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# Planning Statement

## Tidbury Green Farm, Tidbury Green, Solihull

Applications for Planning Permission and Listed Building Consent

January 2019

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**For and on behalf of GVA Grimley Limited**

# 1. Introduction and Instructions

## Instructions

- 1.1 GVA is instructed by Brunning and Price to submit a planning application for the change of use, conversion and extension of the existing buildings at Tidbury Green Farm to create a pub/restaurant (use class A3/A4). In addition, an application for listed building consent for the works to the listed buildings is submitted concurrently. The buildings are currently in residential use (class C3).
- 1.2 This application comprises a re-submission of applications 18/00235/PPFL and 18/00236/LBC, which were withdrawn on 2 January 2019. The applications sought full planning and listed building consent for similar development, but were withdrawn so that revised proposals could be submitted to address some concerns raised by officers and statutory consultees during the determination period.
- 1.3 This planning statement accompanies both applications and summarises the information submitted in support of them.
- 1.4 The description of development for the full planning application is:
- “Change of use of the existing farmhouse, associated buildings and land from residential use (use class C3) to a pub/restaurant (use class A3/A4) with ancillary manager’s accommodation, and construction of extensions and associated works, including: creation of access and car parking; and hard and soft landscaping”
- 1.5 The description of development for the listed building consent application is:
- “Works to listed buildings including: internal refurbishment of the farm house and associated buildings; partial demolition of a listed building; side and rear extension to the listed farmhouse and large barn; and external works to the listed buildings to replace modern additions with traditional features, including windows”.
- 1.6 GVA is responsible for preparing the town planning inputs to the applications and for the management of the consultant team. A team of technical consultants has been assembled and has prepared the documents submitted in support of the applications. The consultant team and its input to the scheme is summarised as follows:

<b>Document</b>	<b>Lead Consultant/Author</b>
Application forms and ownership certificates	GVA
CIL Form	GVA
Covering letter (including schedule of submission documents)	GVA
Planning Statement	GVA
Design and Access Statement	Bidwells
Site Location Plan	Spatialized
Existing and Proposed building and site layout plans	Spatialized
Schedule of works to listed buildings	Spatialized
3D Visuals	Spatialized
Heritage Statement	Bidwells
Extended Phase 1 Habitat Survey	Rachel Hacking Ecology
Daytime Bat Survey	Rachel Hacking Ecology
Tree Survey	Cheshire Woodlands
Noise Assessment	Hoare Lea
Transport Statement	Vectos
Structural Inspection Report	Clancy Consulting

## **Content of the Planning Statement**

- 1.7 In Chapter 2 of the statement we describe the site and the areas which surround it. The chapter includes a description of existing features and buildings on the site and other land uses which take place around it.
- 1.8 In Chapter 3 of the statement we describe the proposals in detail, by reference to the various elements which collectively comprise the proposed scheme.
- 1.9 In Chapter 4 we describe development plan policy and other material considerations which will guide the determination of the application.
- 1.10 In Chapter 5 we describe and summarise the pre-application discussions that have been held with Officers from Solihull Metropolitan Borough Council.
- 1.11 In Chapter 6 we describe the community engagement exercise that was carried out in respect of the application and representatives of Tidbury Green Parish Council.
- 1.12 In Chapter 7 we consider the principle of the development proposed, by particular reference to the impact on heritage assets and the Green Belt.
- 1.13 In Chapter 8 we consider the details of the development proposed by reference to numerous, technical, planning-related issues.

1.14 In Chapter 9 we provide a summary of the scheme and our conclusions on its planning merits.

## 2. Site and Surroundings

### The Site Context

- 2.1 Tidbury Green is an established rural settlement washed over by the Green Belt. It is located approximately 300 metres to the east of Grimes Hill / Wythall and approximately 800 metres to the south west of Dickens Heath. Shirley town centre is approximately 3km to the north and Solihull town centre is approximately 6km to the north east.
- 2.2 The main developed area of Tidbury Green comprises a triangle formed by Fulford Hall Road, Norton Lane and Lowbrook Lane. Urban development extends beyond this triangle to the north, along Tilehouse Lane, and to the south east along Norton Lane. The ribbon of development to the south east extends beyond Rumbush Lane.
- 2.3 The village is characterised by large detached and semi detached residential properties which are typically set well back from adjacent roads and within large plots. There are a relatively small number of older buildings (pre 1900) in the village, with Tidbury Green Farm being the first, dating back to the 17<sup>th</sup> Century. The majority of buildings were constructed between the 1920s and the late 1950s.
- 2.4 The primary school within the village is attended by children from 3 to 11 years old. The school buildings are modern and are well served by hard and soft surfaced play areas and other associated land.
- 2.5 On the same site as the school is the Tidbury Green Village Hall. This comprises a main hall, smaller hall, and associated facilities. The Village Hall provides the only local space for community groups to meet.
- 2.6 The nearest settlement to Tidbury Green is Wythall / Grimes Hill. Facilities there include:
- railway station
  - post office
  - GP surgery
- 2.7 Dickens Heath, also nearby, is a new settlement characterised predominantly by modern development. It has a new village centre which comprises the following facilities:
- a library
  - a medical centre

- a dental practice
- a "Tesco Express" convenience / food store
- Londis news/convenience store
- a primary school
- a number of restaurants.

2.8 There are no local pubs within the immediate vicinity of the area.

### **The Site**

2.9 Tidbury Green Farm is located on the eastern side of the settlement of Tidbury Green in the Borough of Solihull.

2.10 The site covers an area of approximately 0.96 hectares (2.37 acres) and is located on the corner of Fulford Hall Road and Dickens Heath Road. It is bound to the west by Fulford Hall Road, to the north by Dickens Heath Road, to the east by Tidbury Green School and Nursery and to the south by residential development.

2.11 The site historically operated as a small scale farm however agricultural activity has now ceased.

### **Vehicular and Pedestrian Access**

2.12 Access and egress for vehicles is currently taken via Fulford Hall Road. A gravelled driveway runs from the access point to a parking courtyard which the main buildings front onto.

2.13 A pedestrian access is also currently provided off Fulford Hall Road by way of a wooden gate within the boundary hedgerow. This provides access into the western garden area.

2.14 The opportunities for sustainable travel are described in detail within the Transport Statement that accompanies this submission. It describes the accessibility of the site by foot, cycle, bus and rail.

### **Buildings**

2.15 The range of buildings present on site comprise:

- Tidbury Green Farmhouse;
- the former cowhouse (small barn to the west of the farmhouse);

- the barn / stables (large barn to the east of the farmhouse);
- pigsties;
- former implement shed;
- sheds, outbuildings and a greenhouse.

2.16 The Farmhouse, cowhouse and barn/stables are of red brick with plain clay roof tiles and are located around a gravelled parking court:

- Tidbury Green **Farmhouse** is a two storey building and provides the residential accommodation. Low level outbuildings extend off the east facing elevation of the farmhouse. These appear to have been constructed at various times and are built of more modern brick than the main farmhouse.
- The **small barn** to the west of the farmhouse courtyard historically provided a "cowhouse". It is single storey in height and comprises two attached barns. The barn is currently used for storage.
- The **large barn** to the east of the farmhouse comprises the former barn and stables. These are of varying heights with the stable sitting lower than the barn. Both are single storey although the barn includes a mezzanine level. The barn is currently used for storage. A modern built structure extends off the rear elevation of the barn. It is constructed from corrugated metal and wood. It's construction is unsympathetic to the barn and does not form part of the original structure of the building. It too is currently used for storage.
- The **pigsties** are situated remotely from the main courtyard area. They are located along the eastern boundary of the site and comprises a low brick-built single storey structure with a pitched tiled roof.
- A former **implement shed** is located adjacent to the site access. It appears to pre-date 1948. The structure is currently unused and is in a very poor state of repair.
- The remainder of buildings on site comprise sheds, outbuildings and a greenhouse. These are located predominantly around the edges of the site and are of modern construction.

## Trees

2.17 There are numerous trees spread throughout the site which can be broadly categorised as follows:

- 14no. individual trees
- 9no. tree groups
- 6no. hedges.

2.18 A tree survey has been undertaken which has identified the trees to be of varying quality, ranging from category A (high quality) to U (recommended for removal). The survey is submitted as part of the application.

2.19 The trees are located across the site with dense mature tree growth largely concentrated along the site boundaries. The majority of these are covered by a Tree Preservation Order.

### Gardens

2.20 The remainder of the site comprises gardens which are predominantly laid to grass. These are located to the north, east and west of the farmhouse. Part of the garden area to the west of the farmhouse and cowhouse is used for growing vegetables and a pond is also located within this area.

### Heritage Assets

2.21 The farmhouse, two barns around the courtyard and pigsties are Grade II listed buildings as a result of their architectural and historic interest. They were listed on 14 July 2016 and whilst each has its own listing, they are also noted for their group value. The buildings are recognised as being an important group of agricultural and vernacular buildings that demonstrate chronological development of farming and small-scale farming methods.

2.22 Section 5(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 defines a listed building as being included in a list compiled or approved by the Secretary of State, and: any object or structure fixed to the building; or any object or structure within the curtilage of the building which forms part of the land and has done so since before 1 July 1948.

2.23 Whilst the implement shed pre dates 1948 and falls within the curtilage of listed buildings, the listing description for the main house states that *"the former implement shed to the south-west of the house is not of special architectural or historic interest and is not listed"*.

2.24 In terms of the sheds and outbuildings, whilst these too fall within the curtilage of listed buildings, they appear to have been constructed after 1948 and therefore do not fall under the definition of a listed building.

- 2.25 The heritage statement which accompanies this application comments on the evidential, aesthetic, historic and communal value of the listed buildings and describes the works undertaken to the buildings to date.

#### **Farm House**

- 2.26 Tidbury Green Farmhouse is described in its listing entry (ref: 1435310) as:

*"a farmhouse, dating originally from the C17, with alterations and remodelling in the C18 and C19; with attached outbuildings".*

- 2.27 The heritage statement concludes that the building survives very well with later alterations enhancing its interest. As a result of its age and rare surviving fabric, the evidential value is considered to be 'good'. In terms of aesthetic value, the irregular footprint of the building is considered to tell an interesting narrative. Its functions are clearly evident in the historic fabric. However the uPVC windows are harmful to the appearance of the building. It is considered to have a 'medium/good' level of aesthetic value on account of its materiality, legibility and overall character and appearance.

- 2.28 The building is considered to have a 'medium/good' level of historic and communal value, as when considered with the associated buildings, it illustrates the character and development of regional farming traditions within the context of overall national patterns in farming history. The farm is also the first settlement within Tidbury Green and thus has a key role in the village and its historic context.

#### **Small Barn**

- 2.29 The small barn is referred to in the listing entry as "cowhouse" (ref: 1435955). It is described as:

*"a cowhouse, dating from the C18 with remodelling in the C19, used latterly as a milking shed".*

- 2.30 The heritage statement concludes that as a result of its age and surviving fabric the evidential value of the building is 'medium'. On account of its materiality, legibility and overall character and appearance, the building is considered to have 'medium/good' aesthetic value.

- 2.31 Its historic and communal value is considered to be 'medium'.

#### **Large Barn**

- 2.32 The large barn is referred to in the listing entry as "barn and stables" (ref: 1435952). It is described as:

*"a threshing barn with attached stables, dating from the first half of the C19".*

2.33 The heritage statement sets out that the large doors to the barn are C21 replacements using earlier strap hinges and that on the basis of the building's age and surviving fabric, its evidential value is 'good'.

2.34 In terms of other considerations, aesthetic value it is considered to be 'good', and historic and communal value 'good'.

#### **Pigsties**

2.35 The pigsties are described in the listing entry (ref: 1435958) as:

*"pigsties, with pens, dating from the late C19".*

2.36 The heritage statement consider evidential value to be 'medium' as a result of its age and surviving fabric and aesthetic value also being 'medium' on account of its materiality, legibility and overall character and appearance.

2.37 Historic and communal value is also considered to be 'medium'.

## 3. The Proposed Development

### Description of the Development

- 3.1 The application seeks full planning and listed building consent for: the change of use of the existing buildings and land; construction of rear and side extensions to the farmhouse and the large barn to link the two buildings; and works to the listed buildings.
- 3.2 The application is accompanied by numerous plans which illustrate the external and internal development proposals. These are also accompanied by a Design and Access Statement and schedule of works, within the Heritage Statement, which details works proposed to the listed buildings. This planning statement should be read in conjunction with the accompanying design material.
- 3.3 The following paragraphs consider the various elements of the development proposed.

### Use

- 3.4 It is proposed that the farmhouse and its associated outbuildings would be converted from a residential dwelling use (use class C3) to a pub / restaurant (use class A3/A4). The intention is for the site to be operated by "Brunning and Price", an award winning pub group.
- 3.5 The ground floor of the farmhouse (with the exception of the existing entrance hall and dining room) and large barn are proposed to provide the dining area for the pub / restaurant, with the existing dining room, front entrance and upper floors of the farmhouse providing staff facilities and managers accommodation.
- 3.6 The remainder of the site would accommodate access, car parking, outdoor terrace seating and a garden area. The garden would provide an outdoor space on site which could be put to a variety of appropriate uses, including local community events.

### Means of Access

- 3.7 The proposals retain the existing access off Fulford Hall Road and the driveway into the site, albeit with slight alterations to allow for two way traffic movements and to ensure sufficient visibility is achieved. It is proposed that this would provide access and egress for all vehicles. The access route off Fulford Hall Road would be of tarmac construction, with gravel starting approximately 25m into the site so that it is set back from the main access to prevent migration onto the highway.

- 3.8 Customer vehicles would be directed to a dedicated car park which is proposed to the rear of the farmhouse. This would be accessed via a gravelled route which runs to the east of the buildings and new extension. Additional parking is also proposed adjacent to the pig sties and along the site boundary to the south-east of the buildings.
- 3.9 A direct level pedestrian route is proposed from the car park to the pub entrance, which would provide an access into the dining area within the new extension.
- 3.10 Larger vehicles accessing the site, for example delivery lorries, would share the same access road as the domestic vehicles and would be directed to a delivery area to the east of the large barn and south of the new extension. This will provide direct access from the delivery vehicles into the kitchen and into the basement level where the dry store and beer store are proposed. Appendix C of the Transport Statement illustrates through swept path analysis that a 10m rigid servicing vehicle could adequately turn in the delivery area such that it can access and egress in a forward gear.

### External Works to Listed Buildings

- 3.11 In order to achieve a single, level, area large enough to accommodate suitable dining, kitchen and bar space and customer facilities, it is proposed that the ground floor of the farmhouse and the large barn would be connected by a single storey side and rear extension.
- 3.12 The extension would require the demolition of the existing outbuildings connected to the eastern elevation of the farmhouse. These would be replaced by a new, single storey, extension which would extend eastwards off the farmhouse and southwards to connect it to the large barn. A small opening within the farmhouse and stable walls would be created to provide a through route between the existing and proposed floorspace.
- 3.13 It is proposed that the materials used to construct the extension would reflect those of the existing buildings in addition to the use of horizontal boarding for the larger elements to ensure it is read as being subservient to the brick built listed buildings.
- 3.14 Glazing is proposed where the extension links with the listed buildings, in addition to a flat roof connection, to reduce the scale of the proposed works and create a building that is subservient to the existing heritage assets.
- 3.15 Further external works to the listed buildings comprise replacement of the existing modern uPVC windows with purpose made timber framed windows to provide traditional fenestration that is more in keeping with the listed building. The existing doors in the large barn are also proposed to be locked back in the open position and the opening infilled with glazed panels in a timber frame. This would provide a natural source of light into the proposed dining area without the need to create new openings.

- 3.16 The proposed elevations, plans and schedule of works to the listed buildings provide full details of the proposals.

### Internal Works to Listed Buildings

- 3.17 The majority of the existing fabric of the listed buildings would remain intact. With the exception of the removal of the existing rear entrance lobby to the kitchen and adjacent outbuildings, and two new openings into the large barn, no demolition works are proposed to the listed buildings.

- 3.18 Internal works predominantly comprise:

- the closing off of the opening from the hallway into the existing lounge of the farmhouse, to provide a separate space for staff and managers accommodation; and
- the removal of the trough, laying of new flooring, and construction of a new replacement mezzanine structure within the large barn.

- 3.19 Other internal works comprise; general refurbishment to make good the historic features that are deteriorating; ensuring the finished floor levels provide suitable access for all; and providing more traditional décor to enhance the heritage asset. The refurbishment works are set out in detail within the Heritage Statement, but include: new flooring; full re-wiring; structural repairs; retention and repair of historic features; and brick work repairs.

### Car Parking

- 3.20 Car parking is proposed to the rear of the buildings. Direct access is to be provided via a gravelled road off the existing driveway into a 49 space car park for customers. An additional 5 parking spaces for staff are also proposed along the southern boundary of the site. To reduce the extent of hardstanding and thus the visual impact of the car park, gravel is proposed for the circulation route and the spaces are to be formed using Grassform Geogrid Premium, with grass infill.

- 3.21 An additional 3 disabled spaces are also provided within the main car park adjacent to the customer access into the pub / restaurant. These are to be of stone sett construction to provide a level access into the premises.

### Trees

- 3.22 The proposed development has been designed to retain as many of the existing trees as possible in order to retain the character of the site and enhance the setting of the proposed pub.

- 3.23 A total of five trees and two small tree groups are proposed for removal as a result of the development. These are all category C (low quality). Only two other trees across the site are proposed for removal, which is due to their poor quality (category U). All high and moderate quality trees (categories A and B) will therefore be retained as part of the development.
- 3.24 The proposals would therefore ensure that the strong tree belts along the site boundaries are retained to preserve the character of the site and provide screening from the highways.

### **Proposed Planting**

- 3.25 New planting of native species is proposed across the site. A detailed planting plan has been prepared by Branching Out Two Ltd, and is submitted as part of the planning application.
- 3.26 The soft landscaping would comprise a mix of trees, hedgerows and planters with low level shrubs. These would be located predominantly around the car park, along the access road and around the listed buildings and proposed terrace seating. The new planting would help to soften the proposed development and enhance the setting of the site whilst retaining its character. The new tree planting would also mitigate the loss of the small number of trees as a result of the development.

## 4. The Development Plan and Other Material Considerations

### The Development Plan

- 4.1 Section 70(2) of the TCPA 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 oblige decision makers to determine planning applications in accordance with the Development Plan, unless other material considerations indicate otherwise. The Development Plan for Solihull Metropolitan Borough comprises the Solihull Local Plan, adopted in 2013.
- 4.2 The Solihull Local Plan covers the period 2011 to 2028 and sets out how and where Solihull will develop in the future.
- 4.3 The Proposals Map shows the site to be washed over by the Green Belt. The key policies that are of relevance to the proposed development are set out below:
- 4.4 **Policy P10** (Natural Environment), expects development to incorporate measures to protect, enhance and restore the landscape where possible and thereby helping to either create or maintain a healthy natural environment which provides social and economic benefits to the Borough.
- 4.5 **Policy P14** (Amenity), seeks to protect and enhance the existing amenity of houses and businesses when considering new development. It sets out that this can be achieved through the provision and replacement of trees and hedgerows to enhance the green infrastructure of an area.
- 4.6 **Policy P15** (Securing Design Quality), expects development to achieve good quality, sustainable and inclusive design. The policy sets out a number of measures in which to achieve this, including: conservation and enhancement of the local character; ensuring the scale, massing, layout and landscape of the development respects the surrounding natural, built and historic environment; and integration of the natural environment through provision of quality open space and improved access.
- 4.7 **Policy P16** (Conservation of Heritage Assets and Local Distinctiveness), sets out the importance of the historic environment to the local character and distinctiveness of the Borough and notes that it can provide cultural, economic, environmental and social benefits. The policy states that development is to enhance and preserve heritage assets to conserve local character and create a sense of place. Proposals seeking to modify heritage assets should be set out in a Heritage Statement which explains how the development will be sympathetic and conserve the special interest and significance of the heritage asset or its setting.

- 4.8 **Policy P17** (Countryside and Green Belt), seeks to safeguard the Green Belt from inappropriate development. Inappropriate development will only be permitted where very special circumstances can be demonstrated. The policy refers to the national planning policy provisions which relate to development which is not inappropriate in the Green Belt (these are referred to later in this statement), and sets out a number of further provisions that shall apply. Development that is not inappropriate within the Borough's Green Belt is summarised as:
- Development involving the replacement, extension or alteration of buildings which will not harm the purposes of including land within the Green Belt.
  - Limited infilling within the Green Belt settlements, providing this would not have an adverse effect on the character of the settlements.
  - Reasonable expansion of established businesses where the proposal would make a significant contribution to the local economy or employment.
  - Re-use of buildings and land where the new use would not conflict with, nor have a materially greater impact on, the openness of the Green Belt and the purposes of including it in the Green Belt. The general design of the development would also be in keeping with its surroundings.
- 4.9 The supporting text to the policy goes on to state that the re-use of permanent and substantial buildings in the Green Belt is not inappropriate development and that locally there is considerable pressure for the conversion of agricultural barns to new uses.
- 4.10 **Policy P18** (Health and Well Being), which states that support will be given to proposals which, provide opportunities for formal and informal physical activity, exercise, recreation and play; and contribute to a high quality, attractive and safe public realm to encourage social interaction and facilitate movement on foot and by cycle.
- 4.11 It also states that development proposals should incorporate planting, trees, open space and soft surfaces wherever possible.
- 4.12 **Policy P21** (Developer Contributions and Infrastructure Provision), which expects development 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.

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## Other Material Considerations

### The National Planning Policy Framework (2018)

- 4.13 The NPPF was published in July 2018 and sets out the Government's guidance on town planning matters.
- 4.14 Underpinning the NPPF is a presumption in favour of sustainable development. The NPPF confirms that achieving sustainable development means that the planning system has three overarching objectives, what are interdependent and need to be pursued in mutually supportive ways. These are, economic, social and environmental objectives.
- 4.15 Paragraph 10 states that a "*presumption in favour of sustainable development*" is at the heart of the Framework. Paragraph 11 goes on to confirm that plans and decisions should apply the presumption and that for decision taking, this means:
- *approving development proposals that accord with an up-to-date development plan without delay; or*
  - *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
    - i) *the application of policies in this Framework protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
    - ii) *and adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

### Protecting Green Belt Land

- 4.16 Chapter 13 of the NPPF deals with the protection of the Green Belt. It sets out that the fundamental aim of Green Belt policy is to "*prevent urban sprawl by keeping land permanently open*" and that the essential characteristics of Green Belts are "*their openness and their permanence*".
- 4.17 Paragraph 134 identifies the five purposes of the Green Belt, as follows:
- a) *"to check the unrestricted sprawl of large built-up areas;*
  - b) *to prevent neighbouring towns merging into one another;*
  - c) *to assist in safeguarding the countryside from encroachment;*
  - d) *to preserve the setting and special character of historic towns; and*

e) *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*"

4.18 When considering proposals affecting the Green Belt, the Framework is clear that local authorities should ensure that substantial weight is given to any harm to the Green Belt and that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (VSC). It goes on to say that VSC "*will not exist unless the potential harm... by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations*".

4.19 Paragraph 145 sets out that the construction of new buildings should be regarded as inappropriate, with the exception of the following:

- a) *buildings for agriculture and forestry;*
- b) *the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green belt and do not conflict with the purposes of including land within it;*
- c) *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) *limited infilling in villages;*
- f) *limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) *limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
  - *not have a greater impact on the openness of the Green Belt than the existing development; or*
  - *not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

4.20 Paragraph 146 also sets out other forms of development that are not inappropriate in the Green Belt, provided they preserve its openness and do not conflict with the purposes of including land within it. This includes;

- *“the re-use of buildings provided that the buildings are of permanent and substantial construction”*; and
- *“material changes in the use of land”*.

#### **Conserving and Enhancing the Historic Environment**

4.21 The NPPF states that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

4.22 In determining proposals affecting heritage assets, the Framework requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. It confirms that *“the level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance”*.

4.23 When determining a planning application the following should be taken into account by a local planning authority:

- a) *“the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) *the desirability of new development making a positive contribution to local character and distinctiveness”*

4.24 When considering impacts of a proposed development on the significance of a designated heritage asset, the Framework is clear that *“great weight should be given to the asset’s conservation... irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance”*.

4.25 The level of “harm” is the threshold set within the NPPF when considering the impact of proposed development on the significance of a heritage asset. Where a proposed development would lead to “substantial harm” or total loss of significance of a designated heritage asset, planning consent should be refused unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh the

harm or loss, or where a number of provisions apply. These are set out in paragraph 195 of the framework.

- 4.26 Where a development would lead to “less than substantial harm” to the significance of a heritage asset, *“this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”*.

### **Supporting a Prosperous Rural Economy**

- 4.27 Chapter 6 of the Framework sets out the provisions for building a strong, competitive economy. Within this, it sets out how policies and decisions should support a prosperous rural economy. Paragraph 83 sets states that planning policies and decisions should enable:

- a) *“the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- b) *the development and diversification of agricultural and other land-based rural businesses;*
- c) *sustainable rural tourism and leisure developments which respect the character of the countryside; and*
- d) *the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship”*.

- 4.28 The Framework sets out that planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. It states that *“the use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist”*.

### **Achieving Well-Designed Places**

- 4.29 The Government places great importance on the creation of high quality buildings and notes that it is fundamental to what the planning and development process should achieve. Paragraph 127 of the Framework states that planning decisions should ensure that developments achieve a number of positive features, including that it:

- functions well and adds to the overall quality of the area for the lifetime of the development;

- is visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- is sympathetic to the local character and history, including the surrounding built environment and landscape setting;
- establishes or maintains a strong sense of place, using the arrangement of spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- optimise the potential of a site to accommodate and sustain an appropriate amount and mix of development and support local facilities; and
- create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

### Promoting Healthy and Safe Communities

4.30 The Framework recognises the important role the planning system can play in achieving healthy, inclusive and safe places. It sets out that planning decisions should:

- promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other;
- are safe and accessible; and
- enable and support healthy lifestyles, especially where this would address identified local health and well-being needs.

4.31 The Framework also sets out how planning policies and decisions should provide social, recreational and cultural facilities and services the community needs. These include:

- planning positively for the provision and use of shared spaces, community facilities (including public houses) and other local services to enhance the sustainability of communities and residential environments; and
- ensure an integrated approach to considering the location of economic uses and community facilities and services.

### Planning History

4.32 The online records held by Solihull Metropolitan Borough Council have been reviewed in order to identify the planning history for the site and surrounding area. According to the online search facility, the application site has no planning history.

- 4.33 Tidbury Green village is experiencing significant growth. This is considered to be of material consideration in the determination of the planning application as it demonstrates a need for; more local facilities; places for meeting and opportunities for leisure and recreation. The following provides an overview of the large scale residential development that has been approved within the local area since 2012.

#### **Land Adjacent – The former Tidbury Green Farm Fields**

- 4.34 The former agricultural fields of Tidbury Green Farm, which fall outside of the boundary of this planning application, have seen a number of planning applications for large-scale residential development come forward since 2013.
- 4.35 In January 2014 outline planning consent for 190 dwellings was refused by Solihull Metropolitan Borough Council (application no. 2013/1705, since renumbered PL/2013/01394/OLM). The sole reason for refusal was the inclusion of part of the site within the designated Green Belt.
- 4.36 An appeal was lodged by the applicant, and later 'recovered' for determination by the Secretary of State in July 2014. Following a change in position regarding the Green Belt status of the site, the appeal was allowed by the Secretary of State in November 2015. Applications for approval of the details of reserved matters were granted in November 2016 (application no. PL/2016/01738/PPRM).
- 4.37 In August 2017, a revised scheme for the site was approved (application no. PL/2016/03231/PPRM). This increased the number of dwellings proposed by 41 to a total of 231.
- 4.38 It should be noted that the officers report for outline application 2013/1705 (i.e. for 190 dwellings) states that "*Tidbury Green offers little by way of services and facilities*" with it explicitly put that Tidbury Green has "*poor access*" to "*public houses*".

#### **Lowbrook Farm, Lowbrook Lane, Tidbury Green**

- 4.39 An outline application was submitted at Lowbrook Farm (on Lowbrook Lane, Tidbury Green) for development of up to 200 dwellings. This was refused in January 2013 (application no. PL/2012/01568/FULM). However an appeal was lodged by the applicant which was subsequently allowed. Planning permission was granted, subject to conditions (appeal no. AP/2012/00004/HIS). Applications for the discharge of conditions 7, 8, 11, and 19 have since been submitted.

### **Land at Dickens Heath Road, Dickens Heath**

- 4.40 In August 2014, outline planning permission was granted for the development of up to 130 dwellings on land at Dickens Heath Road, Dickens Heath (application no. PL/2014/01799/OLM). This site is located less than 0.5 km to the north-east of the site.
- 4.41 In April 2015, reserved matters were approved for the erection of 128 dwellings (application no. PL/2015/00083/RRM). This development is now under construction.

### **Land at Bleak House Farm, Station Road, Wythall**

- 4.42 Outline planning permission was granted by Bromsgrove District Council in February 2014 for residential development of up to 178 dwellings on Land at Bleak House Farm, Station Road, Wythall (application no. 12/0912).

### **Summary**

- 4.43 The site of the buildings and curtilage of Tidbury Green Farm has no planning history.
- 4.44 There have been numerous permissions for large-scale residential development within Tidbury Green and adjacent settlements since 2012. Tidbury Green and the surrounding area is seeing significant growth and the establishment of a pub is needed to cater for the needs of the growing population in the village

## 5. Pre-Application Discussions

- 5.1 On 23 March 2017, representatives from Brunning and Price, the then project architect and GVA met with planning and conservation officers from Solihull MBC. The meeting was held on site and the proposals that had been developed at that time were presented to officers. This scheme comprised extensions in the same general location as that presented under this full planning application, but occupying a larger footprint, and elements of the extensions proposed were two storey. A number of alterations to the fabric of the listed buildings were also included in the pre-application proposals and the car parking was proposed to the west of the buildings.
- 5.2 At the meeting, no significant issue was raised in respect of the principle of development or in relation to the impact on the Green Belt and officers agreed that the development could be deemed “not inappropriate” in accordance with the provisions of the NPPF.
- 5.3 The public benefit that would arise from the proposed development was also acknowledged. However some concern was raised in relation to the size of the proposed extension and the impact that it could have on the setting and significance of the listed buildings.
- 5.4 The project team took away the following key points for consideration when developing the design further:
- reduce the overall footprint of the scheme;
  - reduce the scale of the new extension against the original listed elements;
  - minimise the extent of new openings within the listed buildings;
  - reduce all new floorspace to be single storey and reduce the overall height through the introduction of flat roofs to retain the current views of the farmhouse and barns from the access and courtyard;
  - ensure the proposed level of parking is kept to a minimum to retain the character of the site whilst also providing a sufficient level to accommodate the anticipated demand.
- 5.5 All of the above were reflected in the final proposals that were submitted to officers as part of full planning and listed building consent applications in January 2018. These were given the references 18/00235/PPFL and 18/00236/LBC.

5.6 During the determination period of the applications, concerns were raised in relation to a number of matters, including the loss of high quality and veteran trees as a result of the location of the car park, the extent of works to the listed buildings, and the size of the extensions and their impact on the setting and significance of the heritage assets.

5.7 In response to the concerns, the proposals have been amended and following the withdrawal of the original applications, the amended scheme is submitted in support of these applications. The key amendments comprise:

- a reduction in the amount of works to the fabric of the listed buildings;
- a reduction in the size of the extension so that it remains out of view from the highways, access drive and courtyard;
- the introduction of a basement below the extension to reduce the scale of visible development on site;
- the replacement of the mezzanine within the barn to the east of the farmhouse;
- relocation of the proposed car park to the rear of the farmhouse, allowing for the retention of all veteran and high quality trees and the retention of the pond;
- retention of all protected trees across the site to retain the mature tree lined boundaries which screen the proposed car parking from view; and
- the incorporation of more glazing to the new elevations that connect the extension to the listed buildings and the addition of flat roof extensions to create the perception of separation between the original and new buildings and to reduce the scale and massing of the extension to ensure it remains subservient.

## 6. Community Engagement

6.1 In advance of the submission of the previous applications (ref: 18/00235/PPFL and 18/00236/LBC), Brunning and Price undertook a thorough consultation process with interested parties in respect of its proposals. The objectives of the community consultation were to:

- ensure the local community is aware of the proposals;
- seek comments, views and feedback from the community and highlight any areas of concern; and
- respond, if necessary and as appropriate, to any issues raised by the local community.

6.2 Brunning and Price ensured that the public consultation process was well advertised so as to engage as many members of the local community as possible. The following methods were used to communicate details of the proposals:

- advertising in the Parish magazine;
- a direct mailshot to all households in the village;
- a dedicated website providing details of the proposals; and
- public consultation exercises where information was provided and staff from Brunning and Price and its development team were on hand to answer any questions.

6.3 Local community feedback to the proposals was captured in three broad ways:

- invitations to respond to an online questionnaire;
- invitations to leave written comments at the consultation event; and
- invitations to provide verbal feedback to staff from Brunning and Price and its consultant team at the consultation event.

6.4 Full details of the local engagement and responses received are set out within the Statement of Community Involvement which accompanies this application.

## 7. Planning Merits - Principle of Development Proposed

- 7.1 There are two matters of relevance to the acceptability of the development proposed as a matter of principle. These are the potential impact on heritage assets and impact on the openness of the Green Belt, which are addressed in turn below:

### Heritage Assets

- 7.2 The proposed development comprises works to Grade II listed buildings and works within the setting of listed buildings. The impact of the development on the significance of these heritage assets is fundamental to the merits of the applications for planning permission and Listed Building consent.
- 7.3 The NPPF establishes that the degree of “harm” caused to the significance of heritage assets is the determining factor. Where harm is deemed to be “substantial”, permission should be refused unless substantial public benefits outweigh the harm and a series of tests can be satisfied.
- 7.4 Where harm to the significance of the asset is “less than substantial”, the harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 7.5 The potential impact of the scheme on the significance of the heritage assets has been a key driver in the development of the plans. Specialised Heritage Consultants have been involved in the design evolution process from the outset and a Heritage Statement has been prepared and is submitted in support of the applications.
- 7.6 The Statement identifies all relevant heritage assets and includes an assessment of significance to determine any impact the proposed development may cause to the value or significance of the assets. The level of evidential, aesthetic, historic and communal value that each of the heritage assets currently presents is set out within Section 2 of this statement. In summary, the farmhouse and its associated farm buildings are considered to be of significance because the group has survived relatively intact and the buildings have a number of rare architectural features that remain in good condition.
- 7.7 The magnitude of impact that development can have on a heritage asset can be defined as being adverse or beneficial and can be further categorised as being very high, high, medium, minor/low, negligible or nil. The Heritage Statement concludes that the proposed development would deliver a number of beneficial works, including medium beneficial impacts to the listed buildings. The maximum level of adverse magnitude (impact) would be “medium”.

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- 7.8 In accordance with the tests set out in the NPPF, the Heritage Statement concludes that the proposed works would result in “less than substantial harm” to the significance of the heritage assets.
- 7.9 Whilst it is acknowledged that there would be some change to the setting of the heritage assets, the Heritage Statement concludes that as a result of the careful assessment of the buildings and their settings, all effort has been made to remove harmful elements from the existing settings, which has created a development that supports the character of the retained buildings. As a result of this approach, the architectural and historic interest of the listed building and its associated structures will be maintained by the proposals.
- 7.10 The Heritage Statement goes on to conclude that the scheme proposed is sensitive to the significance of the heritage assets present, and that the development would provide a long-term viable use for the historic buildings and their settings. The proposals are therefore found to comply with the provisions of Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 7.11 the proposals would retain much of the special architectural and historic interest of the group and would provide a new use which would allow the buildings to be appreciated by more of the general public.
- 7.12 In accordance with the requirements of the NPPF, the public benefits that would arise from the creation of a public house / restaurant and which would outweigh any harm to the listed buildings include:
- The replacement of ‘modern’ features which currently detract from the heritage assets significance with more traditional features, for example the replacement of the UPVC windows with purpose made timber windows. This new fenestration would greatly enhance the appearance of the farmhouse.
  - The reinstatement of the farmhouse as a landmark building on the crossroads as it originally would have appeared.
  - The comprehensive scheme of repair that is proposed to the buildings which can only bring benefits and help to ensure their long-term survival.
  - The opening up of the heritage assets to the general public so that its historic, architectural, evidential and communal value can be widely appreciated.
  - There are no such communal facilities within the village and, due to its substantial growth that it and the surrounding settlements are experiencing, there is a demand.

Indeed, this was noted specifically within the committee report in respect of the residential development that is now under construction on the adjacent land.

- It would provide a community hub for local residents to meet and an inclusive space for all. At present there is a lack of facilities for community groups to meet within the village with space limited to halls within the school and church.
- It would provide leisure and recreation opportunities to encourage social interaction, strengthen the sense of community and enhance community health and well-being, all of which are supported and encouraged by the provisions of the NPPF.
- It would provide tourism opportunities for the village to strengthen and support the local rural economy.
- The garden area would provide a local space for community events to be held.
- It would bring approximately 40 new jobs to the local area, in particular for younger people.
- Due to the location of the site in the village it provides opportunities for sustainable means of access and encourages people to travel by foot or cycle. It is therefore locationally sustainable and would reduce the amount of vehicular traffic on the network from people currently driving elsewhere to access a pub/restaurant.

7.13 Brunning and Price has carried out an extensive public consultation exercise, details of which are included in the "Statement of Community Involvement" (SCI). This is submitted in support of the planning application. The SCI explains how Brunning and Price sought to notify the public of the proposals. The report also summarises the feedback received.

7.14 In summary, the consultation exercise received a significant numbers of responses. The majority of these were positive and supportive of the proposals, which demonstrates that a significant proportion of the local population acknowledge the public benefits that would arise from the proposals.

7.15 Furthermore, since the submission of the original planning applications in January 2018, a number of local residents have been in touch with Brunning and Price to seek updates as to how it is progressing and when the new facilities will open. There is therefore clear and continued demand and support for the proposals.

7.16 Securing the optimum viable use is also something that the NPPF states should be taken into account, where appropriate, when considering the weight of harm. At present, the site provides a single dwelling, offering little in the way of public benefit other than contributing a single unit of accommodation in the Borough. In contrast, a public house / restaurant would

provide multiple public benefits, as detailed above, whilst also bringing into focus the historic importance of the site and helping to celebrate its significance. The proposed change of use and works would also guarantee the positive and beneficial repair and refurbishment to the listed buildings and removal of harmful elements, which would secure the long-term use of the buildings. These works could not be certain if the buildings are retained in residential use, particularly due to the cost implications that would come with undertaking such repair and structural works.

- 7.17 It is therefore considered that the public house / restaurant would provide a significantly greater public benefit than the house does at present and would thus provide the optimum viable use for the site.

## Green Belt

- 7.18 There is a general presumption against inappropriate development in the Green Belt. Whilst the NPPF generally considers the construction of new buildings to be inappropriate, there are a number of exceptions to this. The proposed development is considered to satisfy the following exceptions set out in the NPPF:

**Exception B: Provision of appropriate facilities for outdoor recreation as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.**

- 7.19 The opening up of the site to the local community and the provision of a garden area would provide an opportunity for community events which would deliver facilities for outdoor recreation.

- 7.20 The site is surrounded by built form on all sides and the development would fall wholly within the curtilage of an existing developed plot. The development would therefore preserve the openness of the Green Belt. Further, it would not conflict with the purposes of the Green Belt, i.e. it would not lead to unrestricted sprawl of the built up area; it would not cause the merging of neighbouring towns; it would not result in any encroachment into the countryside; and it would be making use of existing developed land.

**Exception C: The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.**

- 7.21 When taking into consideration the 'modern' floorspace across the existing site that is to be demolished, the development proposed would lead to a 10.39% increase in the Gross External Area of visible floorspace on site. This would not result in disproportionate additions over and above the size of the original buildings.

**Exception E: Limited infilling in villages.**

- 7.22 The proposed development is within the curtilage of an existing developed plot, and the site is bound on all sides by existing development. Given the 'limited' nature of the net new visible floorspace, the proposals would comprise limited infilling in the village.

**Exception G: Limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt than the existing development.**

- 7.23 In addition to providing partial redevelopment of a previously developed site, due to the limited extent of the extensions and for the reasons set out above under Exception B, the proposals would not have a greater impact on the openness of the Green Belt, nor on the purpose of including land within it when compared with the existing use.
- 7.24 In summary we conclude that the proposed development benefits from multiple exemptions which mean that it is not inappropriate development in the Green Belt as set out in the NPPF.

**Very Special Circumstances**

- 7.25 Notwithstanding the above conclusion, should the LPA not agree with our conclusions, it is considered that there are "Very Special Circumstances" (VSC) which outweigh harm to the openness of the Green Belt and any other harm.
- 7.26 If Tidbury Green were outside the Green Belt there would be no fundamental presumption against development of new a building to serve the community. However, because Tidbury Green is within the Green Belt, the need to provide facilities for the community must be balanced against policy requirements and the need to preserve the openness of the Green Belt.
- 7.27 It is acknowledged by the LPA that the village lacks local facilities, in particular, a public house. Given the substantial growth that the village and surrounding settlements are experiencing, i.e. 737 new dwellings, it is considered appropriate to provide a pub. The absence of a pub in a village the size of Tidbury Green is a very special circumstance. Most villages have at least one pub.
- 7.28 With this in mind, we have considered a number of scenarios in which a pub would be provided and have ranked them in order of potential "harm" to the openness of the Green Belt. These are as follows:

- 1) **Convert an existing building with no extensions.** This would be the optimum approach in Green Belt terms. However, we are not aware of any available building in the village that would have a suitable curtilage to accommodate conversion into a pub.
- 2) **Demolish all existing buildings on a site and construct a new building of the same size.** As above, we are not aware of any suitable or available sites within the local area that could accommodate a pub use.
- 3) **Extend an existing building to achieve a floorspace that would work from an operational perspective whilst also being viable.** This is the scenario proposed under this application.
- 4) **Demolition of existing buildings and construction of a larger building.** As above, we are not aware of any suitable or available sites within the local area that could accommodate a pub use within its curtilage.
- 5) **Build on an alternative site.** An alternative site would need to provide dining, bar, kitchen and customer facility space and a car park suitable to serve the size of the local population. As above, there are no alternative sites within the built up area of the settlement that could accommodate such development. An alternative site would therefore undoubtedly result in the loss of open countryside on the edge of the village, contributing to sprawl, countryside encroachment and narrowing of the gap between neighbouring settlements. This scenario would therefore result in a greater impact on the openness of the Green Belt and indeed the purposes of it.

7.29 The above analysis demonstrates that the Tidbury Green farm site offers the optimal way of delivering a pub for the local community whilst having minimal impact on the openness of the Green Belt and the purposes of including land within it. This is a very special circumstance.

7.30 Other matters which cumulatively contribute to the case of very special circumstances are closely linked to those public benefits that we list at paragraph 7.12 of this report. These should therefore also be viewed as material considerations when assessing the planning balance and VSC case.

7.31 In summary, we conclude that even if the LPA does not agree that the development would be appropriate in the Green Belt, in accordance with the NPPF, very special circumstances sufficient to outweigh harm to the Green Belt, and any other harm, have been demonstrated.

## 8. Planning Merits - Details of Development Proposed

### Works to Listed Buildings

- 8.1 The works proposed to the listed buildings to facilitate the proposed development are set out in sections 11 and 12 of the Heritage Statement, in the Design and Access Statement, and on the proposed drawings. These have been prepared collaboratively by Bidwells and Spatialized.
- 8.2 The construction works proposed have been kept to a minimum and comprise only those minor works deemed necessary to achieve a layout that provides a viable and operationally efficient space for Brunning and Price. The requirements of the "Building Regulations" have also been included.
- 8.3 The works would retain the best quality historic features which add to the significance of the heritage assets and would remove and make good any features which currently detract from the significance.

### Farm House

- 8.4 The ground floor of the Farmhouse (with the exception of the existing entrance hall and dining room) is proposed to be converted to provide dining space. The ground floor dining room and upper floors are to be converted to provide staff facilities and managers accommodation. No demolition is proposed within the upper floors of the farmhouse. The majority of construction works relate to the ground floor.
- 8.5 The small outbuildings attached to the east facing elevation of the farmhouse comprise more modern additions to the building and do not provide usable space. It is proposed that these would be demolished, along with a small part of the east facing elevation to create an opening and through route into the proposed extension. Other works to the farmhouse are limited to:
- closing off the opening from the hallway to the lounge so that it is restricted to staff use only;
  - the replacement of the uPVC windows with purpose made timber framed windows;
  - general redecoration, including: replacement floor finishes with original timber flooring retained and repaired; replacement of modern doors and retention and repairs to historic doors;
  - full re-wiring;

- repair to lime plaster flooring;
- structural repairs to the roof structure.

### **Large Barn (i.e. Barn and Stables)**

8.6 The large barn is proposed to be converted into dining space. A structure constructed from corrugated metal has been attached to the rear elevation of the barn. This currently detracts from the significance of the building. This is to be demolished and the area replaced with an extension to the rear of the barn to provide further dining space, bar servery and kitchen and customer facilities at ground level. To provide a through route to the extension, minor demolition to part of the rear elevation of the barn is proposed to create two small openings. Other construction works are limited to:

- locking back the large barn doors to the courtyard and infilling the opening with glazed panels;
- creation of a mezzanine and access stair in place of the existing hayloft level;
- installation of glazing within diaper pattern in brick work;
- repair to flooring to create a level base;
- repairs to the roof structure.

8.7 No alterations are proposed to the small barn (i.e. cow house) or the pig sties.

8.8 All works would be undertaken sensitively and would utilise materials which respect the existing, whilst ensuring that the extensions are viewed as being subservient to the listed buildings.

## **Design and Layout**

8.9 The design evolution that has culminated in the proposed layout has been developed with careful consideration of the opportunities and constraints that are presented by the site. It has also been informed collaboratively with Bidwells as Heritage Consultants. The key factors that have informed the proposals comprise:

- the location of the listed buildings and the impact of new development on their significance;
- the location of the site within the Green Belt;
- the location of mature trees around the site;

- ecological matters that could arise from the existing pond and the existing habitat;
- potential impact on adjacent residential amenity that could arise;
- potential impacts of the proposals on the local highway network; and
- vehicle and pedestrian safety on and off site.

8.10 The location of the listed buildings on site provided the starting point for the proposed layout and design. Establishing how the existing floorspace could best be utilised to provide usable space for the proposed public house / restaurant use, allowed the designers to calculate the minimum amount of additional floorspace required for operational purposes. Options were then explored as to how best to locate the new floorspace. The objective was to provide a workable space whilst having as little impact upon the significance of the heritage assets and openness of the Green Belt as possible.

8.11 It is proposed that the new floorspace would be located to the east of the listed buildings so as to retain the existing views of the farmhouse and barns from the entrance and from Fulford Hall Road. Whilst the extensions would be visible from Dicken's Heath Road, they would be limited and glimpsed views through the mature tree belt which is to be retained. This helps to retain the character and setting of the site when viewed from the road network.

8.12 The new floorspace proposed would be single storey in height, plus a basement level and, where it connects to the listed buildings, the construction would utilise flat roofs and glazing to provide a clear separation between the existing and the new and to ensure that the proposed development is subservient to the listed buildings.

8.13 Careful consideration has also been given to the appearance of the proposals with all new development proposed to be constructed from materials that reflect and respect the existing, whilst ensuring that they are clearly viewed as modern additions and separate to the heritage assets.

8.14 The 3D visuals which support the application illustrate how the proposals respect and reflect the character of the site; the setting and significance of the heritage assets and the local area.

## Means of Access, Highways and Transportation

8.15 It is proposed that the current access off Fulford Hall Road would be retained but would be amended to provide two-way working and to increase visibility to ensure safe access and egress.

- 8.16 The visibility splay proposed has been informed by speed surveys undertaken on Fulford Hall Road. A visibility splay of 2.4m x 50m is proposed in each direction from the amended access. A drawing showing this access arrangement is included within the Transport Statement (TS) that supports the submission.
- 8.17 The TS also includes an assessment of the potential effects of the proposed development on the local road network. An assessment of the traffic impact has been undertaken for the key junction immediately to the north-west of the site; the crossroads of Tilehouse Lane/Dickens Heath Road/Lowbrook Land/Fulford Hall Road. It was informed by manual classified counts undertaken over three days in October 2017, including over the weekend.
- 8.18 By taking into consideration typical trip generation that could arise from the proposed development alongside committed development trip generation within the vicinity, the results indicate that the junction would operate satisfactorily. The proposals would make no material difference to the operation of the junction.
- 8.19 In addition to the junction assessment, the TS includes an assessment of the amount of car parking spaces. Based on the anticipated hourly development traffic flows alongside anticipated car parking accumulation, the TS calculates that the maximum parking accumulation may reach 49 spaces during the weekend peak, therefore demonstrating that the proposed car parking would accommodate the demand.
- 8.20 The TS concludes that there are no material reasons why the development should not be granted planning permission on highways or transportation grounds.

## Ecology

- 8.21 An Extended Phase 1 Habitat Survey of the site has been undertaken by Rachel Hacking Ecology. The purpose of the Phase 1 report was to:
- identify the existing habitats;
  - assess the potential for protected species to be present; and
  - identify whether further surveys may be necessary.
- 8.22 The report is submitted in support of the planning application. It identifies the main habitats on site as being common throughout the UK. They largely comprised: amenity grassland; continuous scrub; bare ground; open water; hedgerow, shrub and vegetation; trees; and existing buildings.
- 8.23 In terms of protected species, no evidence of badger activity, great crested newts or water vole were identified on site. The survey does, however, identify the site as providing suitable

nesting habitats for birds and there was evidence of some bat activity. The survey confirms that nesting birds can be mitigated for through careful management of construction works on site i.e. outside of the nesting season unless a suitably qualified ecologist is present. To determine the potential impact of the proposals on bats however, further survey work was recommended.

- 8.24 A daytime bat survey was undertaken in May 2017 to search for and assess the potential for a bat roost to be present within the buildings on site. The survey identified evidence of bat activity in the second floor of the farmhouse but found no evidence of activity and negligible potential for roosting bats within the two main barns.
- 8.25 Based on the findings of the habitat survey, the report recommends planting of native tree species within the proposals in addition to native and non-native flowering perennial species to increase the biodiversity value of the site.

## Arboriculture

- 8.26 There are a number of mature trees across the site and as such, a tree survey has been undertaken to identify the location of all trees and hedges and their quality. The tree survey and an accompanying survey schedule is submitted in support of this application.
- 8.27 The survey concludes that across the site there are fourteen individual trees, nine tree groups and six hedges, all of which have been assessed. These comprise:
- Five individual trees and three tree groups of “high quality” (category A);
  - One individual tree and three tree groups of “moderate quality” (category B);
  - Six individual trees and two tree groups of “low quality” (category C); and
  - Two individual trees to be removed as appropriate arboricultural management (category U).
- 8.28 The proposals include the removal of a small number of trees as a result of the development. Where this is required, they are all category C trees. The two category U trees are also proposed for removal as part of general arboricultural management. The level of tree loss has therefore been kept to a minimum and all quality trees are to be retained. To mitigate the tree loss, replacement planting of native species is proposed.

## Noise

- 8.29 To support the proposed change of use, a noise assessment has been undertaken by Hoare Lea Acoustics. The report supports the application and: presents the results of the existing

noise environment at the site; reviews the data with respect to applicable guidance and standards; and makes recommendations for achieving the appropriate noise standards. The noise assessment was undertaken from Friday 3 to Wednesday 8 November 2017.

- 8.30 The assessment identifies that the potential noise impacts for the scheme are limited to: plant noise; noise from customers in the outdoor courtyard/terrace and noise from vehicles entering and leaving the site. As there is no amplified music proposed, entertainment noise was not considered.
- 8.31 The survey results identify the noise climate across the site to be relatively low and primarily determined by traffic noise from adjacent roads. Based on a comparison of anticipated noise levels with existing background levels, the report concludes that noise levels from traffic movements, deliveries and customers in outdoor areas would not present any significant impact on the amenity of existing dwellings or those under construction on adjacent land.
- 8.32 In terms of plant noise, as the type of plant is not known at this stage, the report recommends noise limits. These have been established on the basis of achieving a British Standard 4142 condition of 'low impact' to ensure levels would readily achieve the internal guidance values for daytime resting and night time sleeping when windows are open (in accordance with BS8233).

## Structural Stability

- 8.33 A structural inspection of the farmhouse, its two associated barns and the pig sties has been undertaken by Clancy Consulting. A Report, which has been drafted in the context of the proposed development, summarises the findings and is submitted in support of this application.
- 8.34 The report does not identify any concerns in relation to the proposed use of the buildings and where appropriate makes recommendations in respect of repair work and further minor survey work as part of general due diligence. In terms of the demolition works proposed, the report raises no concerns and considers that the new extension to the farmhouse would restore any restraint that could be lost from the demolition of the outbuildings adjacent to the existing kitchen.

## Planning Obligations

- 8.35 Based on the findings of the technical reports which accompany this application, and the lack of obligation requests sought by statutory consultees in relation to applications 18/00235/PPFL and 18/00236/LBC, it is considered that the proposed development would not

give rise to the need for any financial contributions in order to mitigate impact or make the development proposed acceptable in planning terms.

8.36 Nevertheless, should it be found that financial contributions are required, these can be addressed by way of a legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended), or by way of a Unilateral Undertaking.

## Community Infrastructure Levy (CIL)

8.37 Solihull MBC is a CIL charging authority. New floorspace which falls under the classification of A3 and A4 would be subject to a levy charged at £100 per sqm.

8.38 As set out in the Planning Practice Guidance which supports the NPPF, in certain circumstances, existing floorspace that is to be demolished can be taken into account when calculating the chargeable amount and can be off-set from the total levy.

8.39 Guidance states that where part of an existing building has been in lawful use for a continuous period of 6 months within the past 3 years, then parts of that building which are to be demolished (or retained if relevant), can be taken into account. CIL is calculated by multiplying the net increase in the floorspace of a development by the CIL rate set out in the charging schedule. Further, a credit can be given for existing buildings so as to reduce the overall liability. The credit applies to the areas of 'in-use buildings' that are to be demolished or retained. This means the area of development chargeable to CIL may be reduced by the gross internal area of the existing building.

8.40 As the existing buildings have been in use as a residential dwelling and indeed are still to date, it is considered that the gross internal area (GIA) of the floorspace to be demolished should be taken into account in calculating CIL and deducted from the chargeable amount.

8.41 It is considered that the levy should be calculated on the basis of the following:

- Existing GIA = 668.53 sqm
- Existing GIA to be demolished = 229.85 sqm
- Proposed GIA = 431.54 sqm

8.42 In accordance with the above, the proposed GIA less that to be demolished would amount to 201.69 sqm and therefore it is considered that the levy should be calculated on this basis.

8.43 A completed CIL form is submitted as part of this application.

## 9. Summary and Conclusions

- 9.1 Tidbury Green is a substantial village with a significant number of existing dwellings. The village will increase in size significantly over the next ten years or so due to the completion of housing schemes at Tidbury Green and Lowbrook Farms. Despite this, the village does not have a public house or restaurant. The nearest A3/A4 facilities are some distance away at Dickens Heath.
- 9.2 The grant of the applications for planning permission and listed building consent would authorise the creation of a much needed facility in the village. The operator of the proposed pub/restaurant, Bunning and Price, is very experienced in delivering high quality pubs and restaurants which meet the specific needs and aspirations of existing communities. Bunning and Price seeks to ensure that its facilities are at the heart of the communities in which they are located. This process extends far and beyond serving food and drink.
- 9.3 Tidbury Green Farm is the proposed location for Bunning and Price's new facility because it has several unique features which make it particularly suitable. These include:
- a location which is within easy walking distance of all residents in the village;
  - an established location with mature trees and other attractive features which avoid the need to encroach into a new site in the Green Belt;
  - a characterful and historic range of buildings which can be converted with the minimum amount of alteration, extension and demolition; and
  - a large curtilage which can easily accommodate the car parking required for the facility whilst leaving garden space for use by customers and the rest of the village.
- 9.4 We conclude that the use of the site as a pub is acceptable as a matter of principle and complies fully with development plan policy.
- 9.5 It has been identified that there are two significant issues, in respect of the conversion of the buildings, which have the potential to impact on the acceptability of the proposals as a matter of principle. These are the impacts of works to the Grade II listed buildings and Green Belt policy.
- 9.6 Turning first to the listed buildings: a detailed study of the architectural and historic merit of these has been carried out. The study informed the evolution of the design of the proposed alterations and extensions. From the outset, the designer's objective has been to minimise harmful impacts on the listed buildings.

- 9.7 The scheme proposed has been rigorously assessed by qualified Heritage Consultants. It is concluded that impact on the listed buildings would be “less than substantial”. Accordingly, the harm caused to the building should be balanced against the public benefits that would arise from the proposals. The public benefits would be significant as set out in detail in Section 7.
- 9.8 We conclude that the public benefits clearly outweigh any harm to the heritage assets, hence the proposals comply fully with the NPPF and development plan policy in respect of listed buildings.
- 9.9 In respect of the Green Belt; the NPPF includes various “exceptions” to the general presumption against inappropriate development. These include alterations and extensions to buildings, infilling, and development on previously-developed land. All of these exceptions are predicated on the assumption that openness of the Green Belt would not be harmed significantly.
- 9.10 The scheme proposed has been carefully designed to minimise the amount of new “buildings” that would be constructed in the Green Belt. The proposed extensions would all be fixed to existing structures and the amount of new visible floorspace would equate to a 10.39% increase (Gross), hence the impact on the openness would be nominal.
- 9.11 We conclude that the scheme proposed would have far less impact on the openness of the Green Belt than, for example, the construction of a new building to accommodate a pub / restaurant on a new site. Accordingly, we conclude that the proposals comply fully with Government guidance and development plan policy in respect of the Green Belt.
- 9.12 There are several other detailed technical matters which must be considered in order to demonstrate the acceptability of development proposed. These include impacts on ecology, arboriculture, highways and transportation and noise.
- 9.13 Detailed technical information has been submitted in respect of all of the above. This information demonstrates that the proposals comply with Government Guidance and development plan policy in this respect.
- 9.14 We conclude that both the principle and detail of development proposed are acceptable. The grant of planning permission would secure the delivery of a much needed facility in the village. We therefore respectfully request that planning permission and listed building consent is granted as a result.

# Contact Details

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