' (which fronts onto Church Square) and those existing units which front onto High Street, which are currently serviced from Manor Square.

ii) Servicing from High Street will only be permitted for those units within the 'Island Block' which fronts onto 'Church Square' and such servicing will only be permitted between the hours of Midnight and 0800 hours, for the purposes of delivering goods only. Refuse collection for this block shall be carried out from the roof of Touchwood.

To safeguard the interests of users of the highway in accordance with Policies P7 and P8 of the Solihull Local Plan 2013.

(25) Prior to occupation of the proposed development a Travel Plan shall be submitted to and approved by the Local Planning Authority. The Travel Plan shall contain;

- a. Challenging targets for non-car mode share based on current mode share to work within the town centre.
- b. Annual monitoring of progress and reporting of targets and progress, to be shared with the Local Planning Authority.
- c. A clear action plan to address targets and provision for an annual review of actions to ensure the most effective measures are being implemented.

In the interests of the promotion of sustainable transport modes in accordance with Policies P7 and P8 of the Solihull Local Plan 2013.

(26) Prior to the commencement of development a detailed construction/phasing plan shall be submitted to and approved by the Local Planning Authority.

In the interests of the satisfactory development of the site in accordance with Policies P2, P7, P8 and P14 of the Solihull Local Plan 2013.

(27) Public access shall be retained at all times to the proposed raised footpath (as indicated on approved plan no. 140129-018D), which will provide access to the Town Centre from the Council House along the northern edge of Church Hill adjacent to the development.

In the interests of highway safety and pedestrian movement in accordance with policies P7 and P8 of the Solihull Local Plan 2013.

(28) Vehicular access shall be retained at all times to the Council House, including during construction.

In the interests of the free flow of traffic and highway safety in accordance with Policies P7 and P8 of the Solihull Local Plan 2013.

The decision to grant planning permission has been taken having regard to the policies and proposals in the Solihull Local Plan 2013 set out below together with all other relevant material considerations, including Supplementary Planning Guidance, and the particular circumstances and reasons summarised below.

Solihull Local Plan (2013)

- P1 - Support Economic Success
- P2 - Maintain Strong, Competitive Town Centres
- P7 – Accessibility and Ease of Access
- P8 – Managing Demand for Travel and Reducing Congestion
- P9 – Climate Change
- P10 – Natural Environment
- P11 – Water Management
- P14 - Amenity
- P15 – Securing Design Quality
- P16 – Conservation of Heritage Assets and Local Distinctiveness
- P18 – Health and Well Being
- P20 –Provision for Open Space, Children’s Play, Sport, Recreation and Leisure
- P21 – Developer Contributions and Infrastructure Provision

Government Guidance

NPPF

In reaching this decision the Council is mindful of the particular circumstances and reasons set out below, namely:

The proposed development seeks to extend Touchwood Shopping Centre to expand and enhance its existing retail, dining and entertainment offer. The proposed development would result in significant quantitative and qualitative improvements to the Town Centre offer, enhancing the diversity, range and quality of retail units available in the Town Centre, attracting new retailers and ensuring the Town Centre remains competitive, with a thriving sense of place. The night time economy is strengthened in particular with the introduction of restaurants and cafes positioned at key corner locations.

The proposed development affords the opportunity to enhance the public realm within the Town Centre by the creation of new pedestrian routes within the Town Centre, linking up with underutilised areas of the Town Centre and increasing footfall thereto. The provision of A3 units and associated sitting out areas complement the public realm and enliven the space ensuring activity throughout the day and into the evening.

The proposal results in the loss of trees, including street trees which can be mitigated by appropriate replacement tree planting, with biodiversity enhancements to support opportunities to achieve new ecological habitats, achieved through sustainable design.

Certain existing designated heritage assets would be sensitively conserved and enhanced, improving their setting, via the demolition of unsympathetic additions. Where the impact of the proposal would not preserve or enhance the setting of certain designated heritage assets (such as St Alphege Church) this less than substantial harm would be outweighed by the public and economic benefits that the scheme would deliver.

The proposals would not unduly harm the amenities of nearby properties, including residential properties, and the proposals are acceptable in highway safety terms. The scheme delivers a package of off site enhancements to the public highway, public realm, Malvern Park as well as ensuring landscape and ecology betterment is delivered. Taken in the round the scheme is considered to provide significant public benefits that enhance the town centre offer, repairs the urban fabric and ensures a better balance in footfall to this north east corner of the town centre. The development provides significant and substantial economic gain to the Solihull town centre generating additional employment whilst better placing the Borough against its neighbours as a place of quality and distinction whilst providing a competitive town centre offer and in particular an enhanced evening economy. The scheme has knock on effects of improving the public realm to the High Street and Church Square where this end of the High Street can be reclaimed to the pedestrian in what is a unique and quality environment with the Grade 1 St Alphege Church as its backdrop.

The proposal therefore complies with the relevant Policies of the Solihull Local Plan 2013 and on balance is recommended for approval.

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 8.00 am to 6.00 pm on Mondays to Fridays and 8.00 am to 1.00 pm 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 phases(s) may be prolonged or if work may be undertaken beyond the aforementioned hours. Please contact the Contact Centre (0121 704 8000) for further details. Burning of 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 on (0121 704 8000) 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: A planning agreement/obligation under Section 106 of the Town and Country Planning Act 1990 relates to this site.