

Planning, Design and Access Statement

Jerrings Hall Farm
Dickens Heath
Tanworth Lane
Shirley
Solihull
B90 4DX

29 September 2020

Redevelopment of the site for the relocation of a special needs school including conversion works, internal and external alterations to the listed buildings, the installation of two single storey modular buildings, construction of car park, taxi-drop off and waiting area, infrastructure works and associated landscaping

Applicant: The Island Project



Sanderson
Weatherall

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1. Introduction

Background and Purpose of Statement

- 1.1. This Planning, Design and Access Statement (PDAS) has been prepared to support applications for deemed planning permission and decontrolled works for the redevelopment of Jerrings Hall Farm, Dickens Heath, Shirley (hereafter ‘the application site’) for the relocation of The Island Project, which is a special needs school (hereafter ‘the applicant’). The proposed development comprises conversion works, internal and external alterations to the listed buildings, the installation of two single storey modular buildings, construction of car park, taxi-drop off and waiting area, infrastructure works and associated landscaping.
- 1.2. The purpose of this Statement is to provide background information about the applicant, explain the driver behind the proposal and set out the legislative context for the project; describe the site and its location as well as explain the pre-application advice received from Solihull Metropolitan Borough Council; describe the proposed development; explain the relevant planning history; identify the policy context; explain design and access considerations; assess the extent to which it complies with the Development Plan and other material considerations; explain the planning balance by drawing together the assessment of the proposal against all considerations to consider whether the development is acceptable in the context of the presumption in favour of sustainable development; and provide concluding comments in relation to the application proposal.

The Applicant

- 1.3. The Island Project (IP) is a registered Charity and independent school serving the needs of children with Autism (the most severe forms) and Asperger’s Syndrome aged 5 to 19 years in Warwickshire and the West Midlands. The School is a “last resort” for children aged from 5 to 19 who have failed in mainstream education and within local authority special school systems. Local authorities such as Birmingham City Council, Solihull Metropolitan Borough Council and Warwickshire County Council all state that if The Island Project cannot take a pupil, there are little or no alternatives available. The School is a day school and is not a residential provider to allow the pupils to go home at the end of the day and integrate with their families.
- 1.4. The IP provides bespoke teaching to suit the individual circumstances and learning capabilities of each pupil. It currently has 17 pupils 2 of which will be transitioned into post 19 provisions at the end of August (the numbers have continued to reduce because of the uncertainty of the school’s existence caused by the relocation because of HS2; on several occasions since the HS2 project was first announced the School has been very close to being closed due to liquidity issues). In order ensure ongoing stability and financial viability, the school would like to take additional pupils

during the next academic year (it currently has 7 open consultations). The maximum and optimal number of pupils for the school is 30 pupils. However, due to the uncertainty of the move date and complexity of pupils, replacing pupils has been extremely difficult.

- 1.5. Each child has its own curriculum and specialised care package that provide not only education, but also help pupils to develop self-care and social skills and help them to prepare for adulthood and life beyond the Island Project. In some circumstances, after a period of time at the Island Project, pupils can move on to less dependent settings. Many pupils remain at the School until the age of 9-19 when they move on to other specialist settings or finish their education. This allows for rotation of pupils and care to be provided for those on waiting lists.
- 1.6. All the pupils have a minimum of 1 to 1 supervision at all times with some pupils having up to 2 to 1 supervision. In addition, behaviour support is provided as and when needed and dependent on need e.g. 9:1 behaviour support for specific incidents. The IP currently has 39 employees on PAYE; this has reduced from 50 members of staff over the last year due to reduced pupil numbers and cost cutting measures, which have been necessary due to the ongoing uncertainty of the school caused by the need to relocate.
- 1.7. The school is a very important asset to the locality and the wider area because Local Authorities (LAs) do not have any maintained capacity for the type of complex pupils which are accepted and taught. The school currently serves 6 LAs and has a waiting list. In summary, there is no provision, outside of the IP, in the area for the type of education that is provided.

Driver behind the Proposed Development

- 1.8. The applicant is currently based at Diddington Hall, Meridian, CV7 7HQ. However, it is being relocated due to its proximity to High Speed 2 (HS2) (The Island Project is named in the Bill), specifically Phase One which will link London and Birmingham, and the adverse impacts it will cause to the pupils who have very severe learning difficulties.
- 1.9. The applicant has been in extensive talks with HS2 for more than 7 years which has resulted in the agreement by HS2 of the need to relocate the school as it is deemed to be a sensitive receptor.

Legislative Context

- 1.10. *The High Speed Rail (London – West Midlands) Act 2017* (hereafter 'the Act') has been enacted (Royal Assent on 23 February 2017) authorising works in connection with the construction and operation of the railway between London and Birmingham (and related works) known as Phase One of High Speed 2.

- 1.11. Section 50 of the Act provides the Secretary of State (SoS) for Transport, Department of Transport, to issue directions to deem planning permission to be granted under section 90 of the Town and Country Planning Act 1990 for development authorised by the Act.
- 1.12. The SoS has appointed High Speed Two (HS2) Ltd as the nominated undertaker responsible for delivering Phase One of HS2. HS2 Ltd is an executive non-departmental public body, sponsored by the Department for Transport.
- 1.13. Schedule 18 'Listed Buildings' to the Act concerns how legislation in respect of listed buildings under the *Planning (Listed Buildings and Conservation Areas) Act 1990* applies to the Phase One works. Paragraph 1 of Schedule 18 disapplies some of this legislation, and in particular the requirement for listed building consent, from the Phase One works in respect of certain listed buildings.
- 1.14. Following Royal Assent, HS2 Ltd entered into Heritage Agreements with Solihull Metropolitan Borough Council (SMBC) and with Historic England concerning the listed buildings identified in Schedule 18 to the Act. These agreements require certain details of works concerning the listed buildings to be submitted to the local authority for their approval, in consultation with Historic England where required.
- 1.15. Jerrings Hall Farm is identified in Table 1 of Schedule 18 to enable the Grade II listed asset to be altered to enable the relocation of The Island Project. HS2 Ltd entered into a Heritage Agreement with SMBC and Historic England dated 20/02/2017 that requires HS2 Ltd to submit method statements concerning these alterations to SMBC for approval¹. The Heritage Agreement requires Historic England and the relevant Amenity Societies (the Ancient Monuments Society, the Georgian Group, the Victorian Society, the Council for British Archaeology and the Society for the Protection of Ancient Buildings) to be consulted on these submissions.
- 1.16. The applications for deemed planning permission and decontrolled works, which are supported by this Statement, are therefore submitted in the context of Section 50 and Schedule 18 of the Act.

Planning Application Package

- 1.17. The planning application package comprises a suite of formal documentation and a set of supporting reports and technical assessments (**Cover Letter** refers).

¹ In March 2020 HS2 Ltd, SMBC and Historic England informally agreed to vary the Heritage Agreement to make specific reference to two modular buildings.

2. Site Location, Description and Pre-Application Engagement

Application Site Location

- 2.1. The application site lies in the countryside and wholly inside the Solihull Green Belt on the west side of the B4102 Tanworth Lane to the south of Shirley. It is located approximately 0.4km east of Dickens Heath and 0.4km north-west of Cheswick Green. The draft South of Dog Lane housing allocation² is located less than 1km to the north of the site.
- 2.2. The application site is bounded by the B4102 to the east, beyond which is Highleys Farm, grazing fields to the south and west and Dickens Heath Marsh Local Wildlife Site to the north. There is a large electricity pylon located adjacent to the south-west corner of the application site. The surrounding landscape predominately comprises arable land and pasture with land generally falling away from the site in all directions.
- 2.3. Vehicular access is via a straight, Horse Chestnut tree lined driveway off the B4102.
- 2.4. No Public Rights of Way (PRoW) traverse the application site; the closest PRoW is a footpath approximately 270m to the south-west which links Cheswick Green with Dickens Heath.

Application Site Description

- 2.5. The application site is roughly rectangular in shape and comprises approximately 1.68 hectares (4.16 acres) of land in total.
- 2.6. Jerrings Hall Farm is a Grade II listed (Listing NGR: SP1205376322) former farmstead that comprises a group of buildings loosely organised around a courtyard, and close to a medium sized pond which has been interpreted as the potential remains of a medieval moated site. The former farmstead comprises a principal building (the 'Main House'), former threshing barn ('Middle Unit')³, disused stable and cartshed ('Stable Block') and ancillary building ('The Cottage')⁴.
- 2.7. The Main Building is orientated on a north/south axis on the west side of the courtyard. It is part timber framed and mellow brick construction largely dating to the 16th or 17th century with several periods of alteration, most significantly with the addition of an east wing and associated farm buildings in the early 18th century, and some later additions to the side and rear. It is a

² With a capacity of 850 dwellings in the Draft Solihull Local Plan Review.

³ Referred to as 'Leisure Bulding' on the application drawings.

⁴ Referred to as 'Annex Building' on the application drawings.

predominantly two-storey 6-bedroom house with four reception rooms, four bathrooms and a pitched tiled roof.

- 2.8. The Middle Unit is orientated on an east/west axis on the south side of the courtyard and comprises a two-storey, mellow brick building with a large open area at ground floor together with a separate hot tub room and shower room with sauna. There is a mezzanine floor above and attached on its east side is a lean-to structure.
- 2.9. The Stable Block is orientated on an east/west axis on the north side of the courtyard and comprises a single storey, pitched tiled roof building that is split into several entities including a garden store, store room, freezer room and second store room.
- 2.10. The Cottage is located to the south-east corner of the courtyard to the south of the driveway. It is a two-storey detached, pitched roof building that provides additional accommodation on ground and first floors.
- 2.11. There is a surface water drain in the south-east corner of the site.
- 2.12. Two small, timber field shelters exist in the fields on the north side of the driveway.
- 2.13. There is currently a low-level post and rail fence on either side of the driveway that leads from the main road before iron, electronic opening gates in front of the courtyard.
- 2.14. There is an ornamental pond on the west side of the application site; there are currently no physical boundary features around the pond other than brick steps in the south-west corner that lead to a summer house in the garden of the property.
- 2.15. There are grass lawns in the north-west and south-west corners of the site whilst paddocks exist on the north side of the site and in the south-east corner.
- 2.16. The application site is bound by post and rail fencing on all sides with a tree belt also adjacent to the east boundary with the B4102 Tanworth Lane. Small trees and shrubs exist sporadically throughout the site.
- 2.17. There are currently three separate septic tanks/treatment works on the site. Surface water drains to traditional soakaways, but recent drainage surveys suggest they are blocked/silted up.
- 2.18. The topographic survey shows levels are between 139.39m Above Ordnance Datum (AOD) in the north-west and 136.25m AOD in the south-east, giving an average fall of 1 in 55 across the site.

Pre-Application Advice

- 2.19. The original plan included the installation of a single modular building with a total floor area of 232sq m (2,500sq ft) located at the rear (west) of the Main Building.
- 2.20. The applicant also intended to prepare and submit applications for planning permission and listed building consent to the Solihull Metropolitan Borough Council (hereafter 'the LPA').
- 2.21. A request for pre-application advice was therefore submitted to the LPA in October 2018 (**Appendix 1** refers). Following a meeting with Officers⁵ on 15 October 2018 and a subsequent walkover of the site on 16 November 2018⁶, the main issues identified in the LPA's response are listed below (4 April 2019) (**Appendix 2** contains a copy of the LPA's written feedback).
- Green Belt – the LPA suggested the proposal represents inappropriate development.
 - Very Special Circumstances (VSC) – the LPA acknowledged each of the VSC put forward by the applicant but chose not to give any substantial weight. But the LPA agreed with the applicant that a relatively recent 'Call-In' decision by the Secretary of State for a charitable and special needs school in Maidenhead is a material consideration, which demonstrates there is the potential for The Island Project to put a similar case forward.
 - New Staircase – the LPA's suggested the proposed new staircase would destroy and affect the fabric of this part of the Main Building but also acknowledged that this would probably be beneficial to return the building to its former use as a dwelling (which is the Conservation Officer's preferred use of the property).
 - Size of Modular Building and Car Park – the LPA considered both aspects will harm the significance of the Listed Building through harm to its setting and would be at odds with its appreciation as a single dwelling house of some status. Nonetheless, the LPA recommends if the case for the use is convincing then the harm that results will need to be balanced against the public benefits.
 - Exterior Materials – the LPA suggested use of vertical boarding to clad the modular building.
 - Location and Height of Modular Building – the LPA suggested it might be better to position the modular building next to the threshing barn (Middle Unit). The LPA also suggested that

⁵ Kim Allen, Lawrence Osbourne and Martin Saunders (Conservation Officer).

⁶ With Martin Saunders.

a 2-storey building would conflict much more with the group as only the house (Main Building) and threshing barn should be of that scale. Furthermore, the LPA suggested that a single storey would be expansive and comparable only to a post war portal framed sheet clad building, unless the shape and roof form make it distinctive in a manner that is suitable in the context of the historic building group.

- Accessibility – by acknowledging the VSC put forward by the applicant, the LPA has accepted the educational need for the proposed development (amongst other things), which at the time of the pre-application request included providing school places for children funded by 22 LAs⁷. But at the same time, the LPA referred to Local Plan Policy 7 (part iii) which suggests education facilities should be located where they are easily accessible on foot, bicycle and bus **by the local community they serve**. Given the number of LAs The Island Project provides school places for, it is not possible to comply with this policy.

2.22. Following investigative works carried out on 29 January 2020, which revealed that most of the floorboards in the first floor of the Main Building are not original, including those where the new staircase is proposed, there was another site visit with the Conservation Officer and an Inspector of Historic England on 30 January 2020⁸. The main issues discussed are identified below.

- Stable Block – this is not currently habitable and needs to undergo significant work just to make it useable, let alone making it into bespoke teaching spaces for children with the most severe forms of Autism and Asperger’s Syndrome. The Historic England Inspector agreed with HS2’s Heritage Consultant⁹ that the necessary work would result in substantial irreversible alterations to the building.
- Second Modular Building - the Historic England Inspector was generally supportive of a second modular building at the site because he thought the Stable Block is of higher significance than the Main Building.
- Repairs to North-west Corner of Main Building – the consensus was that a Conservation accredited engineer should be commissioned to prepare a separate report to assess the timber frame of the Main Building.

⁷ The Island Project currently provides school places for children funded by 6 LAs at present.

⁸ Martin Saunders and Nicholas Molyneux.

⁹ WSP Indigo.

Changes to Proposed Development and Application Procedure

- 2.23. In the light of the LPA's concerns and Historic England's opinion of the Stable Block, two smaller modular buildings are now proposed, one of which is to be sited to the south-east of the threshing barn (Middle Unit); the existence of below-ground services and infrastructure prevents it being sited parallel to the threshing barn.
- 2.24. Furthermore, the applicant is now applying to the SOS for deemed planning permission and decontrolled works for the redevelopment of Jerrings Hall Farm under Section 50 and Schedule 18 of *The High Speed Rail (London – West Midlands) Act 2017*.

3. Proposed Development

Overview

- 3.1. This application is submitted with the following description of development:

“Redevelopment of the site for the relocation of a special needs school including conversion works, internal and external alterations to the listed buildings, the installation of two single storey modular buildings, construction of car park, taxi-drop off and waiting area, infrastructure works and associated landscaping”

- 3.2. Once established at Jerrings Hall Farm, the school will accommodate 26 pupils and it will employ a total of 50 staff, both full and part-time, at the application site. The total staff will only ever be present on site at the same time in exceptional circumstances.

School Hours

- 3.3. All pupils will arrive and leave the premises via private taxi and unlike a mainstream school, pupils attending the IP often have different start and finish times meaning traffic movements will be staggered. At Diddington Hall, pupils begin to arrive from 9:20am onwards, which is after the mainstream school rush hour to allow for no conflict/ease of journeys, and staggered arrivals continue until 10:30am. One pupil currently finishes at 1:00pm whilst the other pupils finish at 3:30pm and are generally offsite by 3:40pm. However, this is always subject to some change, depending on how a pupil is, whether they are new and transitioning in. The school is normally vacant by 5:00pm. Staff start at either 8:00am or 8:30am in preparation for the pupils and leave at either 4:00pm or 4:30pm. It is envisaged that the IP will operate the same start and finish times at Jerrings Hall Farm.

Existing Buildings

- 3.4. The Main Building will accommodate a retro fitted staircase to enable safe access and egress to and from the first-floor rooms where there is currently restricted head room. It will be positioned in location of previous floor alterations. The conservatory will be reduced in glass areas by the provision of additional cladding panels and converted to a group teaching space. The intermediary room will be converted to individual teaching pods. The upper rooms will be converted from bedrooms into offices and ancillary servicing spaces. A separating fire door will be installed at first floor located in the linking corridor adjacent to the stairs to the second floor. Proposed building includes new lighting and power to enable use by computer users. Externally, the ground floor window in the east wing closest to the main house and adjacent to the courtyard will be removed

and replaced by a new fire door; this was historically a door opening that has been partially bricked up in more recent times to form the window.

- 3.5. The Middle Unit will be converted to provide group teaching spaces along with WC facilities, dining and group teaching. The current lean-to structure to the side will be converted to provide an occupational therapy suite. Externally, the amount of glazing around the entrance door on the front of the building will be reduced by replacing the existing glass panels on either side of the door at low level with solid T&G boarding. The rear door will also be replaced with a double-glazed timber door to match the existing. Furthermore, the existing cart doors on the front of the lean-to structure will be partially blocked up and a replacement solid timber door will be installed.
- 3.6. The Cottage will be converted to provide teaching pods, a small office, staff bathroom and group space for group activities.
- 3.7. The construction of new internal divisions, the upgrading of existing services and the installation of new services will also occur throughout the Main Building, Middle Unit and Cottage. The submitted detailed plans show how the proposed divisions are to be fixed to the existing structures.
- 3.8. The Stable Block will not be utilised as part of the school. It will however be subject to repair and underpinning which have been estimated will cost around £108,000 (**Appendix 11** refers).

Roof Works

- 3.9. The only roof works being undertaken include the replacing of several dropped tiles, fascia painting and the installation of at least three fire alarm detectors in the roof void of the main house. The latter will involve screwing the heads onto the rafters and surface cable clipped to the rafters and through the ceiling.

Modular Buildings

- 3.10. A single-storey, rectangular shaped, pitched roof modular building with a gross internal floor area of 140 sq m (1,506 sq ft) will be located to the east side and south of the Middle Unit.
- 3.11. A second single-storey, L-shaped, pitched roof modular building with a gross internal floor area of 120 sq m (1,291 sq ft) will be located to the east side of the Stable Block.
- 3.12. Both modular buildings will be used to provide individual teaching spaces, group space and sanitary facilities. The two new buildings will be clad in horizontal larch timbers with interlocking concrete roof tiles.

Car Park, Taxi-Drop Off and Waiting Area

- 3.13. A car park for up to 40 cars plus designated waiting area for up to 10 taxis will be located on the south side of the driveway between the hedgerow adjacent to the B4102 and the Cottage. It will be constructed from Grasscrete. The car park will operate a one-way system with the entrance on the east side whilst the exit will be to the west.
- 3.14. Footpaths are also proposed on the outer edges of the car park to provide access to the courtyard and vice versa. This will also accommodate lighting columns (phone cell and tick clock) for user safety (refer to **Lighting Specifcaiton Document** for full details).

Drainage

- 3.15. A new below ground sewage treatment works with drainage mound will be located to the east of the L-shaped modular building on the north side of the driveway. Existing damaged and insufficient foul drainage runs will also be upgraded to suit the new use.
- 3.16. A new surface water drainage system will be built comprising a network of underground pipes together with swales and a vegetated shallow attenuation pond to the south of the car park. The system will be connected to the existing surface water drain in the south-east corner of the site.

Safety and Security

- 3.17. For pupil safety, green, powder coated, 1.8m high palisade fencing will be installed around the perimeter of the west side and south-west corner of the site. It will be installed around the existing pond to minimise the hazard associated with open water in a school environment.
- 3.18. The fencing will have small gaps at regular intervals providing access for small mammals.
- 3.19. Two CCTV cameras will be installed at the site for additional safety. A pole mounted camera will be installed on the south side of the car park and a second camera will be installed at the gates in front of the courtyard.
- 3.20. Bulk head lights will be fixed above every fire exit door and then at intervals on the exterior of all Buildings, apart from the Stable Block for emergency use to highlight an escape route.
- 3.21. A covered waiting area will be provided by the main gates for students and guardians to shelter during drop-off and collection times.

Ecology and Landscaping

- 3.22. Gaps in existing boundary hedgerows will be planted up with native, species-rich shrubs and trees.

- 3.23. The palisade fencing will be pulled inwards from the site boundary by approximately 5m adjacent to the western boundary and the northern boundary at the rear (west) of the Main Building to create a wildlife corridor.
- 3.24. An orchard will be created to the east of the drainage mound on the north side of the driveway. The grassland here will be managed to create meadow habitat.
- 3.25. Land to the west of the car park and to the south of the rectangular shaped modular building will remain unused amenity grassland.
- 3.26. The new attenuation pond to the south of the car park will be planted up with a wet grassland mix.
- 3.27. Two existing areas of amenity grassland will be allocated for break-out space/run areas for the pupils. These are needed when pupils need safe and enclosed space to be alone, if distressed. Each will contain a small shed for individual pupils, which are necessary during adverse weather (a third and fourth shed will be in the orchard and between the pond and rectangular shaped modular building, respectively). One of these spaces will be located at the rear (west side) of the Main Dwelling; the other will be located at the rear (north side) of the Stable Block and to the west of the L-shaped modular building.
- 3.28. A further shed outside the secure fence line will be provided for gardener's storage and plant.
- 3.29. Space at the rear of the Main Dwelling will also contain a sensory garden for pupils.

Access

- 3.30. The main entrance off the B4102 will be unaltered. A hardstanding area for bins will be located on the north side of the main entrance.

4. Relevant Planning History

- 4.1. A search of Solihull Metropolitan Borough Council's online directory of planning applications has revealed that Jerrings Hall Farm was used as a standalone residential dwelling since at least 1998, which suggests its occupation has not been restricted to agricultural workers, or any other people employed in a rural enterprise, during this period. The most recent planning applications at the site are discussed below.

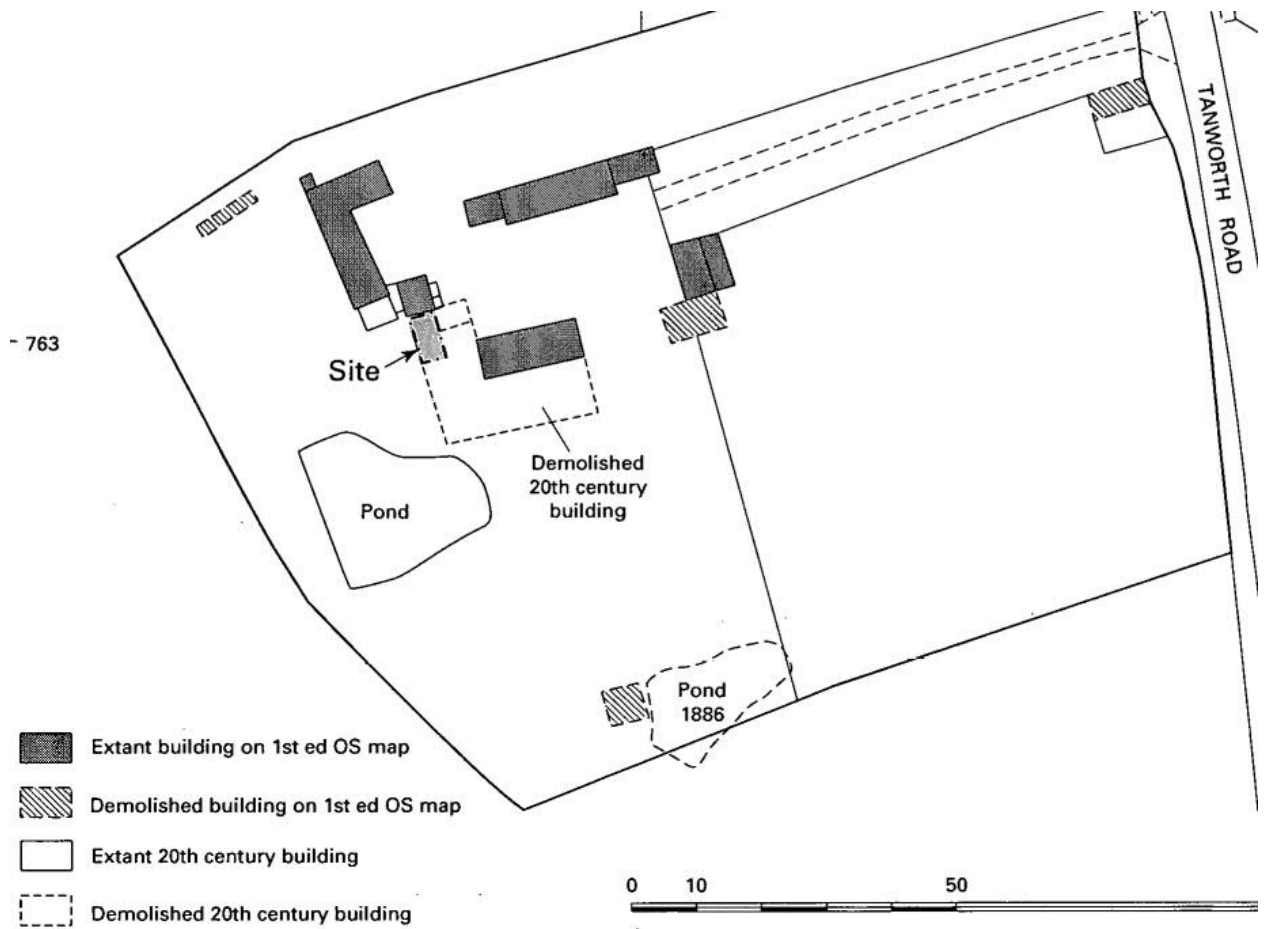
Table 1 – Site Planning History

Application Reference	Development	Decision	Date
97/0627	Listed building application for proposed removal of machine-made roof tiles. Replacement with plain clay handmade tiles. Replacement of "W20" section metal windows, and various works of repair/renovation	Listed building consent	23.10.97
98/1685	Listed building application for conversion of redundant agricultural building to a residential dwelling	Listed building consent	13.08.98
98/1831	Change of use and conversion of an agricultural building to a residential dwelling	Conditional planning permission	13.08.98
2000/1706	Listed building application for the removal of external render and infill brick panels. Repair and replacement of oak framework. Replacement of panels with light weight insulated panels.	Withdrawn	24.08.00
2000/2327	Remove pebbledash render from east, west and north elevations to investigate framework/infill panels. Repair existing exposed framing at south end of west elevation/replace infill with rendered	Conditional planning permission	12.03.01

	insulation panels. Replace metal casement windows with hardwood		
2001/2390	Listed building consent for conversion of redundant barn to domestic games rooms, gym, sauna and toilet and removal of brickwork to drawthrough opening and renewal of defective roof truss	Listed building consent	21.12.01
2001/00689	Conversion of redundant barn to domestic games rooms, gym, sauna and toilet and removal of brickwork to drawthrough opening and renewal of defective roof truss	Conditional planning permission	21.12.01
2006/01469	Proposed single storey extension to form garden room	Conditional planning permission	24.05.06
2006/1153/S	Listed building application for proposed single storey extension to form garden room	Listed building consent	24.07.06

- 4.2. Condition 5 attached to planning permission **98/1831** restricts the occupation of the building to solely in connection with the existing dwelling.
- 4.3. Condition 4 attached to listed building consent **2006/1153/S** required the implementation of a programme of archaeological work in accordance with a written scheme investigation to be submitted to, and approved in writing by the LPA, before the commencement of development.
- 4.4. The subsequent Archaeological Observation Report (AOR) carried out by Warwickshire County Council in December 2006 concludes no evidence was found for medieval occupation of Jerrings Hall Farm in the area of the new extension. It also suggested that a 20th century farm building stood there until recently and this may have affected the survival of earlier deposits. A plan from the AOR showing the location of this former building is overleaf; it also shows several other demolished buildings.

Figure 1 – Old Site Plan



4.5. In conclusion, the site's planning history suggests Jerrings Hall Farm has never been used and occupied for educational purposes, such as the proposed development which is the subject of the current applications.

5. Planning Policy Context

- 5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the Development Plan unless material considerations indicate otherwise. Section 39 of the Act requires decision makers to exercise their functions with the objective of contributing to achievement of sustainable development.

Development Plan Policy

Solihull Local Plan 2013

- 5.2. The Solihull Local Plan 2013 (LP) was adopted by Solihull Metropolitan Council in December 2013. It sets out the long-term planning framework for the Borough for the period 2011-2028 including identifying the type, scale and broad locations of where new homes, transport improvements, jobs, shops, open spaces and services should occur. It also provides development management policies to ensure new development addresses the key issues facing the area.
- 5.3. The Proposals Map that accompanies the Plan shows that Jerrings Hall Farm is located wholly within the West Midlands Green Belt. The most relevant sections and policies to the proposed development are identified below and overleaf.
- 5.4. The **Spatial Strategy Diagram** (p38) shows an alignment of the proposed High Speed 2 rail link (broken purple line) through the Borough. Given the LP was prepared in advance of a Hybrid Bill passing through parliament, supporting text (**Para 9.3.22**) explains the route is only shown for illustrative purposes and it will be safeguarded where necessary through national legislation. Supporting text (**Para 9.3.23**) goes on to explain that *“Localised delivery of HS2, both in terms of mitigation of its impacts and securing of its potential benefits, will need to be carefully planned and managed. The Council will prepare an Action Area Plan or Plans or take other appropriate action as and when necessary in this regard.”*
- 5.5. Providing new community facilities, including education uses, and protecting existing ones from harm is a theme that runs through the LP. The **Vision for the Borough** (p25) includes the statement (**Para 4.1.2**) that *“Solihull will be a fairer and more equal Borough where all existing and future generations...have equal opportunities to a better range of...education...”*. **Policy P14** (Amenity) states:

“The Council will seek to protect and enhance the amenity of existing and potential occupiers of houses, businesses and other uses in considering proposals for new development, and will:...”

*...viii. **Protect the amenity of residential and shopping areas, community facilities and open space from bad neighbour uses.** Development that would be significantly harmful because of smell, noise or atmospheric pollution will not be permitted, whilst development that would be potentially harmful to such areas will be expected to incorporate appropriate attenuation, mitigation or compensatory measures. In locations close to existing bad neighbour uses, the Council will not permit new residential or other sensitive development, unless the effects can be satisfactorily mitigated as part of the development;...* (highlighted and underlined text – our emphasis)

- 5.6. Supporting text (**Para 10.12.1**) identifies that education facilities are a noise-sensitive use and then clarifies that Policy P14 seeks to keep noisy and noise sensitive uses apart and provides for mitigation where this is not possible. Section 12 of the LP titled ‘Supporting Local Communities’ explains (**Para 12.1.3**) “...*The need to provide and maintain suitable...education and community facilities...is fundamental to ensure people across the Borough enjoy a good quality of life and have equal and positive life chances.*” **Policy P18** (Health and Wellbeing) states:

“The potential for achieving positive health outcomes will be taken into account when considering all development proposals. Where any adverse health impacts are identified, the development will be expected to demonstrate how these will be addressed or mitigated.

The Council will expect new development proposals to promote, support and enhance physical and mental health and well being...”

- 5.7. Supporting text (**Para 12.4.1**) goes on to explain that “*Shops, facilities and services (including schools...) are encouraged to develop and modernise in a sustainable way that encourages their retention.*”

- 5.8. **Policy P17** (Countryside and Green Belt) states:

“The Council will safeguard the “best and most versatile” agricultural land in the Borough and encourage the use of the remaining land for farming. Development affecting the “best and most versatile” land will be permitted only if there is an overriding need for the development or new use, and there is insufficient lower grade land available, or available lower grade land has an environmental significance that outweighs the agricultural considerations, or the use of lower grade land would be inconsistent with other sustainability considerations. Development involving farm-based diversification will normally be permitted in order to support farm enterprises and the management of land, providing it is in an appropriate location, of a scale appropriate to its location, and does not harm the Green Belt, conservation or enhancement policies.

The Council will not permit inappropriate development in the Green Belt, except in very special circumstances. In addition to the national policy, the following provisions shall apply to development in the Borough’s Green Belt:

- *Development involving the replacement, extension or alteration of buildings in the Green Belt will not be permitted if it will harm the need to retain smaller more affordable housing or the purposes of including land within the Green Belt.*
- *Limited infilling will not be considered to be inappropriate development within the Green Belt settlements, providing this would not have an adverse effect on the character of the settlements. Limited infilling shall be interpreted as the filling of a small gap within an otherwise built-up frontage with not more than two dwellings.*

- *The reasonable expansion of established businesses into the Green Belt will be allowed where the proposal would make a significant contribution to the local economy or employment, providing that appropriate mitigation can be secured.*
- *Where the re-use of buildings or land is proposed, the new use, and any associated use of land surrounding the building, should not conflict with, nor have a materially greater impact on, the openness of the Green Belt and the purposes of including land in it, and the form, bulk and general design of the buildings shall be in keeping with their surroundings.*
- *Where waste management operations involving inappropriate development are proposed in the Green Belt, the contribution of new capacity towards the treatment gap identified in the Borough may amount to very special circumstances, providing the development accords with the waste management policy of this Plan.*

The small settlements of Hampton-in-Arden, Hockley Heath, Meriden and Catherine de Barnes are inset in the Green Belt and are not therefore subject to Green Belt policy. Nevertheless, the Council, in considering applications for development in these settlements, will take into account the importance of their rural setting and of their attributes, such as historic buildings, open space, density of development, landscape and townscape that contribute towards their special character. Immediately beyond the inset boundary, strict Green Belt policies will apply.”

5.9. **Policy P16** (Conservation of Heritage Assets and Local Distinctiveness) states:

“The Council recognises the importance of the historic environment to the Borough’s local character and distinctiveness, its cultural, social, environmental and economic benefits and the effect this has on civic pride.

The Council considers the following characteristics make a significant contribution to the local character and distinctiveness of the Borough and where applicable, development proposals will be expected to demonstrate how these characteristics have been conserved:

- The historic core of Solihull Town Centre and its adjacent parks;*
- The historical development and variety of architectural styles within the Mature Suburbs and the larger established rural settlements of Meriden, Hampton-in-Arden, Balsall Common, Knowle, Dorridge, Bentley Heath, Hockley Heath, Cheswick Green and Tidbury Green;*
- The Arden landscape, historic villages, hamlets, farmsteads, country and lesser houses and the distinct medieval core of historic rural settlements including Berkswell, Barston, Temple Balsall, Meriden Hill, Walsal End, Hampton-in-Arden, Bickenhill and Knowle;*
- Parks, gardens and landscape including common, woodland, heathland and distinctive fieldscapes as defined in the Warwickshire Historic Landscape Characterisation; and*
- The canal and railway network, including disused railway lines and the working stations at Solihull, Olton, Dorridge and Shirley, together with associated structures.*

Development will be expected to preserve or enhance heritage assets as appropriate to their significance, conserve local character and distinctiveness and create or sustain a sense of place. In Solihull, heritage assets include; Listed Buildings, Scheduled Ancient Monuments, Registered Parks and Gardens, Conservation Areas and also non-designated assets; buildings, monuments, archaeological sites, places, areas or landscapes positively identified in Solihull’s Historic Environment Record as having a degree of significance meriting consideration in planning decisions, such as those identified on the Local List.

All applications and consents that affect the historic environment will be expected to have considered and used the evidence in the Solihull Historic Environment Record to inform the design of the proposal. This should be explained in the accompanying Design and Access Statement or, for significant proposals, in a Heritage Statement.

Proposals seeking to modify heritage assets for the mitigation of and adaptation to the effects of climate change will be expected to be sympathetic and conserve the special interest and significance of the heritage asset or its setting.”

5.10. Supporting text (**Para 11.4.3**) clarifies that “...all development proposals affecting heritage assets will be expected to adhere to current established guidance. At present this includes PPS5...and all other relevant English Heritage publications...”

5.11. **Policy P10** (Natural Environment) states:

“...The Council will seek to protect, enhance and restore the diverse landscape features of the Borough and to create new woodlands and other characteristic habitats, so as to halt and where possible reverse the degrading of the Arden landscape and promote local distinctiveness. Development should take full account of national and local guidance on protecting and restoring the landscape and the areas in need of enhancement, including guidance relating to the countryside. Developers will be expected to incorporate measures to protect, enhance and restore the landscape, unless it is demonstrated that it is not feasible, disproportionate or unnecessary...”

...Development likely to have an adverse affect on a...Local Wildlife...Site will be permitted only if the reasons for the development clearly outweigh the nature conservation or geological value of the site and its contribution to wider biodiversity objectives. Where development would have an adverse affect on a site of local value, developers will be expected to incorporate measures to enhance the site or to restore the links between sites in accordance with the Green Infrastructure study, unless it is demonstrated that it is not feasible.

Outside designated sites, developers will be expected to take full account of the nature conservation or geological value, and the existence of any habitats or species included in the Local Biodiversity Action Plan, or sites in the Local Geological Action Plan. Developers will be required to undertake a full ecological survey and to deliver a net gain or enhancement to biodiversity, unless it is demonstrated that it is not appropriate or feasible. In considering the need for green space improvements associated with new development, developers should have regard for the standards and priorities in the Green Spaces Strategy in relation to accessible natural green space.

Where development is likely to have significant harmful effects on the natural environment, as a result of the development itself, or the cumulative impact of developments, developers must demonstrate that all possible alternatives that would result in less harm have been considered. Where development is permitted, appropriate mitigation of the impacts and compensation where relevant will be required to deliver a net gain in biodiversity, habitat creation, landscape character and local distinctiveness. Enhancements should be undertaken either on the site, or in its vicinity, but where it is demonstrated that this is not possible, offsetting in alternative strategic locations within the biodiversity or green infrastructure network, to deliver biodiversity or other objectives may be considered...”

5.12. **Policy P11** (Water Management) states:

“...The Council will expect developers to demonstrate that all proposed development will be served by appropriate sewerage infrastructure and that there is sufficient sewage treatment

capacity to ensure that there is no deterioration of water quality, or that the delivery of any development will not be delayed by the need for additional water treatment provision...

...All new development shall incorporate sustainable drainage systems, unless it is shown to be impractical to do so. Developers shall ensure that adequate space is made for water within the design layout of all new developments to support the full use of sustainable drainage systems, and shall demonstrate that improvements to the water environment will be maximised through consideration of a range of techniques. Wherever possible, sustainable drainage systems will be expected to contribute towards wider sustainability considerations, including amenity, recreation, conservation of biodiversity and landscape character, as well as flood alleviation and water quality control..."

5.13. **Policy P15** (Securing Design Quality) states:

"All development proposals will be expected to achieve good quality, inclusive and sustainable design, which meets the following key principles:

i. Conserves and enhances local character, distinctiveness and streetscape quality and ensures that the scale, massing, density, layout, materials and landscape of the development respect the surrounding natural, built and historic environment;

ii. Ensures that new development achieves the highest possible standard of environmental performance through sustainable design and construction and the location and layout of the development in accordance with the guidance provided in Policy P9 – Climate Change;

iii. Secures the sustainable long-term use of new development through flexible, robust and future-proofed design e.g. high-speed digital connectivity;

iv. Makes appropriate space for water within the development, using sustainable drainage (SuDS) principles, to minimise and adapt to the risk of flooding. Further guidance is provided in Policy P11 – Water Management;

v. Conserves and enhances biodiversity, landscape quality and considers the impact on and opportunities for green infrastructure at the earliest opportunity in the design process. Further guidance is provided in Policy P10 – Natural Environment;..."

5.14. **Policy P7** (Accessibility and Ease of Access) states:

"a) All new development should be focused in the most accessible locations and seek to enhance existing accessibility levels and promote ease of access.

Development will be expected to meet the following accessibility criteria, unless justified by local circumstances...

...iii. Proposed education, health and other public service facilities should be located where they are easily accessible on foot, by bicycle and bus by the local community they serve;...

...b) Access to development from the core walking, cycling, public transport and road networks will be expected to be:

i. Safe, attractive, overlooked and direct on foot, by bicycle and from public transport;

ii. Safe for those vehicles which need to access the development;

iii. And assessed in accordance with Policy P15 'Securing Design Quality' in the Local Plan."

5.15. **Policy P8** (Managing Demand for Travel and Reducing Congestion) states:

- “a) All development proposals should have regard to transport efficiency and highway safety:*
- i. Development will not be permitted which results in a significant increase in delay to vehicles, pedestrians or cyclists or a reduction in safety for any users of the highway or other transport network;*
 - ii. Travel demands associated with development should be managed to minimise detrimental impact to the efficiency of the highway network;*
 - iii. Ensure new development reduces the need to travel e.g. by promoting linked trips and encouraging mixed use development where appropriate;*
 - iv. Provision for parking and servicing will be required in accordance with a Supplementary Planning Document on managing travel demands associated with development;*
 - v. The Council will support proposals for strategic public transport schemes such as rapid transit, local rail schemes as identified in LTP3 and local Park and Ride at appropriate railway stations subject to other policies in the Local Plan;*
 - vi. Off-site parking provision proposed in association with economically important sites will be supported, subject to other policies in the Local Plan, where sustainable transport links between those sites and the parking provision are of a good quality, direct and attractive to use.*
- b) The use of sustainable modes of transport, i.e. walking, cycling and public transport, shall be promoted and encouraged in all developments by:*
- i. Ensuring the design and management of the development enables and encourages the use of sustainable modes of transport;*
 - ii. Ensuring transport planning measures are implemented to help and encourage people accessing the development to use sustainable transport modes;*
 - iii. Ensuring the routes to the site from nearby services and local public transport stops are good quality, direct and attractive to use for all users.”*

Material Considerations

- 5.16. Material considerations include the United Nations Convention on the Rights of the Child, *High Speed Rail (London – West Midlands) Act 2017*, National Planning Policy Framework, Planning Practice Guidance, material planning permissions in the Borough, material call-in and recovered appeal decisions.

The United Nations Convention on the Rights of the Child (UNCRC)

- 5.17. Article 3(1) of UNCRC provides that the best interests of the children shall be a primary consideration in all actions by public authorities concerning children. To be a ‘primary consideration’ means that no other consideration can be inherently more important than the best interests of the children, but their interests can be outweighed by other factors when considered in the context of the case. Considering the best interests of the children might also involve a factual inquiry into their educational needs.

The High Speed Rail (London – West Midlands) Act 2017

- 5.18. The Act was given Royal Assent on 23 February 2017 and authorises works in connection with the construction and operation of Phase One of HS2 (and related works)
- 5.19. Schedule 18 Paragraph 1 explains that numerous listed buildings, whose status was confirmed before 30 September 2013 and are specified in table 1 are authorised to be demolished, altered or extended. The buildings listed in table 1 are either located within the safeguarded route of HS2, or in the vicinity. Jerrings Hall Farm Grade II in the Metropolitan Borough of Solihull and Parish of Dickens Heath is one of the buildings listed. The authorised works to the building are described as:

“Alterations relating to the relocation of the Island School Project.”

- 5.20. The impacts of HS2 had not initially been known when the route of HS2 was first proposed. This is reflected in a report published in December 2015 titled ‘*High Speed Rail (London-West Midlands) Equality impact assessment update: CFA2 Camden Town – CFA26 Washwood Heath to Curzon Street Summary*’. **Page 18** states:

The Island Project School, Diddington Hall

The EQIA (2013) reported construction of the original scheme would potentially result in temporary noise and isolation impacts on the Island Project School at Diddington Hall, a school for children aged 5-19 with severe autism. This would have negative equality effects for children attending the school.

The revised scheme includes provision for the school to be relocated to a new site at Jerrings Hall Farm, Solihull. The new site will be unaffected by construction of the HS2 route, and the negative equality effects will therefore be avoided.”

National Planning Policy Framework (The Framework)

- 5.21. The Framework, revised in February 2019, states that the purpose of the planning system is to contribute to the achievement of sustainable development by performing an economic role, social role and environmental role. Critically, the Framework requires these roles to be delivered simultaneously through the planning system, delivering mutually dependent benefits. The Framework places a presumption in favour of sustainable development (**Paragraph 10**).
- 5.22. The Framework clarifies that the presumption in favour means proposals that accord with an up-to-date development plan should be approved 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*” (Footnote 7), planning permission should be granted unless, “*...policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed*” (Footnote 6), or “*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” (Paragraph 11).

5.23. Under ‘Promoting healthy and safe communities’, **Paragraph 94** states:

“It is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education. They should:

*a) **give great weight to the need to create, expand or alter schools** through the preparation of plans and decisions on applications; and*

b) work with schools promoters, delivery partners and statutory bodies to identify and resolve key planning issues before applications are submitted” (highlighted and underlined text – our emphasis)

5.24. Regarding ‘Protecting Green Belt land’, **Paragraph 133** states:

“The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”

5.25. **Paragraph 134** lists the five purposes of Green Belt (an assessment against each is undertaken at Section 7 of this Statement).

5.26. **Paragraph 143** states:

“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”

5.27. **Paragraph 144** states:

“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

5.28. In terms of ‘Conserving and enhancing the historic environment’, **Paragraph 189** states:

“In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. 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...”

5.29. **Paragraph 193** states:

“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.”

5.30. **Paragraph 194** states:

“Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;...”

5.31. **Paragraph 195** states:

*“Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, **or** all of the following apply...”* (highlighted or underlined text – our emphasis)

5.32. **Paragraph 196** states:

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

5.33. To achieve ‘Conserving and enhancing the natural environment’, **Paragraph 170** states:

“Planning policies and decisions should contribute to and enhance the natural and local environment by:

a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);...

...d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;...”

5.34. In terms of ‘Promoting sustainable transport’, **Paragraph 109** states:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.”

5.35. The weight to be attached to existing Development Plan policies in the overall planning balance exercise is clarified at **Paragraph 213**, as follows:

“However, existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).”

Planning Practice Guidance (PPG)

- 5.36. PPG was launched as a web-based resource in March 2014 and sections are updated on an ad-hoc basis. It provides guidance on how policies in The Framework are to be implemented in practice. It replaced a wide range of circulars, planning guidance and good practice guides.
- 5.37. PPG helps to define some of the key heritage terms used in The Framework. With regard to substantial harm, it is outlined that in general terms this is a high test, so it may not arise in many cases. For example, in determining whether works to a listed building constitute substantial harm, an important consideration would be whether the adverse impact seriously affects a key element of its special interest (**Paragraph: 018 Reference ID: 18a-20190723**).
- 5.38. Optimum viable use is defined as the viable use likely to cause the least harm to the significance of the heritage asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes (**Paragraph: 015 Reference ID: 18a-015-20190723**).
- 5.39. PPG also confirms what is meant by public benefits, by stating (**Paragraph: 020 Reference ID: 18a—020-20190723**):

“Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.

Examples of heritage benefits may include:

- *sustaining or enhancing the significance of a heritage asset and the contribution of its setting*
- *reducing or removing risks to a heritage asset*
- *securing the optimum viable use of a heritage asset in support of its long term conservation.”*

Shirley Planning Permission

- 5.40. Planning permission reference **PL/2017/00519/PPFL** on Land Next To 198 Tamworth Lane, Shirley, is considered to be relevant to the proposed development because it was for a major development (New dementia care nursing home with associated car parking and sensory gardens), it was on a greenfield site (grassed undeveloped paddock), it was located in the West Midlands Green Belt, as is the proposed scheme, the site is relatively close to Jerrings Hall Farm (straight line distance approximately 950m to north) and it is a fairly recent decision dated 25 July 2017.
- 5.41. The planning committee report (**Appendix 3** refers) confirms the following:

“The proposal represents inappropriate development in the Green Belt that is harmful to openness by definition and to the purposes of including land within the Green Belt. In addition, the proposal will detract from the open rural character of the site. Notwithstanding this, the proposal, as an individual piece of architecture, is of a high quality design, it will not be harmful to any important trees on or adjacent to the site, it will not be detrimental to residential amenity or highway safety, and with adequate mitigation it will not be prejudicial to protected species. With this borne in mind it is considered that very special circumstances (VSCs) have been demonstrated that outweigh the harm to the Green Belt and any other harm and as such there is no reason to withhold the granting of planning permission for this much needed form of development, subject to the application not being called in by the National Planning Casework Unit.”

- 5.42. This dementia care nursing home planning permission demonstrates that the West Midlands Green Belt designation does not represent an absolute constraint to new build developments. It also demonstrates that the local planning authority considers the Green Belt is an appropriate location in principle for accommodating major developments and that any proposals that come forward need to be considered in a balanced way to establish if there are very special circumstances and whether they outweigh the harm.

Maidenhead Call-in Decision

- 5.43. This call-in decision made by the Secretary of State (SoS) that allowed planning permission for the construction of a charitable and special needs school, associated access and car parking (Ref. **APP/T0355/V/15/3011305**) (**Appendix 4** refers). Like Jerrings Hall Farm, the appeal site is in the Green Belt. The decision confirms that both the SOS and the initial Planning Inspector agreed that the educational need, the need for a rural location and the lack of alternative represented Very Special Circumstances (VSCs). It also confirms that both the SOS and the initial Planning Inspector agreed that the benefits accrued from the VSCs outweighed the harm to the Green Belt and other non-Green Belt harm.
- 5.44. Although it does not relate to a site within Solihull Metropolitan Borough, it is considered to be a relevant material consideration because, like The Island Project, the appellant was a charitable non-maintained school for children aged 5-17 years whose needs could not be met in mainstream education.

Stockport Recovered Appeal Decision

- 5.45. This is a recovered appeal decision made by the SoS that allowed planning permission for the erection of a new school with associated facilities, drop-off parking, access, landscaping, ancillary works, demolition of existing buildings, the erection of new campus facilities and up to 325 dwellings (Ref. **APP/C4235/W/18/3205559**) (**Appendix 5** refers). Like Jerrings Hall Farm, the appeal site is in the Green Belt and the proposed development will have an impact on the significance of a Grade

II listed building (as well as a non-designated heritage asset). Paragraph 18 confirms that both the SOS and the initial Planning Inspector agreed that the public benefits accrued from the develop would far outweigh the harm to the heritage asset. Paragraph 622 of the Inspector's Report confirms the public benefits included the provision of special needs schooling, specifically those with very complex special educational needs and disabilities that cannot be met elsewhere, both quantitative and qualitative terms; employment for the area; delivering housing in an area with a significant shortfall; delivering affordable housing in an area where needs are acute; and improving community facilities for the local area.

- 5.46. This case is considered to be a relevant material consideration given it represents a very recent decision where the public benefits, some of which relate to the specialist education (and care) facilities for children and young people provided by the appellant, have been weighed against the harm to heritage assets.

6. Design and Access Considerations

Use

- 6.1. The proposed development seeks to change the application site from a vacant residential use (C3 use) to a special needs school (D1 use).

Amount

- 6.2. The modular buildings will increase the building footprint at the site by approximately 260 sq m (2,797 sq ft). Combined with all other elements of the development, the proposed development will result in the removal of approximately 0.15ha of poor semi-improved grassland. Consequently, the 1.68 hectare will remain predominantly greenfield and undeveloped.

Layout

- 6.3. Given the Grade II status of the Main Building, its historical and functional links to the adjoining agricultural land, the historical value of the pond, the existing bat roosts on the site, the framed view of the buildings from the site entrance due to the mature trees on either side of the driveway, the limited surface water drainage system and the Dickens Heath Marsh Local Wildlife Site to the north, the modular buildings have been sited as close as possible to the existing group of buildings.

Scale

- 6.4. The modular buildings have been limited to a single storey in height to help assimilate with the existing group. As the view of the property from the site entrance along the driveway is the most prominent one, it was decided that an L-shaped modular building should be placed on the north side as this would enable it to have a narrower depth reflective of the adjacent Stable Block.

Landscaping

- 6.5. Extensive new hedgerows as well as infilling gaps will occur to enhance the site's visual enclosure. New trees are also proposed to encourage biodiversity but also to compensate for those species which will have to be removed to facilitate construction.
- 6.6. The use of Grasscrete will lessen the visual impact of the car park and taxi drop-off area, particularly in the evenings and weekends when the school is shut, and those areas are not in use. Proposed planting at the drainage mound and within the attenuation pond will further filter views from the east. It should be noted that all new build elements will be located within the existing residential curtilage of Jerrings Hall Farm.

Appearance

- 6.7. The proposed palette for the external materials of the modular building is limited to larch timber cladding, concrete interlocking tiles and aluminium window surrounds to provide an inconspicuous appearance and look like agricultural buildings.
- 6.8. Overall, although the historic, functional and visual link to the east and south will be altered it is contended that the application site will still resemble an agricultural farmstead.

Access

- 6.9. The applicant does not propose to create a new vehicular access to the application site. Nor are any improvements proposed to the site's existing access.

7. Planning Justification

- 7.1. This section of the statement sets out the justification for the proposed change of use when considered against the relevant planning policies and other material considerations.
- 7.2. The key issues arising from this proposal are as follows:
- a) Principle of development;
 - b) Impact on the Green Belt;
 - c) Heritage impacts;
 - d) Hydrology and flood risk;
 - e) Ecology considerations;
 - f) Arboriculture issues;
 - g) Landscape and visual matters;
 - h) Transportation impacts; and,
 - i) Ground conditions.
- 7.3. Each of these issues is now discussed in turn.

Principle of Development

- 7.4. Solihull Metropolitan Borough Council (SMBC), as Local Education Authority (LEA) and Local Planning Authority (LPA), supports the Island Project (IP), given it already sends children to its existing premises Diddington Hall, Meridan, and wishes to place more pupils there, even though it knows that it is going to be relocated to Jerrings Hall Farm. Other, both adjacent and further afield, LAs also send pupils to the existing school. Existing and future educational need was previously demonstrated by the written and oral evidence of the parents of existing IP pupils, staff of IP and their educational witnesses during the consideration of High Speed 2 Phase One (HS2) by The Select Committee during 2015-2016. The UN Convention on the Rights of the Child provides that the best interests of the children shall be a primary consideration in all actions by public authorities. Paragraph 94 of the Framework sets out that the Government expects that great weight should be given to the need to create, expand or alter schools. The Local Plan (LP) is similarly supportive of providing new community facilities, including education uses, and protecting existing facilities. For example, Policy P14 seeks to protect the amenity of community facilities from bad neighbour uses, amongst other things, and recognises that this can be achieved through appropriate attenuation, mitigation or compensatory measures. The only reason the IP is proposing to leave its current premises is to relocate to an alternative site that is unaffected by HS2 and thus avoid negative

equality effects for children attending the school. The proposed development and relocation to Jerrings Hall Farm is therefore wholly in accordance with the aims of LP Policy P14.

- 7.5. Additional in-principle support is provided by Policy P18 which is supportive of the health and well-being of its communities. The proposed use would provide children who have the most severe forms of Autism and Asperger's Syndrome, and who have failed in mainstream education and Local Authority special schools, with bespoke educational and learning programmes carried out by appropriately qualified teachers and teaching assistants. It will also provide an occupational therapy unit so that pupils can receive appropriate therapy interventions and necessary physical exercise. Without such provisions, some of the pupils would pose a physical risk to themselves and others. Pupils of the typical profile of the School would either remain at home, be placed into residential schools or provisions which are considerably more expensive for local authorities. Similarly, the alternative scenario of home learning is likely to have negative consequences on the well-being of families and their quality of life by not having the support structures in place and making it impossible for full-time carers to gain employment. The proposed development will therefore be beneficial to the health and well-being of both the existing pupils who live in Solihull and other areas of the West Midlands and their families as well as those children and families who live in other areas. Accordingly, the proposal will be in accordance with the aims of LP Policy P18.
- 7.6. The West Midlands Green Belt does not represent an in-principle constraint to development. Solihull's Green Belt policy (Policy P17) follows the same approach as national planning policy such that it identifies those forms of new development that are not inappropriate. Even in cases where a new development comprises inappropriate development, it is clear that such development can be permitted but only in very special circumstances, and very special circumstances will not exist unless the potential harm to the Green Belt by reasons of inappropriateness, and any other harm, is clearly outweighed by other considerations. This approach is illustrated in the relatively recent planning permission for major development of an entirely greenfield site (Ref. PL/2017/00519/PPFL) on Land Next To 198 Tamworth Lane, Shirley.
- 7.7. It is concluded that the principle of the development within this location is in conformity with both Development Plan policy and national planning policy. This is subject to other planning policy considerations which are discussed in detail below.

Impact on the Green Belt

- 7.8. Section 5 confirms that the key tenant of Green Belt is to keep land permanently open. Development that does not achieve this is therefore classified as inappropriate development, unless falling within one of the categories of development identified in Paragraphs 145 and 146 of The

Framework. Schools are not identified in Paragraphs 145 and 146 so are inappropriate development in the Green Belt and therefore, by definition, harmful.

Maintaining Permanent Openness:

- 7.9. With respect to openness of the Green Belt, the proposed modular buildings will be positioned close to the main complex of existing buildings, limited to a single storey in height and together with the car park and taxi-drop area will be screened by a new hedgerow and trees as part of the landscape strategy. The proposed development has also been designed to have minimal impacts on ground conditions such that the modular buildings will require some strip foundations and minimal ground reduction work to existing levels whilst the car park will be constructed using Grasscrete with a sand sub-base, involving minimal ground disturbance.
- 7.10. The accompanying Landscape and Visual Appraisal (LVA) (Para 4.9) confirms the proposed development *“represents a small-scale and visually discrete feature, which is in keeping with existing site character and local landscape character presented and would not therefore result in any material landscape or visual effects or policy contraventions. This includes Green Belt impacts, insofar as they relate to landscape and visual matters.”*
- 7.11. The proposed development is therefore located and designed so as not to have an adverse effect on the openness of the Green Belt.

Supporting the Purposes of including Land within the Green Belt

- 7.12. The following paragraphs consider the proposal in relation to the five purposes of Green Belt to determine whether the proposal would impact upon these.
- i. To check unrestricted sprawl of large built-up areas - By virtue of its location, the proposal does not constitute additional ‘sprawl’ to the large built-up areas of Shirley, Dickens Heath and Cheswick Green. The proposals are wholly within the existing curtilage of Jerrings Hall Farm, the site is contained by hedgerows, fencing and a brick wall and is not related to the urban areas, such that it cannot be read as an extension to the existing urban form.
 - ii. To prevent neighbouring towns merging into one another - The proposal the site does not threaten to coalesce the neighbouring towns of Shirley, Dickens Heath and Cheswick Green given the relevant distance from these urban areas. The proposal is not of a scale, or nature – with limited built form – that would present an ability to merge the settlements.
 - iii. To assist in safeguarding the countryside from encroachment – Most new buildings in

the Green Belt will encroach into the countryside, particularly if they are on greenfield sites. However, Jerrings Hall Farm already contains several buildings and features that are established built form in the countryside. Additionally, there are no plans to extend site beyond its existing curtilage and the external materials of the modular buildings and the shape and depth of the L-shaped building are intended to reflect the site's agricultural context. Consequently, the site's development for educational use will not result in urbanising development and only a limited intrusion into the open countryside.

- iv. To preserve the setting and special character of historic towns – The historic cores of the nearby settlements will not be affected by the proposal, given that the site cannot be seen from them. The proposal is also of a scale and nature that will not impact on the wider setting of the settlements.
- v. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land - Given towns or edge of settlement locations will be more likely to be adversely impacted by noise, flashing lights, vehicle movements and bright colours (e.g. from neighbouring land uses) all of which cause harm to the pupils who attend the IP, it is not appropriate to locate the school in an urban area, nor is it desirable in terms of assisting urban regeneration.

7.13. The above demonstrates that the only potential conflict with the five purposes of the Green Belt is safeguarding the countryside from encroachment. Furthermore, any potential harm to the Green Belt is considered minimal.

Very Special Circumstances

7.14. In the light of the harm to the Green Belt, albeit it is considered minimal, the key test is to establish whether it is outweighed by Very Special Circumstances (VSCs). In the case of *R (on the application of Basildon DC) v First Secretary of State* [2005] JPL492 in which the Court felt that, whilst particular circumstances might not amount to VSCs in themselves, they could cumulatively with others together form VSCs sufficient to outweigh harm to the Green Belt. In this case the matters that together constitute VSCs are described below.

VSC1. HS2 Legislative Framework

7.15. The Act was given Royal Assent on 23 February 2017 consequently any development that is necessary to facilitate the construction of Phase One of HS2, including those in proximity to the school's current site at Diddington Hall, will benefit from deemed consent. In other words, all

development that is necessary to facilitate the construction of HS2 will have planning permission by virtue of the deemed consent the Act confers.

- 7.16. The Island Project (IP) was initially named in the Hybrid Bill; it therefore follows that the Commons Select Committee must have accepted the previous evidence put forward by the school that Diddington Hall is no longer appropriate as a teaching and learning space for its current, or potential future pupils, due to the adverse impacts that will be caused during the construction phase of HS2 and noise during the operational phase, amongst other things. Accordingly, HS2 Limited subsequently acquired Jerrings Hall Farm for the IP. Due to circumstances, outside of its control, the IP's current site is no longer fit for purpose in the long-term and it has been forced to move to a new location.
- 7.17. The Act identifies Jerrings Hall Farm as one of numerous listed buildings located within the safeguarded route of HS2, or in the vicinity, which are authorised to be demolished, altered or extended. The Act goes on to describe that the authorised works at Jerrings Hall Farm are alterations due to the relocation of the IP school. In the light of the property's location within the West Midlands Green Belt, it therefore follows that the Commons Select Committee must have accepted that there would be the potential to cause harm to the openness of the Green Belt. The legislators were not forced by the IP to refer to Jerrings Hall Farm in the Act. Nonetheless they did, and this should be the starting point in the consideration of any potential application for planning permission and/or listed building consent at named properties or the equivalent consents if pursued under the Act.

VSC2. Educational Need

- 7.18. The IP was initially recognised as a school by the Department for Education in January 2008. It has subsequently provided educational and learning programme for children with Autism and Asperger's Syndrome on a continual basis to the present day i.e. it has been operational for over 12 years. It has grown and now takes up to 30 pupils most of who have failed in mainstream schools but are now thriving at the IP. 3 of these children are currently funded by Solihull Metropolitan Borough Council and 14 others by other LAs, including Warwickshire County Council, Staffordshire County Council, Leicestershire County Council, Sandwell Metropolitan Borough and Birmingham City Council. The IP is currently in discussions with Solihull Metropolitan Borough Council, Torbay Council (Devon), Warwickshire County Council and Northamptonshire County Council regarding the placement of additional children. The school has also previously had placements from Coventry City Council and Leicester City Council. The IP is judged by those LAs to be the school that can best provide for the child's individual needs. This demonstrates a compelling need for the school.

- 7.19. In addition, it should be noted that the IP's current premises at Diddington Hall have become tired and needs internal refurbishment and upgrades but this has become very difficult to fund in the light of the uncertainty caused by HS2 and the knock-on cash flow issues. This is an entirely unsatisfactory situation in terms of accommodation, investment and forward planning as well as the new pupil intake number limitation. It is also not conducive to effective learning.
- 7.20. Despite this, the IP has received over 60 enquiries for places for children since the beginning of 2018. The school has had to decline almost all those children places at the school predominantly due to the difficulty that transition causes for these pupils rather than because they cannot help. Due to the continual delays in moving premises, it is unethical to take on pupils who would struggle with another transition within a potentially short space of time. Many of the proposed pupils have been through several failed placements which means that it is imperative their new placement succeeds. More than a third of those enquiries were directly from LAs, which suggests that other LAs at least consider the IP to be the school that could best provide for the child's individual needs. The high number of enquiries in total in a relatively short period of time especially in view of the limited number of places on offer is a clear demonstration of need.
- 7.21. The IP is aware of other Boroughs and Districts experiencing an increase in demand for places for children with barriers to learning; this confirms the search for pupils recorded directly by the IP. This also demonstrates a need for the school.
- 7.22. Significantly, the IP was set-up by parents because there were no existing specialist schools in Solihull Metropolitan Borough dedicated to children aged 5 to 19 years with Autism and Asperger's Syndrome and today there are still no other schools in the Borough teaching the same cohort of children with the same needs. The IP is regularly inspected by the Office for Standards in Education, Children's Services and Skills (OFSTED) to ensure the school is providing a good standard of education. In the light of the above, it is contended that there is both a quantitative and qualitative educational need for the proposed development.

VSC3. Life-long Benefits to Society

- 7.23. The life-long benefits to society should be considered. Generally, children who fail to learn and do not have their needs met appropriately tend to create a disproportionate cost to wider society in the long-term.
- 7.24. Local Authorities will not place a child at the IP unless there is a viable alternative within their own local offer. For those pupils currently placed, the alternatives would be a residential setting, hospitalisation or secure units. Many of the pupils are deemed to be "edge of care" by their relevant authorities. The financial burden on local authorities for these types of alternative placements are hugely increased, with a typical residential placement costing more than £300,000 per annum,

hospitalisation sometimes costing in the region of £14,000 to £18,000 per week (which is approximately £728,000 to £936,000 per annum per child). In contrast, the annual cost incurred to care for each pupil at the IP currently averages £60,000, which is all covered via funding from Local Authorities. This demonstrates that it is hugely beneficial to the public purse to have children taught by the IP rather than the alternatives.

VSC4. Benefits to Potential Future Pupils

- 7.25. Around 80 enquiries and consultations for places have been received by the IP since the beginning of 2018, including 7 new pupils who have been taken on. This is evidence of children almost certainly failing in mainstream and local authority special schools' education at the present time. It is unlikely that parents or LAs would be inquiring about a place at the IP if the child was thriving. Thus, a delay in the determination of the applications would set back the education path of those children, since they are failing now.

VSC5. Need for Rural Location

- 7.26. A rural location, like the existing school premises at Diddington Hall, is essential because pupils catered for by the IP need to arrive as calm as possible and to be aware, they are in a safe environment. In urban or suburban areas, this is much less likely given the increased potential for noise, flashing lights, vehicle movements and bright colours, amongst other things, from neighbouring land uses and outlooks characterised or dominated by built-from. Also, at Diddington Hall the IP provides outside teaching space because outdoor learning is a strong ethos of the school and has proven educational outcomes. Furthermore, the IP allocates some of its existing outdoor space for pupil break-out space/run areas, which are needed when pupils require safe and enclosed space to be alone, if distressed. Only a property with a rural setting and which has suitable outdoor spaces that can be utilised in the same ways as described above is therefore suitable for the IP. The need for such also points to the inherent difficulty of finding a site, in an area where the existing school has ties. Apart from a few edge-of-settlement locations, most of the rural area within Solihull Metropolitan Borough is designated Green Belt (as is 67% of the total land area of the Borough) so relocating to an area outside of this designation is improbable.

VSC6. Lack of Alternative Sites

- 7.27. All the teaching and break-out spaces at the school are designed in a bespoke manner around the individual requirements of pupils; this restricts the type of property where the IP could be relocated. As has been alluded to elsewhere in this statement, another significant issue to consider when looking at potential alternative sites are neighbouring uses and their surroundings. For example, the children react to change by a mixture of behavioural changes. Triggers affecting the children include flashing lights, people in fluorescent jackets, landscape change, attraction to vehicles and

loud noises, visual or noise sensitivity, amongst other things. Such factors reduce the number of properties which are feasible alternatives for the school.

- 7.28. Details of the other five alternative properties considered by the Island Project will be discussed below however, it is somewhat of an academic exercise because the Secretary of State for Transport purchased Jerrings Hall Farm (JHF) for the IP on 27 July 2016. As mentioned previously, JHF has a gross internal floor area of 690 sq m (7,427 sq ft) but this is smaller than the Grade II listed Diddington Hall which has a gross internal floor area of approximately 739 sq m (7,956 sq ft). Having less floor area is the first reason why it was not an ideal property choice of the IP. The second reason is the narrowness of the Main Building and configuration of the other buildings, which means they are not flexible spaces. Nonetheless, JHF has been acquired and this is what the IP now must work with.
- 7.29. Of the other properties considered, the first one comprised two separate properties located next to each other, namely: Four Oaks House and Four Oaks Barn, Back Lane, Meriden, CV7 7LD (**Appendix 6** refers). The combined gross internal floor area of approximately 416 sq m (4,490 sq ft) only equates to 56% of the floor area of Diddington Hall, which the IP felt was much too small for the school's requirements and it would have meant the promotion of a significant amount of additional new build development in the Green Belt.
- 7.30. The second alternative property considered was Tudor Grange House, Bloomfield Road, Solihull, B91 1SB (**Appendix 7** refers). Even though it had last been in an educational use as part of Solihull College, the property was discounted by the IP for several reasons. Firstly its urban location and position next (west of) to the rest of the Solihull College & University Centre campus, secondly its limited floor area of 206 sq m (2,219.4 sq ft) which only equates to 28% of the floor area of Diddington Hall, and thirdly its Grade II* status, which the IP concluded may make it even more difficult to convert to individual teaching spaces that are bespoke to the requirements of individual pupils.
- 7.31. Two separate properties located next to each other at Lapworth were also considered; Chessetts House and Chessetts Paddocks, Chessetts Wood Road, Lapworth, B94 6ES (**Appendix 8** refers). Although the combined gross internal floor area was 14% larger than Diddington Hall at approximately 839 sq m (9,046 sq ft) there was a MOT servicing and repair garage to the east and the IP was concerned its proximity might be harmful to its pupils and accordingly, it was discounted on this basis.
- 7.32. An alternative property considered was Merryfields, Vicarage Hill, Tanworth-in-Arden, B94 5EB (**Appendix 9** refers). The combined gross internal floor area of approximately 557 sq m (6,000 sq ft) only equates to 75% of the floor area of Diddington Hall, which the IP considered was much too

small for the school's requirements and it would have meant the promotion of a large amount of additional new build development in the Stratford-on-Avon Green Belt.

- 7.33. The final alternative property considered was Berkswell Grange, Truggist Lane, Berkswell CV7 7BX (**Appendix 10** refers). Like the other alternative properties, it was Grade II listed and within the Green Belt so any redevelopment would have needed to have been sensitively designed. However, it was also located within a Minerals Safeguarding Area for Coal and this would have represented an additional constraint to new build development. Nevertheless, the IP sought pre-application advice from SMBC. The advice was not particularly supportive of its redevelopment for a special needs school. Firstly, the highways department was concerned with the visibility such that it required the removal of an entire roadside hedge and SMBC advised this would have a negative impact on the Green Belt and the setting of the listed building. Secondly, the authority's ecologist did not support this given they considered the hedge was likely to be of high quality and consequently there would be harm to the habitat, connectivity to other habitats and biodiversity in general. Despite this, the IP was still keen on the property and whilst still considering whether it was a feasible option, HS2 let the property in autumn 2017. It was therefore no longer available to the IP.
- 7.34. It is also of relevance that as the IP is a charity, acting under the oversight of the Charities Commission, it is a not-for-profit organisation meaning it does not earn profits. All the money earned by or donated to it must be used on pursuing the organisation's objectives. It must operate solely within its Charity Objectives which are: To provide an education for children with autism through the introduction of effective communications systems enabling them to access any area of the national curriculum; to provide assistance and support for the family and friends of children with autism and enabling them to participate in the wider community. To allow independence through communication for children and adults with autism. Furthermore, the money paid by LAs for fees must be utilised in educating pupils and not for any other purpose. On this basis, there would be little benefit in the IP seeking to provide more accommodation than it requires to meet its objectives.
- 7.35. Notwithstanding the locations, nearby land uses and listed building gradings of each of the above properties, Jerrings Hall Farm had an existing floor area that was closer to Diddington Hall (93%). Without building surveys of each of the properties, it was therefore considered likely that there would be less work needed at Jerrings Hall Farm to convert it to a special needs school as well as no extra space that was beyond its requirements. In addition, the internal configuration (with minimal changes) gives IP the flexibility of space which it uses currently and is a key component of its current education provision.

VSC7. Condition of the Stable Block

- 7.36. A Quantity Surveyor (Fulkers Bailey Russell) was commissioned to carry out an Elemental Cost Analysis of the project. This estimated that the all the remedial, internal and external works to the Stable Block alone would be £388,727 (**Appendix 11** refers). This was more than had been anticipated, including when Jerrings Hall Farm was purchased some years ago. The project team concluded that this would not represent value for money, particularly as the project is reliant on the public purse. Accordingly, a second modular building was proposed to accommodate the space that had initially been planned to be inside the Stable Block. By way of comparison, it should be noted that the total cost of the two modular buildings, including acquisition, M&E supply, foundations, external cladding and fit out is £311,250. This is therefore considered to be another VSC justifying the proposed scheme, specifically the second modular building.

Green Belt Conclusion

- 7.37. The above demonstrates there will be harm to the Green Belt in terms of openness and encroachment into the countryside however, on the other hand there are Very Special Circumstances (VSCs) that justify the proposed development in accordance with LP Policy P17 and Para 143 of the Framework. Some of these VSCs also reflect those put forward by the appellant and which were ultimately endorsed by a Planning Inspector and the Secretary of State (SoS) in the Maidenhead Call-in Decision (**Paras 5.43 to 5.44** refer). This decision is therefore a material consideration that supports the proposed development that is the subject of the current application for deemed planning permission.

Heritage Impacts

Works Method Statement for Alterations to Jerrings Hall Farm

- 7.38. A Works Method Statement, including an Assessment of Significance, prepared by LM (a joint venture company comprising Laing O'Rourke and J. Murphy & Sons Ltd) accompanies this submission as advised by LP Policy P16. The detailed research and evaluation have played a ubiquitous role in informing, evolving and critically analysing the development design.

Assessment of Significance

- 7.39. The Assessment of Significance (AoS) explains that the architectural and aesthetic value of the property is derived from the fact that the Main Building is significant as an example of a high-status timber framed farmstead of at least 16th century date, which was adapted over time, yet its significance is impacted by the level of restoration and modification that has been undertaken in the later 20th century. However, enough elements survive to enable an understanding of the design intentions of the earlier work and changes over time because of fashion or the need for improved

levels of comfort. The other buildings make only a limited contribution to the architectural interest of the Main Building but still contribute to the overall aesthetic of the farmstead and its courtyard appearance. The only exception to this is the two-storey gabled carriage house at the western end of the Stable Block and the rounded brick columns that sit to either side of the carriage opening to protect them against damage from wheels.

- 7.40. The AoS also explains that the historical value of the property stems from its development over time and its potential origins in the early medieval period as a moated site whilst its evidential/archaeological value comes from the several phases of alteration that have occurred at the property, and which provide an understanding of the development and alteration of high-status houses from the late medieval period onwards. The AoS suggests that the floor plan, structural fabric and archaeological evidence contained within the building provide clear evidence for the adaptation and incorporation of elements of an earlier structure on the site.
- 7.41. In terms of communal/cultural value, the AoS goes on to suggest that the occupancy of Jerrings Hall has been a part of the local, social and political landscape and its management for generations and thus, its connections with the various families that have occupied it have long been of interest to historians.

Setting

- 7.42. The AoS also confirms that the setting of the buildings makes some contribution to the significance of the asset. It explains that the buildings retain a relationship with a medium sized pond, which has been interpreted as the potential remains of a medieval moated site, they are surrounded by a generally flat and largely landscape which allows views to and from the farmstead from the Tanworth Road, punctuated with pockets of green pasture enclosed by historic hedgerows. Within this, the farmstead is in a small group of enclosed fields which retain elements of their relict field boundaries and, these provide an agricultural setting for the farmstead.

Impacts

- 7.43. The proposed new staircase in the Main Building is the most significant element of the proposed development that will impact on the fabric of the heritage asset. However, the Works Method Statement confirms that because of the substantial alterations that have taken place both on the ground floor and the ceiling/floor at first floor level, the new staircase will only have a *“limited impact”* on the building fabric. Furthermore, the construction of the staircase has been designed as an honest intervention with the minimum possible intervention into the fabric, and it has been sited to minimise any visual impact to character of the building by avoiding concealing window openings.

- 7.44. It is contended that given the installation of the fire door at first floor level in the oldest part of the Main Building is reversible this aspect of the proposed development will only have a limited impact on the building fabric.
- 7.45. Both the timber repairs to the north-west corner of the Main Building and fixing of the surface water drains to the east between this building (the basement was flooded during the winter months) and the carriage house at the western end of the Stable Block will fix the current problems to the long-term benefit of the property.
- 7.46. The internal partitions will only result in sub-dividing one of the rooms in the oldest part of the Main Building, namely, at ground floor where the new staircase is located. Given the fixings of the partitions to the existing structure will be relatively unobtrusive and no other rooms inside the Main Building will be subdivided, it is contended that the internal partitions will avoid harm to the building fabric. Similarly, replacing some of the external glazing in the conservatory with cladding panels and reintroducing an entrance in the east wing will have no impact on the overall character and appearance of the buildings nor on the future interpretation of the Main Building being a high-status timber framed farmstead of at least 16th century date. In fact, these changes will continue the trend of adaptation that has occurred throughout the property's history.
- 7.47. Even though the Stable Block is no longer proposed to be utilised, it will actually be enhanced because the underpinning of the external works will prevent further damage and fix the current problems to the long-term benefit of the character and appearance of the group of buildings. Significantly, the two-storey gabled carriage house and its brick columns will therefore be preserved.
- 7.48. The Works Method Statement confirms that converting the lean-to-structure at the eastern end of the Middle Unit into an occupational therapy suite will have *"no impact"* on the historic fabric of any of the historic buildings given the limited external alterations and significance of the building itself.
- 7.49. An Archaeological Assessment carried out by EDP also accompanies this submission. It concludes that in the light of the potential for buried medieval remains within the western part of the application site, *"there is still no reason to believe or expect that the application site will contain archaeology of such significance that it would require preservation in situ."* Furthermore, given the limited below-ground impact associated with the construction of the proposed modular buildings, drainage and car park and taxi drop-off area, it suggests *"the potential for adverse impacts on any surviving archaeological features or deposits is limited."* Nonetheless, it recommends mitigation by way of a watching brief and the applicant would agree to this requirement, subject to a suitably worded condition.

- 7.50. Although the setting of the listed building will change as a result of the new development, the visual change will be limited as much as possible through good design to ensure that already filtered views from Tanworth Lane will be preserved and by retaining the majority of trees either side of the driveway the Main Building will remain the focus of the development, served by ancillary buildings. It should not be forgotten that the site has previously accommodated large buildings which have since been demolished (**Figure 1** refers).
- 7.51. The rear garden will be free of buildings and structures such that the historical and functional link to the agricultural land beyond will be preserved. Similarly, the pond which potentially represents the remains of a medieval moated site will be retained and unaffected apart from erecting fencing around its perimeter for the safety of pupils.
- 7.52. The proposed palette for the external materials of the modular building is limited to larch timber cladding, concrete interlocking tiles and aluminium window surrounds to provide an inconspicuous appearance and look like agricultural buildings.
- 7.53. Given the rear garden is undeveloped and the pond is important in reflecting the history of the property, the modular buildings have been sited as close as possible to the existing group of buildings but below-ground services and infrastructure exist, including Liquefied Petroleum Gas (LPG) tanks, to prevent the rectangular modular building being sited parallel to the Middle Unit. They have also been limited to a single storey in height to help assimilate with the existing group.
- 7.54. As the view of the property from the site entrance along the driveway is the most prominent one, it was decided that an L-shaped modular building should be placed on the north side as this would enable it to have a narrower depth reflective of the adjacent Stable Block. The L-shaped modular building has also been positioned slightly to the north of the Stable Block to enable the eastern gable to still be visible from the site entrance.
- 7.55. The use of Grasscrete will lessen the visual impact of the car park and taxi drop-off area, particularly in the evenings and weekends when the school is shut, and those areas are not in use. Proposed planting at the drainage mound and within the attenuation pond will further filter views from the east. It should be noted that all new build elements will be located within the existing residential curtilage of Jerrings Hall Farm.
- 7.56. Overall, although the historic, functional and visual link to the east and south will be altered the application site will still resemble an agricultural farmstead and accordingly, the changes to the setting of the property will be less than substantial.

Policy Consideration

- 7.57. Policy P16 of the LP does not accord with the Framework. It only recognises that proposed developments should “*preserve or enhance*” heritage assets so unlike the Framework, there is no balancing proposition in the LP Policy. The policy is couched in terms that give the decision maker no latitude to weigh any public benefits against the harm to heritage assets. As such, it is contended that only limited weight can be attached to this policy.
- 7.58. The Framework is clear that any harm or loss to heritage assets should require clear and convincing justification. Further only where harm has been minimised should any unavoidable residual harm be weighed against public benefits. In cases where there is ‘less than substantial harm’, this harm should be weighed against the public benefits of the proposal. Such benefits should flow from the proposed development and they should be of a nature or scale to be of benefit to the public at large.
- 7.59. In this case, the drivers behind the proposed development are identified below.
- 1) The school is relocating from its current premises at Diddington Hall due to its proximity to HS2 and the adverse impacts it will cause to the pupils who have very severe learning difficulties.
 - 2) To provide alternative accommodation which is comparable to Diddington Hall in terms of individual teaching spaces, staff office space and welfare facilities, ancillary functions, outdoor space and car park and safe arrival point for employees, pupils and guests.
 - 3) To improve drainage at the application site.
- 7.60. The cumulative degree of harm to Jerrings Hall Farm is less than substantial whereby paragraph 196 of the Framework is engaged. Paragraph 196 requires that less than substantial harm is weighed against the public benefits of the scheme. Public benefits are defined in the PPG as, “*anything that delivers economic, social or environmental progress*”.
- 7.61. This statement either has or will explain that the development give rise to the public benefits listed below.
1. Providing a viable long-term use of a vacant listed building and ancillary buildings that will be open to visiting parents and guests.
 2. Preserving the Stable Block instead of substantial irreversible alterations.
 3. The provision of special needs schooling.

4. Helping to meet special education needs for children with the most severe forms of Autism and Asperger's Syndrome.
 5. Provision of special needs education to children from both within and outside of the Borough.
 6. Retaining skilled jobs in the Borough in terms of specialist teachers, highly trained teaching assistants, behaviour analysts, a music therapist, an occupational therapist and speech and language therapists.
 7. Provision of a Sustainable Urban Drainage System (SUDs) at a site which currently has no formal surface water drainage system in place.
 8. Biodiversity enhancements in the form of planting of the swales for with wetland species to provide habitat for invertebrates and amphibians, buffers around the site to be maintained as rough grassland and scrub to create robust wildlife corridors, and the planting of an orchard to provide valuable nectar and pollen resource for pollinating insects as well as opportunities for bats and birds.
 9. The provision of cycle parking provides an opportunity for staff to travel to and from the school on bike compared to Diddington Hall where no such facilities exist and travel by private car with its associated emissions and pollutants is more likely.
- 7.62. On the above basis it is considered that the public benefits associated with the development patently outweigh the limited less than substantial harm to the significance of the heritage asset despite giving the desirability of preserving the building and its setting the special regard which S66(1) of the Act requires. Therefore the 'test' of paragraph 196 is passed.
- 7.63. As the development proposal preserves heritage assets, when public benefits are factored in as required by national policy, the scheme complies with LP Policy P16.
- 7.64. Finally, the Stockport Recovered Appeal Decision (**Paras 5.45 to 5.46** refer) is a material consideration that is supportive of the proposed development given some of the public benefits that justify the scheme reflect those put forward by the appellant and which were endorsed by the SoS.

Hydrology and Flood Risk

- 7.65. The Section 50 application is supported by a Flood Risk Assessment and Drainage Strategy (FRADS). This shows that the whole of the application site is located within Flood Zone 1 (low risk). Therefore, the only potential risk to the proposed school is associated with surface water runoff. National planning policy is clear that all uses of land are appropriate in this zone.

- 7.66. The FRADS has been informed by drainage survey that show that there are 3 separate septic tanks/treatment works on the site. The surveys have also revealed that the traditional soakaways that serve the surface water drains appear to be blocked/silted up. Significantly, the surveys have found a drain in the south-east of the site on the line of an historic ditch.
- 7.67. The FRADS suggests that the potential cause of the water penetration in the basement of the Main Building is the adjacent historic soakaway which is too close. It also identifies that the water from the roof of the Main Building drains into the sewage treatment works system and this is not acceptable. This is therefore an issue that needs to be addressed by the proposed development.
- 7.68. Overall, the FRADS concludes that there is no formal surface water drainage 'system' on site at present and accordingly, it should be rationalised sustainably for the long-term operation of the site to enable structured planned maintenance.
- 7.69. Given the existing arrangements, Soakaway Tests were also carried out to inform the drainage strategy. None of the tests could drain water and so could not comply with BRE 365. Notwithstanding this, the Soakaway Tests found the most suitable ground was in the north of the site, where the land is highest but suitable away from the buildings to comply with Building Regulations.
- 7.70. In light of the above, a below ground sewage treatment works connected to a 250sq m drainage mound with vegetated sides and top, will be located to the east of the L-shaped modular building on the north side of the driveway.
- 7.71. Regarding surface water a new drainage system will be built comprising a network of underground pipes together with swales and a vegetated shallow attenuation pond to the south of the car park. The system will be connected to the existing surface water drain in the south-east corner of the site.
- 7.72. The car park will be formed in 'Grasscrete' which will allow the surface water to infiltrate into the ground and be managed by evapotranspiration, mimicking the natural characteristics of the area.
- 7.73. In conclusion, the FRADS suggests that the proposal will *"improve the drainage system"* by way of creating a separate system whereby foul water will drain to a modern treatment works and discharge to a drainage mound. The FRADS confirms *"The proposal therefore satisfies the guidance in the NPPF and sustainable drainage policies and represents appropriate sustainable development for this proposal."*
- 7.74. Given the proposed development incorporates a sustainable drainage system which will contribute towards wider sustainability considerations including biodiversity enhancement and contributing to landscape character, the scheme also complies with LP Policy P11.

Ecology Considerations

- 7.75. An Ecological Survey Report (ESR) has been prepared by Clarkson & Woods to inform the Section 50 application. The ESR records the findings of an Extended Phase 1 habitat survey, building inspection, bat dusk and dawn surveys and a Great Crested Newt (GCN) eDNA survey of the site pond. It also identifies the likely impacts resulting from the development proposals and appropriate mitigation/compensation strategies to ensure protected/notable habitats and species are protected for the long term.
- 7.76. The surveys identified the presence of roosting bats within almost all buildings on site, a single grass snake and the occasional nesting bird in the open buildings. GCN eDNA was negative and this species was considered likely absent from the site and wider area. This issue was subsequently discussed with the Council's Ecologist who confirmed she was content there was no need for additional GCN surveys. Dickens Heath Marsh Local Wildlife Site (LWS) occurs directly to the north of the site. The proposed development has therefore been designed to consider the LWS and avoid adverse impacts on it, as well as other habitats and sites.
- 7.77. The ESR confirms that most habitats and species within the application site are of Site to Local conservation importance. However, several avoidance and mitigation measures are proposed to ensure that adverse impacts are reduced as far as possible (see **Ecological Survey Report** for details):
- The creation of wildlife buffers/corridors around the site (to also protect the adjacent LWS during construction and operation of the site),
 - Protection of bats and their roosts during repairs to buildings;
 - Pre-commencement checks of buildings and vegetation for active bird nests to ensure they are protected from damage; and,
 - The careful removal of potential reptile habitat.
- 7.78. The ESR confirms that the above measures will be secured through the production and implementation of a CEMP¹⁰: Biodiversity, LEMP¹¹, and a bat mitigation licence, along with planning conditions as appropriate. It also recommends the appointment of an Ecological Clerk of Works to ensure the mitigation strategy is fulfilled.

¹⁰ Construction Ecological Management Plan.

¹¹ Landscape and Ecology Management Plan.

7.79. Even though they are not expressly required, the proposed development also includes the following ecological enhancements (see **Ecological Survey Report** for details), which will make a positive, permanent contribution to local biodiversity:

- The creation of an orchard to benefit pollinating insects, amongst other species;
- New species rich hedgerow of approximately 400m, the infilling of gaps and tree planting will aid habitat connectivity and diversity to the benefit of foraging and commuting bats as well as foraging birds and amphibians, amongst other species;
- 0.97ha of the retained grassland at the site will be sensitively managed to create a tussocky structure and increase the species diversity. This management will improve the potential of the grassland to support foraging and sheltering wildlife and thus will be an improvement on the existing site conditions. As such, overall a positive impact will be achieved for grassland habitat within the site and the wildlife this habitat supports;
- Planting of the drainage swale with wetland/bog loving flora to provide habitat for invertebrates and amphibians;
- The incorporation of slight depressions under the perimeter fence to enable badgers to access the habitats within the site;
- Provision of additional bird and bat boxes within the site (4 of each and of Schwegler design if possible due to their proven success and durability);
- Provision of 3 insect boxes to accommodate solitary bees, bugs and other invertebrates;
- The buffers around the perimeter of the gardens and buildings will be maintained as rough grassland and scrub to create a robust wildlife corridor around the site, linking into the grassland meadows and pond habitat;
- Creation of an additional 1 habitat log piles near to the pond and hedgerows for amphibians, reptiles and invertebrates to use; and,
- Creation of an additional 1 hibernacula (one near the pond and the other along the northern hedgerow in Field 4) as overwintering habitat for reptiles and amphibians.

7.80. The ESR concludes (**Paras 7.1.3 & 7.1.4**) as follows:

“Overall, although some grassland habitat and 28 trees will be lost, the development has the potential to provide ecological benefits within the site through the planting of native hedgerows and trees, the creation of new reptiles and amphibian hibernacula and log piles,

a new orchard, swale and wildlife buffers around the site. The bat mitigation strategy will also result in additional roost habitat for bats, along with enhanced foraging and commuting habitat within the site boundary, while ensuring the site remains unlit for the most part. The sensitive lighting strategy will also ensure associated impacts are minimised.”

“Assuming the successful implementation of the measures described above the proposed development can be considered in line with planning policy 10 of the Solihull Local Plan.”

- 7.81. Given the numerous ecological enhancements suggested, it is considered that the proposed development is also in accordance with national planning policy, as reflected in the Framework, including its requirement for “*providing net gains for biodiversity*” (Para 170). In this regard, a Biodiversity Impact Assessment Score has been calculated and this has predicted a positive impact so it is anticipated the proposal will achieve a net gain for biodiversity (**ESR - Paras 6.6.9 to 6.6.10** refer).
- 7.82. The Draft *Environmental Bill* published on the 30 January 2020 does not change the requirement of the Framework Para 170; its suggestion that all future schemes including the development of land to deliver a mandatory 10% biodiversity net gain is merely a future aspiration until such time as it is enacted. Until then, the *Environmental Bill* has less weight than the Framework.

Arboriculture Issues

- 7.83. An Arboricultural Impact Assessment (AIA) prepared by Treework Environmental Practice has been submitted in support of the Section 50 application. The AIA recommends several measures to protect individual species and groups during construction including the installation of protective fencing before any other development occurs and if any earthworks are necessary, such as regrading of the car park area, to only be undertaken once exploratory works near T46 have been completed and any landscape operations within the Root Protection Areas (RPAs) of retained trees should be reviewed by an Arboricultural Consultant.
- 7.84. The AIA also identifies the removal of 13 trees, 1 tree group (G47) and 1 part group (G50) to facilitate the development, specifically new drainage runs and a replacement drainage run to the north of the Main Building (the roots of T27 have damaged the system). None of the proposed trees to be removed are category A, only 1 is category B and 4 are category C. To compensate for their loss, 30 new trees are to be planted across the site, as shown on the Detailed Landscaping Design Proposals Plan prepared by the Environmental Dimension Partnership.
- 7.85. In addition, 3 trees 1 of which is an ‘A’ category adjacent to both the site entrance and adopted highway, have drainage runs proposed within their RPAs. Accordingly, the AIA recommends either use of Ground Penetrating Radar to ascertain live root spread in the location of the proposed

drainage alignment, or for an Arboricultural Consultant to oversee the works and then provide reactive recommendations and a detailed arboricultural method statement, if significant roots (>25mm dia.) are present. This would minimise any potential harm to those individual species.

- 7.86. Furthermore, 2 trees will be subject to excavation and installation of hard surfacing at the edge of the RPA but the AIA confirms these works will be *“minimal and not likely to impact these trees, providing the tree protection fencing has been installed and is maintained in good condition, whilst the adjacent works take place.”*
- 7.87. Finally, the AIA identifies 6 retained trees along the driveway which will require remedial tree work to facilitate the access of emergency vehicles. This will comprise crown lifting over the existing driveway to achieve a 3.5m clearance.
- 7.88. On this basis it is considered that the proposed development will not have an unacceptable arboricultural impact and in the light of compensatory tree planting will have the effect of restoring existing landscape features such that it is in accordance with LP Policy P10.

Landscape and Visual Matters

- 7.89. The electricity pylon located adjacent to the south-west corner of the application site is likely to be visible in some views of Jerrings Hall Farm given its scale and proximity to the main group of buildings. This feature on its own also reinforces the point that the landscape in which the application site lies is influenced by human occupation. It is also not subject to any statutory landscape designations.
- 7.90. Notwithstanding this, a Landscape and Visual Appraisal (LVA) prepared by the Environmental Dimension Partnership has been submitted to support the Section 50 application. Before the LVA assesses the potential effects on the character of the landscape and on visual amenity, including views from local roads, footpaths and surrounding dwellings, it identifies the following mitigation measures (albeit they are largely factors of the application site and the proposal, rather than measures in their own right):
- The proposals are located within the existing curtilage of Jerrings Hall Farm, bounded by a mixture of hedgerow, wooden post and wire fencing and wall;
 - The proposed development results in limited amount of tree removal;
 - A sustainable drainage system (SuDS) basin is proposed for drainage purposes which would be planted up with a wet grassland mix;

- An orchard is proposed in the northern corner of the application site, with a shade tolerant grassland mix to increase biodiversity;
- Ecological buffers are proposed around the perimeter of the application site to provide foraging/commuting habitat for bats, amongst other species;
- Additional hedgerows and tree planting are proposed around the perimeter to aid in the visual enclosure of the application site; and,
- The school is sensitively sited, within the bounds with what is already perceived as a complex of buildings varying in size, orientation and age.

7.91. The LVA concludes (Paras 4.6-4.9 refer) as follows:

“...the application site relates very well in both landscape and visual terms to the existing landscape, and that the application site represents a logical and easily assimilated development into this part of the countryside.

There are no anticipated material adverse effects upon landscape designations or the underlying landscape character, nor any material residual visual effects upon PRow, minor roads or residential receptors. There would be some limited intervisibility experienced by some limited receptor groups, but the existing nature of the landscape, and the use proposed, would serve to moderate any effect accordingly.

The loss of a small area of grassland to facilitate the proposed modular buildings, sheds and car park would create a negligible and localised effect. When this effect is considered with the local context, and in the light of the beneficial effect upon landscape fabric through the detailed soft landscape proposals, it would not constitute an unacceptable impact on landscape fabric or character.

For the reasons outlined within the report, the special needs school represents a small-scale and visually discrete feature, which is in keeping with existing site character and local landscape character presented and would not therefore result in any material landscape or visual effects or policy contraventions. This includes Green Belt impacts, insofar as they relate to landscape and visual matters.”

7.92. As there will be an absence of material adverse effects on landscape character and in the light of the proposed soft landscaping proposals, it follows that the landscape will be both protected and enhanced which is in accordance with LP Policy P10. Similarly, given the proposal is in keeping with local landscape character it follows that the scheme respects the surrounding natural environment and conserves landscape quality which is in accordance with LP Policy P15.

Transportation Impacts

- 7.93. A Transport Statement (TS) prepared by Calibro Consultants has been prepared to support the Section 50 application. The TS was informed by an Automatic Traffic Count (ATC) survey undertaken on Tanworth Lane within the vicinity of the site in October 2018.
- 7.94. Using the results of the ATC survey as well as highway guidance, the TS confirms that the required visibility splay can be secured to the north, as demonstrated on the Proposed Access Arrangements and Visibility Splays plan. The TS goes on to confirm that whilst visibility of 93.3m can be achieved to the south, which is beyond the required distance of 83.0m, there is a tree that causes a visibility shadow of some 35.4m and based on the recorded average speed of 39.3 mph, vehicles would only be within this shadow for two seconds before they become visible again to vehicles waiting at the junction. In the light of there being no adverse highway safety record in this location and guidance contained in Manual for Streets 2, specifically that there is no relationship between junction visibility and an increased risk of injury collisions, the TS states *“visibility from the site access is considered acceptable in the context of guidance.”*
- 7.95. There is no need to widen either the main entrance or the driveway because the TS confirms that vehicles can safely ingress and egress the site. Based on the proposed site’s one-way vehicular system, the TS also confirms that enough inter-visibility is achievable such that vehicles entering the site and exiting the car park will be able to see one another before joining the access road.
- 7.96. The proposed number of parking spaces in the car park (40 spaces) is less than the 50 car parking spaces at the school’s existing premises at Diddington Hall and is equivalent to 0.8 spaces per member of staff (once the school is established at Jerrings Hall Farm). This is considered appropriate because all staff will only ever be present on site at any one time in exceptional circumstances. Many staff car share which also reduces the number of cars on site at any one time.
- 7.97. Although there are currently no dedicated cycle parking facilities at Diddington Hall, 13 Sheffield cycle stands are proposed providing space for at least 26 cycles, which represents 0.5 spaces per employee. This represents a benefit of the proposed development because it provides an opportunity for staff to travel to and from the school by bicycle, which is not currently an option available.
- 7.98. In considering the application site’s accessibility by walking, cycling and public transport, the TS concludes that Jerrings Hall Farm is accessible by a range of non-car travel options which offer viable alternatives to trips by the car. Nonetheless, it is of significance that the conditions of the pupils, both existing and future, who attend the Island Project are such that they cannot travel by public transport, cycling or walking as they are unable to travel independently. The TS also confirms

that Jerrings Hall Farm has better non-car travel credentials than Diddington Hall and this therefore represents a betterment in terms of accessibility.

- 7.99. The TS points out that because there are no inherent highway safety risks in the existing operation of the adjoining highway network the proposed development is acceptable in the context of highway safety and geometry.
- 7.100. In addition to the ATC survey carried out within the vicinity of Jerrings Hall Farm, a separate ATC survey was undertaken in October 2018 at the access of Diddington Hall to understand the current trip attraction rates at the school. In this regard, the TS concludes that the vehicle trips associated with the proposed development (they will not be new to the wider network but simply transferred from their existing routes accessing the current school) are not considered material nor discernible in the case of highway safety or the capacity of the surrounding highway network. The TS goes on to suggest that the traffic impact therefore cannot be considered severe in the context of the Framework.
- 7.101. The overall conclusion of the TS is that *“...there are no highway or transportation reasons, which should prevent the proposed redevelopment of this site.”*
- 7.102. As the TS has established that the adjoining highway network is operating safely and the trip movements associated with the school are neither material nor discernible in the case of highway safety or the capacity of the surrounding network, it follows that the proposed development has had regard to transport efficient and highway safety in accordance with LP Policy P8. The provision of dedicated cycle parking facilities even though they do not currently exist at Diddington Hall directly responds to the need to promote sustainable modes of transport, which is also in accordance with LP Policy 8.
- 7.103. LP Policy 7 is split into two parts, namely: Part A; and, Part B. Part A relates to how development should take place in the most accessible locations to enhance accessibility levels and promote ease of access. It identifies accessibility criteria for three types of development, namely: housing; offices, retail and leisure development; and, education, health and other public service facilities. This case therefore needs to meet the accessibility criteria for the latter category, which is identified as *“where they are easily accessible on foot, by bicycle and bus by the local community they serve”*. Importantly, the wording of the policy states: *“...Development will be expected to meet the following accessibility criteria, **unless justified by local circumstances**”* (underlined and highlighted text – our emphasis). This suggests there is flexibility in applying the accessibility criteria. In this case, the TS has concluded that Jerrings Hall Farm is accessible by a range of non-car travel options which offer viable alternatives to trips by the car. It is therefore contended that the accessibility objective for education uses as set out by Policy LP7 will be achieved.

- 7.104. More importantly, there are two local circumstances that apply to the case, which justify a relaxation of the accessibility criteria and that is allowed by Policy LP7. Firstly, the IP is a very specialist school as demonstrated by the fact that its pupils come from different parts of the country. For example, it currently serves 6 LAs (Solihull Metropolitan Borough Council, Warwickshire County Council, Staffordshire County Council, Leicestershire County Council, Sandwell Metropolitan Borough and Birmingham City Council), 2 other LAs further afield in addition to Solihull Metropolitan Borough Council are currently in discussions with the school regarding future placements (Torbay Council in Devon and Northamptonshire County Council) and the school has previously had placements from Coventry City Council and Leicester City Council. Unlike a mainstream school, it is therefore not possible to relocate the IP to a site that is accessible on foot, by bicycle and bus 'to the local community it serves' because pupils are unable to travel independently. Secondly, Jerrings Hall Farm has better non-car travel credentials than Diddington Hall, as set out in the TS. It is contended that this is a benefit in favour of the proposed development. In the light of the above, it is contended that the proposed development complies with Part A of Policy LP7.
- 7.105. Part B of Policy LP7 requires access to developments from walking, cycling, public transport and road networks. The TS demonstrates that this will be achieved and so the proposed development is in accordance with Part B of Policy LP7. Overall, there is no conflict with Policy LP7.

Ground Conditions

- 7.106. A Geotechnical Report prepared by Integrale has been submitted to inform the Section 50 application. It identifies several different types of foundation that could be used as part of the proposed development. Following Soakaway Tests carried out, the Geotechnical Report confirms that due to the depth of standing groundwater and the predominantly clayey nature of the ground, soakaways are unlikely to be successful at the application site. The Geotechnical Report also confirms that no significant made ground was encountered nor were there any visual or olfactory signs of contamination. On this basis, the report suggests it is unlikely that it will be necessary to undertake further contaminated land investigation.

8. The Planning Balance

- 8.1. The Framework confirms the presumption in favour of sustainable development and confirms that social, economic and environmental issues must be balanced and integrated, at the same time, by the decision-taker when determining planning applications.
- 8.2. Decisions should be assessed against the Development Plan unless material considerations suggest otherwise. Therefore, development not in accordance with a Development Plan can still be acceptable.
- 8.3. The task for the decision maker, then, is to weigh the level of conformity with the Development Plan together with other material considerations.
- 8.4. Given the applicant is a school it cannot be disputed that the proposed development relates to a community facility. The reason for the school's relocation is to avoid adverse impacts from the construction and operation of HS2. The proposed development is therefore in accordance with the aims of LP Policy P14 and the weight to be attached to this is significant. Additionally, it is in accordance with Paragraph 94 of the Framework and this can be given substantial weight.
- 8.5. Similarly, as the proposed development will be beneficial to the health and well-being of both the existing pupils who live in Solihull and other areas of the West Midlands and their families as well as those children and families who live in other areas, the proposal will be in accordance with the aims of LP Policy P18 and this should be given significant weight.
- 8.6. The scale of the development proposed would constitute a major amount of new development which would encroach onto undeveloped curtilage land in the open countryside. It would therefore conflict with one of the purposes of the Green Belt set out at Paragraph 134 of the Framework. Furthermore, the proposal constitutes inappropriate development in the Green Belt and would harm the openness of the Green Belt contrary to policy at Paragraph 143 of the Framework and is therefore harmful to the Green Belt. This harm carries substantial weight. Given LP Policy 17 is aligned with national policy, it follows that the proposal is also in conflict with this policy and this carries significant weight.
- 8.7. The changes to the fabric and setting of the Main Building would have a moderate adverse impact on the significance of the Grade II listed Jerrings Hall Farm, falling at the lower end of less than substantial harm. Great weight should be attached to this harm.
- 8.8. Despite this, this Statement has demonstrated that the development would deliver significant and wide-ranging public benefits including introducing a viable use into a vacant listed building;

preserving the Stable Block instead of substantial irreversible alterations; provision of special needs schooling; meeting the special education needs for children with Autism and Asperger's Syndrome; provision of special needs education to children from both within and outside of the Borough; retaining skilled jobs in the locality; provision of a SUDs; biodiversity enhancements; and, provision of dedicated cycle parking facilities. It is contended that these public benefits far outweigh the harm to the heritage asset such that it does not constitute a reason for refusing planning permission.

- 8.9. This Statement has clearly and convincingly justified the proposed development and shown there is no material conflict with LP Policy P16, in so far as it seeks to protect heritage assets and the historic environment. This can only be given limited weight given it is not in accordance with the Framework.
- 8.10. Regarding other matters, the hydrology and flood risk matters will be beneficial, and this is in accordance with LP Policy P11. Significant weight can be attached to this because the site currently has no formal surface water drainage system. Similarly, the ecological enhancements will be beneficial in accordance with LP Policy P10 but given greenfield land will be lost this can only be given moderate weight. Similarly, the arboricultural impacts will also be in accordance with LP Policy P10 and in the light of compensatory planting can only be given moderate weight. There will be no harm to landscape character but in fact enhancement overall which is also in accordance with LP Policy P10. But given the nature and scale of the planting plans, this can only be given moderate weight.
- 8.11. Finally, there will be no adverse impacts on highway safety or ground conditions and the former is in accordance with LP Policy P8. Given the specialist nature of the school and its very wide catchment area, there are no conflicts with LP Policy LP7. The impacts attached to these matters are neutral so are given no weight in the overall planning balance exercise.
- 8.12. In the light of the harm to the Green Belt, this Statement has demonstrated that there are very special circumstances supporting the proposed development including the HS2 legislative framework; the educational need; the life long benefits to society; the benefits to potential future pupils; the need for a rural location; the lack of alternative sites; and, the condition of the Stable Block.
- 8.13. Overall, it is contended that all the benefits clearly outweigh the harm to the Green Belt by way of inappropriateness and any other harm, and so very special circumstances exist to justify this development in the Green Belt. On this basis and the heritage test it is concluded that there are no protective policies which provide a clear reason for refusing the development proposed and furthermore adverse impacts do not significantly and demonstrably outweigh the benefits, when

assessed against the policies in the Framework taken as a whole. Paragraph 11(d) of the Framework therefore indicates that planning permission should be granted.

9. Conclusion

- 9.1. The proposed development comprises conversion works, internal and external alterations to the listed buildings, the installation of two single storey modular buildings, construction of car park, taxi-drop off and waiting area, infrastructure works and associated landscaping.
- 9.2. The information provided within both applications demonstrates that the proposed development is broadly in conformity with the Development Plan. It also demonstrates that there are no material considerations that indicate why planning permission should be refused.
- 9.3. It is therefore respectfully suggested that deemed planning permission and decontrolled works at Jerrings Hall Farm should be granted for the proposed development.

10. Appendices

Appendix 1 – Request for Pre-application Advice

Appendix 2 – Pre-application Advice

Appendix 3 – Committee Report for Shirley Planning Permission

Appendix 4 – Maidenhead Call-In Decision

Appendix 5 – Stockport Recovered Appeal Decision

Appendix 6 – Four Oaks House and Four Oaks Barn

Appendix 7 – Tudor Grange House

Appendix 8 - Chessetts House and Chessetts Paddocks

Appendix 9 - Merryfields

Appendix 10 – Berkswell Grange

Appendix 11 – Stable Cost Refurbishment Elemental Cost Analysis

Appendix 1 – Request for Pre-application Advice





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Our Ref: OP/ABP/181702
02 October 2018

Kim Allen
Area Planning Officer
Solihull Metropolitan Borough Council
Managed Growth Directorate
Development Management
Council House,
Manor Square
Solihull, B91 3QB

Dear Kim,

JERRINGS HALL FARM, DICKENS HEATH, TANWORTH LANE, B90 4DX

REQUEST FOR PRE-APPLICATION ADVICE IN RESPECT OF CHANGE OF USE OF BUILDING FROM DWELLING HOUSE (USE CLASS C3) TO A SPECIAL NEEDS SCHOOL (USE CLASS D1), INTERNAL AND EXTERNAL ALTERATIONS TO LISTED BUILDING, INSTALLATION OF MODULAR BUILDING, CAR PARK AND ASSOCIATED LANDSCAPING

On behalf of my client, The Island Project, I am pleased to submit a request for pre-application advice in respect of the above development at Jerrings Hall Farm, Dickens Heath, B90 4DX (hereafter 'the Site'). This letter provides background information about the proposed development, explains the site's planning position and outlines the factors that support the scheme. This letter is accompanied by the following documentation and plans:

- Completed Pre-Application Advice Request Form;
- Location Plan;
- Site Plan, As Existing;
- Floor Plans and Elevations, As Existing – Main Building;
- Floor Plans, Section and Elevations, As Existing – Converted Barn/Leisure Building;
- Floor Plans, Section and Elevations, As Existing – Annex Building/The Cottage;
- Proposed Sketch Plans;
- Development Concept Layout Plan, As Proposed (Draft);
- A Schedule of Photos; and
- Mobile Classroom and Fencing comparisons along with examples.

My clients will pay the relevant fee once a pre-application reference number has been generated.

Background – The Island Project

The Island Project is an independent school serving the needs of children with Autism (the most severe forms) and Asperger's Syndrome aged 5 to 19 years in Warwickshire and the West Midlands. It currently has 24 pupils as seven pupils transitioned into post 19 provisions at the end of August. In order ensure ongoing stability and financial viability, the school will take up to 6 additional pupils during this academic year. The maximum and optimal number of pupils for the school is 30 pupils. The school is a very important asset to the locality and the wider area because Local Education Authorities (LEAs) do not have any maintained capacity for the type of complex pupils which are accepted and taught. The school currently serves 6 LEAs and has a waiting list. It is currently based at Diddington Hall, Meridian, CV7 7HQ. However, the school is being relocated due to its proximity to High Speed 2 (HS2) (The Island Project is named in the Bill), specifically Phase One which will link London and Birmingham, and the adverse impacts it will cause to the pupils who have very severe learning difficulties.

The School has been in extensive talks with HS2 for almost 6 years which has resulted in the agreement by HS2 of the need to relocate the school as it is deemed to be a sensitive receptor.

Reasons for Seeking Pre-Application Advice

I understand that the school's previous planning consultant (Stephen Locke Associates) had informal discussions with the Council as Local Planning Authority (LPA) in 2015. Due to the passage of time, changes to the planning policy framework (principally the Bill and Phase One which received Royal Assent on 23 February 2017), the absence of technical work to inform those earlier discussions, and limited information regarding those discussions, I thought it would be useful if I introduced the current emerging proposals for the site.

Also, time is now of the essence because the school, which is a charity, has been unsettled by HS2 for close to five years and it is now reached a critical stage where it is struggling to survive because it is not able to take on new pupils from all of the LEAs it has previously served (despite there being an overwhelming need) due to ongoing uncertainty. This means that the Trustees are in the position where they are having to balance the needs of the business (especially around cash flow) against the needs of extremely vulnerable children and young adults. Transition for all pupils is extremely stressful and requires extensive and careful planning. Until there is certainty around dates for the move of the School, it is impossible for the school to take on additional pupils without considering the impact of another transition to a new site and the impact this will have on their physical and emotional wellbeing.

My client would like to explain the needs of the school, identify potential changes to the fabric of the listed building and describe the potential additional development within the grounds of the former farmhouse. My client would also like to obtain planning officer's confirmation that Very Special Circumstances (VSCs) exist, agree the scope of the applications for planning permission and listed building consent, respectively, and discuss a potential bespoke timetable for dealing with this project.

Since the previous informal discussions, Jerrings Hall Farm has also been purchased by HS2 Limited specifically for the use by The Island Project.

Site Location

The Site lies in the countryside and wholly inside the Solihull Green Belt on the west side of the B4102 Tanworth Lane to the south of Shirley (the draft *South of Dog Lane* housing allocation¹ is located less than 1km to the north of the Site). It is located approximately 0.4km east of Dickens Heath and 0.4km north-west of Cheswick Green. The Site is not located in a nationally or locally protected landscape nor does it form part of a site that is protected for its ecological interests. The Site is also not located in an area at risk of flooding nor is it safeguarded for minerals.

¹ With a capacity of 850 dwellings in the Draft Solihull Local Plan Review

The site is bounded by the B4102 to the east, beyond which is Highleys Farm, and grazing fields to the south, west and north. No Public Rights of Way (PRoW) traverse the Site; the closest PRoW is a footpath approximately 270m to the south-west of the Site which links Cheswick Green with Dickens Heath.

Vehicular access is via a Horse Chestnut tree lined driveway off the B4102 to the east.

There is a large electricity pylon located immediately adjacent to the south-west corner of the Site.

Site Description

The Site comprises a former farm which was last used as a residential dwelling. There are four buildings located on the Site arranged around a stone chipped courtyard in the north-west corner. The main building/house is Jerrings Hall which is orientated on a north-south axis on the west side of the courtyard. It is part timber framed and mellow brick construction originating back to the 16th or 17th Century with a later 18th Century north wing addition. A relatively recent single storey garden roof addition exists on the south side of the house. The building is a two-storey 6-bedroom house with four reception rooms, four bathrooms and a pitched tiled roof. The property is Grade II Listed (Listing NGR: SP1205376322) so contains several distinctive features, including a balustrade staircase which dates to around 1730 (which is specifically referred to in the Listing Text), which will be retained wherever possible.

On the north side of the courtyard is a single storey, pitched tiled roof outbuilding/stables. This is split into several entities including a garden store, store room, freezer room and second store room. On the south side of the courtyard is a converted barn; it is a mellow brick building with a large open area at ground floor together with a separate hot tub room and shower room with sauna. There is a mezzanine floor above. Attached on its east side is a lean-to structure. On the east side of the courtyard is a separate, detached annex building. It provides additional accommodation on ground and first floors.

There is currently a low-level post and rail fence on either side of the driveway that leads from the main road before iron, electronic opening gates in front of the courtyard.

There is a pond on the west side of the Site; there are currently no physical boundary features around the pond other than brick steps in the south-west corner that lead to a summer house in the garden of the property.

There are grass lawns in the north-west and south-west corners of the site whilst paddocks exist on the north side of the site and in the south-east corner.

The Site is relatively flat, rectangular, comprises approximately 1.6 hectares (3.95 acres) of land in total and is bound by post and rail fencing on all sides with a tree belt also adjacent to the east boundary with the B4102 Tanworth Lane. Trees exist sporadically throughout the site.

Proposed Development

The proposed development would comprise the following elements:

- Internal remodelling of Jerrings Hall including the erection of stud walls and acoustic proofing to create individual teaching spaces and withdrawal areas, the removal of doorways on the first floor to open up staff area, and structural work to enable the first floor (south side) to be accessible; this would involve either dropping the floor and creating a new doorway(s) or building an external staircase in place of the existing windows on rear elevation (replicating style of the second floor exit – thus providing access and emergency exit);
- Internal remodelling of the Outbuilding/Stables including the erection of stud walls to create individual teaching spaces and withdrawn areas, the installation of toilets for pupils, new internal door on the west side, the creation of an external opening and installation of glazed French doors on the rear (north) elevation to supply exit to grounds and natural light, and the erection of steps outside of the building in front of the French doors
- Internal remodelling of the Annex Building on the first floor including the erection of stud walls to create individual teaching spaces and withdrawn area;
- Internal remodelling of the Barn/Leisure Building including the erection of stud walls to create individual teaching spaces and withdrawn areas, the installation of toilets for pupils where the sauna is currently

located and the creation of a glazed opening at the rear (south side) of the lean-to structure (to be converted into an occupational therapy room);

- 1no. modular, single-storey building to provide 2,500sqft of additional teaching space (which will enable 3-4 additional (existing) pupils to be relocated and this would represent an additional £90-£120k revenue for the school);
- A 40-space car park formed in Grasscrete or similar grass-infill system to allow surface water to infiltrate into the ground;
- A taxi drop-off area (the pupils arrive and leave individually in special taxis and min-buses accompanied by adults, and at staggered times);
- Creation of a swale alongside the driveway (south side);
- Erection of a 6ft high, green weldmesh fencing around the perimeter of the site;
- Erection of fencing around the pond for safety reasons (with secure access for maintenance); and
- Low level lighting in the car park so staff can leave safely when it is dark.

Unfortunately, it is also important to highlight that the client was not given long to decide whether Jerrings Hall would be an acceptable site for the school. It was considered that Jerrings Hall was the best and only true option for the school to relocate to due to the impacts of HS2 but has come at a price with regards to the useable space. As a result of the limiting and urgent decision, vital teaching space will be lost due to requiring staff rooms and office space in order for the school to function properly on a day-to-day basis which will reduce the amount of useable teaching space considerably. Due to the nature of the building in comparison to their current site, compromises will be made in terms of location, square footage and general grounds. There are also areas of Jerrings Hall that are unusable for the school, not just for the children but also for the staff.

However, the proposed modular building is the essential solution for the loss and compromise of space in comparison to Diddington Hall. This is due to the flat, easy access and level space that can be provided by the modular building that will be in a location accessible by all. It is considered that without the modular building, the school will not be able to provide care for the number of children and young adults it currently looks after, let alone any further children.

Very Special Circumstances

In the light of the Site's Green Belt location, Local Plan Policy P17 is particularly relevant to the proposed development. This states, inter alia, that:

"...The Council will not permit inappropriate development in the Green Belt, except in very special circumstances. In addition to the national policy, the following provisions shall apply to development in the Borough's Green Belt:

- *...Where the re-use of buildings or land is proposed, the new use, and any associated use of land surrounding the building, should not conflict with nor have a materially greater impact on the openness of the Green Belt and the purposes of including land in it, and the form, bulk and general design of the buildings shall be in keeping with their surroundings..."*

National planning policy, as reflected in the Revised National Planning Policy Framework (The Framework), confirms that the Government attaches great importance to Green Belts as a key mechanism for preventing urban sprawl by keeping land permanently open (Para 133). Para 143 states that *"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances"* and such circumstances *"will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations"* (Para 144).

The above confirms that the key tenant of Green Belt is to keep land permanently open. Development that does not achieve this is therefore classified as inappropriate development, unless falling within one of the categories of development identified in Pars 145 and 146 of The Framework. New school buildings are not identified in Paras 145 and 146 so are inappropriate development in the Green Belt and therefore, by definition, harmful. However, 'engineering operations' are identified within Para 146 as a form of development which is not inappropriate in the Green Belt provided it preserves openness and does not conflict with the purposes of including land within it. It is contended that the proposed car park is an engineering operation and thus, is not inappropriate development.

Notwithstanding the proposed car park, the key test will be to establish whether any harm to the Green Belt (which is inevitable by introducing a modular building onto the site) is outweighed by Very Special Circumstances (VSCs). In the case of *R (on the application of Basildon DC) v First Secretary of State [2005] JPL492* in which the Court felt that, whilst particular circumstances might not amount to very special circumstances in themselves, they could cumulatively with others together form VSCs sufficient to outweigh harm to the Green Belt.

In this case the matters that together constitute VSCs are described below.

- i. *HS2* – The Hybrid Bill received Royal Assent in February 2017 and conferred “deemed planning permission” for HS2 as outlined in the Hybrid Bill. This means that any development that is necessary to facilitate the construction of HS2, including those in proximity to the school’s current site at Diddington Hall, will benefit from deemed consent. In other words, all development that is necessary to facilitate the construction of HS2 will have planning permission by virtue of the deemed consent the Bill confers.

The Island Project (TIP) is named in the Bill; it therefore follows that the Commons Select Committee must have accepted the previous evidence put forward by the school that Diddington Hall is no longer appropriate as a teaching and learning space for its current, or potential future pupils, due to the adverse impacts that will be caused during the construction phase of HS2 and noise during the operational phase, amongst other things. Accordingly, HS2 Limited subsequently acquired Jerrings Hall Farm for TIP. Due to circumstances, outside of its control, TIP’s current site is no longer fit for purpose in the long-term and it has been forced to move to a new location.

- ii. *Educational Need* – TIP was recognised as a school by the Department for Education in January 2008; it has grown and now takes up to 30 pupils. Most the pupils all failed in mainstream schools but are now thriving at TIP. 3 of these children are funded by Solihull Metropolitan Borough Council and 21 others by other LEAs. TIP is currently in discussions with Solihull Metropolitan Borough Council regarding the placement of a further 2 pupils. TIP is judged by those LEAs to be the school that can best provide for the child’s particular needs. This demonstrates a compelling need for the school. In addition, it should be noted that TIP is, at present, operating at Diddington Hall which has become tired and needs internal refurbishment and upgrades but this has become very difficult to fund in the light of the uncertainty caused by HS2 and the knock-on cash flow issues. This is an entirely unsatisfactory situation in terms of accommodation, investment and forward planning as well as the new pupil intake number limitation.

TIP has received over 60 enquiries for places for children since the beginning of 2018. The school has had to decline almost all those children places at the school, simply because there is no appropriate cohort of children to place them with rather than because they cannot help. More than a third of those enquiries were directly from LEAs, which suggests that other LEAs at least consider TIP to be the school that could best provide for the child’s particular needs. The high number of enquiries in total in a short period of time is a clear demonstration of need.

TIP is aware of other Boroughs and Districts experiencing an increase in demand for places for children with barriers to learning; this confirms the search for pupils recorded directly by TIP. This also demonstrates a need for the school.

- iii. *Life-long Benefits to Society* – The life-long benefits to society should be considered. Generally, children who fail to learn and do not have their needs met appropriately tend to create a disproportionate cost to wider society in the long-term.

Local Authorities will not place a child at TIP unless there is a viable alternative within their own local offer. For those pupils currently placed, the alternatives would be a residential setting, hospitalisation or secure units. Many of our pupils are deemed to be “edge of care” by their relevant authorities. The financial burden on local authorities for these types of alternative placements are hugely increased, with a typical residential placement costing more than £300,000 per annum, hospitalisation sometimes costing in the region of £14,000 to £18,000 per week.

- iv. *Benefits to Potential Future Pupils* – The list of 60 enquiries for places, received by TIP since the beginning of 2018, is evidence of children almost certainly failing in mainstream education at the present time. It is unlikely that parents or LEAs would be inquiring about a place at TIP if the child was thriving. Thus, a delay in the determination of the applications would set back the education path of those children, since they are failing now.
- v. *Need for Rural Location* – The school has a requirement for a rural setting to facilitate outdoor learning; it is a strong ethos of the school and has proven favourable educational outcomes. The requirement for outside teaching space was evidenced to HS2 as part of the discussions around relocation and is evidenced by the extensive paperwork undertaken by the School. Environmental management of pupils is essential to ensure the continued wellbeing and safety of both staff and pupils. The need for such also points to the inherent difficulty of finding a site, in an area where the existing school has ties, that is not within the Green Belt.
- vi. *Lack of Alternative Sites* – All of the teaching and break-out spaces at the school are designed in a bespoke manner around the individual requirements of pupils; this restricts the type of property where TIP could be relocated. Another significant issue to take into account when looking at potential alternative sites are neighbouring uses and their surroundings. For example, the children react to change by a mixture of behavioural changes. Triggers affecting the children include flashing lights, people in fluorescent jackets, landscape change, attraction to vehicles and loud noises, visual or noise sensitivity, amongst other things. Such factors reduce the number of properties which are feasible alternatives for the school. Details of other properties considered by TIP will be outlined in the planning application.

A relatively recent ‘Call-In’ decision made by the Secretary of State (SOS) for a charitable and special needs school in Maidenhead for children aged 5-17 whose needs cannot be met in mainstream education (appeal site located in the Green Belt) confirms that both the SOS and the initial Planning Inspector agreed that VSCs existed (comprising an educational need, the need for a rural location and the lack of alternative sites) and that the benefits accrued from the VSCs outweighed the harm to the Green Belt and other harm (**Ref. APP/T0355/V/15/3011305**). This decision, which is a material consideration, does demonstrate that there is the potential for TIP to put forward a similar case, which could be successful.

Planning Application Documentation and Supporting Information

- 1) Floor Plans, Elevations and Site Plans – These will illustrate the proposed internal and external changes to each of the buildings and show how the site will be reconfigured to accommodate a 40-space car park and single storey 2,500sqft modular building;
- 2) Heritage Statement – This will assess the impacts of the proposed development on the fabric of the listed building and its setting.
- 3) Extended Phase I Habitat Survey – This will include a data search and identify potential ecological constraints and opportunities associated with the planning application as well as consider the potential for the presence of protected species. This will comprise an internal and external inspection of all buildings, the assessment of any mature trees, and the pond will be assessed for its suitability to support species such as great crested newts using the Habitat Suitability Index method.
- 4) Bat Surveys (dusk emergence and dawn re-entry surveys) – This will identify whether the buildings at the site offer negligible, low, moderate or high bat roost potential and where evidence is found, to establish whether any roosts are present.
- 5) Transport Statement – This will set out the findings of a survey of the existing movements associated with the existing school (instead of a first principles assessment of likely trip generation) and assess the impacts of the proposed development on the highway network in proximity to Jerrings Hall Farm.
- 6) 2-Dimensional Access Drawings – This will comprise a two-dimensional sketch drawing of an access to the staff car park and main entrance and any improvements, should they be required.
- 7) Landscape & Visual Assessment – This will identify the landscape baseline, assess the effects of the proposed development on landscape character and sensitive visual receptors, and comment on the identified mitigation measures and how they these may alleviate the predicted effects.
- 8) Planting Plan – This will show areas of retained and proposed vegetation.
- 9) Flood Risk Assessment and Drainage Strategy – This will consider flood risk to the site and off-site, and describe the surface and foul water drainage strategy using sustainable drainage techniques appropriate to the site.
- 10) Arboricultural Impact Assessment – This will assess the impact of the proposed development on trees and will include a review of statutory tree protection phases, tree constraints information, tree schedule and tree protection plan.
- 11) Planning Statement – This will identify the planning policy context and assess the extent to which the proposed development complies with the Development Plan and other material considerations.
- 12) Design & Access Statement – This will explain the design rationale and access considerations.

Conclusion

I would welcome your thoughts on our pre-application submission, including your comments on the following issues:

- The principle of development;
- Confirmation that the proposed car park is an engineering operation;
- Confirmation of whether VSCs exist that justify the proposed development;
- Design details including preferred cladding for modular building, preferred perimeter fencing and preferred fencing around the pond;
- A suggested list of supporting information required to validate the two applications; and,
- Potential bespoke timetable for this project.

I look forward to discussing the proposed development with planning officers on 15 October 2018. In the meantime, please do not hesitate to contact me or my colleague, Nick Hastings, should you have any questions or require clarification on any matter.

Yours faithfully,
For and on behalf of Sanderson Weatherall LLP



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Appendix 2 – Pre-application Advice



Mr Owen Pike
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**MANAGED GROWTH AND
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Development and Regulatory Management
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Your ref:

Our ref:

Please ask for: Lawrence Osborne

4th April 2019

Dear Sir,

PRE-APPLICATION ADVICE

Site: Jerrings Hall Farm Tanworth Lane Shirley Solihull B90 4DX.

Proposal: Pre-application advice regarding a change of use of building from dwelling to a special needs school (Use class 01), internal and external alterations to listed building, installation of modular building, car park and associated landscaping.

Applicant: The Island Project

I refer to your request for pre- application advice for the above, received on 12.10.2018, and make the following observations in terms of the main material considerations.

Green Belt

The Solihull Local Plan identifies the application site as clearly located within the approved West Midlands Green Belt.

In relation to Green Belt Policy, the development plan (SLP) and NPPF confirms that the Government attaches great importance to Green Belts. The fundamental aim of

Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence (Para 133).

Paragraph 134 confirms that the Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (Para 143).

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (Para 144).

Paragraph 145 confirms that Local Planning Authority should regard the construction of new buildings as inappropriate development. Exception to this are:

-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.

Paragraph 146 confirms that certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

-the re-use of buildings provided that the buildings are of permanent and substantial construction.

Policy P17 of the Solihull Local Plan in relation to the Countryside and Green Belt which is in conformity with the NPPF, gives additional guidance to national policy in a small number of areas. This includes the reasonable expansion of established businesses into the Green Belt will be allowed where the proposal would make a significant contribution to the local economy or employment, providing that appropriate mitigation can be secured.

It can be seen that there is a strong presumption against new development unless it is considered to be appropriate in the Green Belt as defined by the policies in the NPPF, Policy P17 of the Solihull Local Plan.

The proposal seeks a change of use of building from dwelling to a special needs school (Use Class D1), internal and external alterations to the listed building, installation of modular building, car park and associated landscaping. It is clear that when taken as whole the proposal would represent inappropriate development in the Green Belt that would cause harm to the openness of the Green Belt. Further it would cause harm to one of the purposes of including land within Green Belts, namely encroachment of new built development into the curtilage of the site. These matters carry substantial weight against the development.

The NPPF confirms that Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations. This is a large hurdle to overcome.

The VSC case contained within your letter relates to the HS2 Bill, Educational Needs, Life long Benefits to Society, Benefits to Future Pupils, Need for a Rural location and Lack of Alternative Sites.

Firstly, I acknowledge that the Island Project (TIP) is named in the HS2 Bill and the Commons Select Committee have accepted the previous evidence put forward by the school that Diddington Hall is no longer appropriate as a teaching and learning space for its current, or potential future pupils, due to the adverse impacts that will be caused during the construction phase of HS2 and noise during the operational phase, amongst other things. Thus, on the basis of the statement provided I acknowledge that TIP will need to find an alternative site.

In terms of the educational needs, it is recognised that TIP was recognised as a school by the Department for Education in 2008 and it has grown to 30 pupils, with 3 places funded by Solihull MBC. Further that the school has received enquiries for additional places, which indicates a need for such a facility in the area. Whilst, the evidence indicates a educational need it will need to be expanded upon to confirm that this need is compelling so that significant weight can be attributed to the matter.

It is also recognised that the life-long benefits to society should be considered. It is accepted that children who fail to learn and do not have their needs met appropriately tend to create a disproportionate cost to wider society in the long-term. However, only limited weight can be attributed to this matter in the planning balance.

The evidence of need for a Rural Location and lack of alternative sites is questionable, the information provided lacks detail and no evidence has been provided to indicate what alternative sites have been considered and why they have been discounted. I appreciate that teaching and break-out spaces at the school are designed in a bespoke manner around the individual requirements of pupils. Whilst, I acknowledge that this may restrict the type of property where TIP could be relocated

to. The evidence provided at this stage only allows me to attribute limited weight to the matter at this stage.

I note your comments on a recent 'Call-In' decision made by the Secretary of State (SOS) for a charitable and special needs school in Maidenhead for children aged 5-17 whose needs cannot be met in mainstream education (appeal site located in the Green Belt) confirms that both the SOS and the initial Planning Inspector agreed that VSCs existed (comprising an educational need, the need for a rural location and the lack of alternative sites) and that the benefits accrued from the VSCs outweighed the harm to the Green Belt and other harm (Ref. APP/T0355/V/15/3011305). Clearly as you point out this is a material consideration which demonstrates that there is potential for TIP to put a similar case forward. However, each application has to be considered on its individual merits and clearly we have to consider the impact on the heritage asset in this proposal.

Heritage

As you are aware Jerrings Hall Farm is a Grade II Listed Building.

Section 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special regard should be paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. S66(1) requires the decision maker to ask whether there would be some harm to setting of listed buildings. If there would be, the Council shall refuse planning permission unless that harm is outweighed by the planning benefits of the proposed development. This is a statutory presumption in favour of preservation (Barnwell Manor Wind Energy Ltd).

Paragraph 189 of the NPPF states that 'in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. 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. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.'

Paragraph 190 advises that 'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into

account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.'

Paragraph 193 confirms that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance'.

Paragraphs 194 of the NPPF clarifies that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional.

Paragraph 195 advises that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

Paragraph 196 of the NPPF advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Paragraph 197 confirms that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

Recent Historic England guidance on setting (2011) focuses on its importance and the determination of what it is in each case. It stresses that setting is not in itself a

heritage asset, but that it has importance because of the contribution that it makes to a heritage asset.

Regard is also required in respect of Paragraphs 124 and 127 of the NPPF which attach great importance to design of the built environment and creating high quality and inclusive development.

Solihull Local Plan Policy P16 is most relevant. In this the Council emphasises the importance of the historic environment to local character and distinctiveness, and includes the Arden landscape, historic villages, hamlets, farmsteads, country and lesser houses, and historic landscape as key characteristics. It seeks fully informed applications that conserve heritage assets and their settings to a degree proportionate to their significance, carefully managing change to local character and the sense of place.

The Council's Conservation Planner has advised that the best use for this house would be continued occupation as a single dwelling, the use for which it was designed. The detailed comments of the Conservation Planner are set out below. The proposed use of some rooms in the house requires no alteration to the fabric which is positive. Some rooms require very little alteration which will be acceptable provided that conditions secure details of materials and working methods. The main concern regarding internal work is the proposed insertion of the staircase to serve the southern bedroom. This would destroy and affect fabric whose age and significance remain unknown; carpets conceal the floorboards and the fabric in the void between floor and ceiling has not been identified. The Council's Conservation Planner observed on site the historic floorboards in the south west corner of the room but could not inspect the area of the staircase work. The stair would be likely to make the building more practical for any use because the connecting door between the bedroom and landing does have an unusually low head height. It would probably be beneficial to any return to use as a dwelling in the future apart from the compromising of the ground floor room. As the stair would cross a window it should remain open as enclosure to separate ground and first floor for spread of fire reasons would conflict with views in and out of the room. That might necessitate enclosure of the first floor stair and landing instead.

Creating a partition in the ground floor corner room beyond the reception/ school office would separate the higher and lower parts of that room. To be acceptable it must be achieved in a manner and with materials that do not compromise the fabric or legibility of the heavy moulded and chamfered beam that spans this room. The beam must remain easily appreciated and a glazed screen would probably ensure this. The ceiling, walls and floor where any screen is fixed should not be damaged and fixings will need to reflect and maintain the value of that fabric.

The alteration of the existing large and recently built conservatory could easily include some infill of window openings to give a more solid and efficient building with

an outlook onto the gardens and pool. The applicant appeared to think it useful to partly replace windows facing the enclosing garden wall with a solid infill to be agreed.

Modifications to prevent climbing above the low balustrade of the stair in the attached store seem easily achieved because the staircase looks to be a modern structure using reclaimed timber. Only the external stair may have served the first floor originally.

All alterations should be carried out in accordance with details to be secured under appropriate conditions if approved, and ensuring that they are reversible in future if required.

In terms of the proposals for the outbuildings, numerous elements of the proposal appear to be works that would preserve the building and its setting. Some of the proposed alterations seem more straightforward, for example those within the threshing barn where the previous alteration and repair means that the minimal changes may not affect its special interest. The changes to the cottage are also more easily achieved due to the extent of previous works to convert it to a habitable unit. The building enclosing the north edge of the courtyard (called stables and stores) has suffered a little from lack of use and maintenance, and its repair and adaptation as useful rooms next to the enclosed front lawn is promising. The new rear doors to access the lawn would not harm the significance of the building provided that the usual conditions secure materials, working methods, joinery, external finish details and the like. The creation of sub-divided spaces within, including toilets, will be fully reversible and seem essential to ensure creative re-use. This is all subject to conditions to secure agreement of working methods, materials, external finishes and the like.

The greatest harm that would be produced by these proposals would result from both the modular building and the provision of the car park. They both have the potential to harm the significance of the listed building through harm to its setting, and would both be at odds with its appreciation as a single dwelling house of some status, with a timber framed hall at its core and typical later additions of suitable scale and design. If the case for the use is convincing then the harm that results will need to be balanced against public benefits that the proposal would be likely to produce.

The modular building of 232 square metres would be of a floor area significantly greater than a house allowed for an agricultural worker in the Green Belt (92 square metres more). Clear and convincing justification will need to be provided for what would inevitably be a building producing a significant degree of harm. The building will not look appropriate or expected in this setting, and will require some surfacing to or around it that would emphasise its non-domestic purpose. Details such as

imaginative timber cladding and a green roof of quality would not prevent this fundamental conflict with the appreciation of the listed building.

The Council's Conservation Planner considers that it might be best to provide the new building nearer to the threshing barn instead. Although that would be visible from points on Tanworth and Lady Lanes it would conflict less with the appreciation of the house in its enclosed garden. This building could be of high quality and contrasting form if the requirement to ensure school viability is accepted. It might have a green roof to blend slightly better with surroundings. A two storey building would conflict much more with the group as only the house and threshing barn should be of that scale. A single storey would be expansive and comparable only to a post war portal framed sheet clad building, unless the shape and roof form make it distinctive in a manner that is suitable in the context of the historic building group. Because the fields to the south and west sides of the house retain some of their historic hedgerows and trees they do make a positive contribution to the setting of the listed building.

He is concerned that modular buildings will inevitably not provide the bespoke solution that would reduce impacts upon the setting of this designated heritage asset. He considers that the scheme needs a building that is good enough to be a visitor welcome building at a heritage site, which might be achieved with vertical boarding left to weather silver grey, and a suitable roof. It seems unlikely that the building could be on a reduced ground level as the pool would lie on higher ground and surface and ground water issues might be problematic.

The Conservation Planner remains concerned that the proposed modular building of 232 square metres is tantamount to placing a generous new dwelling in the private rear garden of the house. This space will have always been part of the private garden to a house of this status and it allows the appreciation of the house in some restricted views including from a footpath across fields and distantly from Dickens Heath. Together with the inevitable hard surfacing around the building required to link it safely to the house or its forecourt and ensure usability in all weathers, the setting of the house would be impacted permanently and substantially. The building is theoretically removable but its high cost and substantial nature mean that it is likely to remain in place for a very long time.

This building will almost inevitably produce substantial harm to the setting and therefore the significance of the listed building. It may be that siting design and details such as materials mean that the extent of harm is 'less than substantial', but even then it would almost certainly cause a very significant amount of such harm. The car park will have its own impacts upon the setting and therefore the significance of the listed building is to be provided to the south corner of the group perhaps it would be best to combine that impact with that of the new building rather than compromising the rear gardens. The high voltage line pylon is a feature in that

view and the setting to this side is slightly compromised by that incongruous structure.

The Car park also causes significant concern too. The access and car park with new surfacing and lighting will conflict with the rural setting of the listed building and its farm building group. Furthermore, the impact will be increased when vehicles are using and parked within the car park as they will be at least partially visible as additional visual conflict with this part of the Green Belt. New native species hedge planting along the eastern boundary is suggested as one measure to slightly reduce the visibility of the proposed building and car park, restoring some habitat connectivity and keeping grazing livestock away from the fence line. It should run along the field east to west to lie between the developments and Lady Lane, and return along the east face of the car park seen from Tanworth Lane too.

In summary, in determining any planning applications for a development that affects a listed buildings setting, the Council must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Preservation in this context means not harming the interest in the building, as opposed to keeping it utterly unchanged.

If the proposals are suitably sensitive overall then the new staircase will still be likely to harm the significance of the house, and the detached modular building and new car park certainly will cause harm to the setting and therefore the significance of the Designated Heritage Asset. Measures can possibly be proposed and implemented to reduce the amount of the building and car park that are visible in available views. The remaining harm will then need to be balanced against any public benefits that the proposals will produce.

Accessibility of the Site

In relation to accessibility of the site, paragraph 108 of the NPPF advises that In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) safe and suitable access to the site can be achieved for all users; and
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy 7 of the Solihull Local Plan All new development should be focused in the most accessible locations and seek to enhance existing accessibility levels and promote ease of access. Development will be expected to meet the following accessibility criteria, unless justified by local circumstances. Criteria iii advises that: -

- iii. Proposed education, health and other public service facilities should be located where they are easily accessible on foot, by bicycle and bus by the local community they serve.

Policy P8 of the Solihull Local Plan requires all development proposals have regard to transport efficiency and highway safety.

It is clear that Jerrings Hall Farm is not located in a sustainable location and would be contrary to Policy P7. Thus any application will need to justify the local circumstances to why such an education facility should be located at this site. Further a transport statement will be required to demonstrate that the access and increased number of vehicles anticipated at the site do not cause any highway safety issues.

Conclusion/Planning Balance.

In conclusion, the proposed change of use of building from dwelling to a special needs school (Use Class D1), internal and external alterations to the listed building, installation of modular building, car park and associated landscaping would represent inappropriate development in the Green Belt that would cause harm by definition, cause significant harm to the openness of the Green Belt associated by the new buildings and car park proposed. Further it would cause harm to one of the purposes of including land within Green Belts, namely encroachment of new built development into the curtilage of the site. Each of these matters carries substantial weight against the development in accordance with the NPPF.

The Council's Conservation Planner has advised that the best use for this house would be continued occupation as a single dwelling, the use for which it was designed. The proposal as a whole would also cause substantial harm to the character and setting of this Grade 2 listed building and therefore the significance of the listed building. This would be contrary to Policy P16 of the Local Plan and guidance in the NPPF.

Further, Jerrings Hall Farm is not located in a sustainable location and would be contrary to Policy P7 of the Local Plan. This would cause additional harm that needs to be put into the planning balance against the development.

In relation to the VSC case contained within the letter provided, which relates to the HS2 Bill, Educational Needs, Life long Benefits to Society, Benefits to Future Pupils, Need for a Rural location and Lack of Alternative Sites. I acknowledge that a number of these material considerations carry weight. However, at this stage when taken singularly or cumulatively I do not believe that these material considerations clearly outweigh the harm to the Green Belt and other harm identified (i.e. Heritage Asset and Accessibility of the Site).

Yours sincerely

Lawrence Osborne
Team Leader – Major Projects
Development and Regulatory Management
Managed Growth and Communities Directorate

Appendix 3 – Committee Report for Shirley Planning Permission



APPLICATION REFERENCE: PL/2017/00519/PPFL**Site Address:** Land Next To 198 Tanworth Lane Shirley Solihull

Proposal:	Erect new dementia care nursing home with associated car parking & sensory gardens.
Web link to Plans:	Full details of the proposal and statutory consultee responses can be found by using the above planning application reference number at: http://publicaccess.solihull.gov.uk

Reason for Referral to Planning Committee:	The application has been submitted by SMBC, is on SMBC owned land and at least 1 objection has been received based on planning grounds.
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Recommendation:	APPROVAL SUBJECT TO CONDITIONS AND REFERRAL TO THE NATIONAL PLANNING CASEWORK UNIT.
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EXECUTIVE SUMMARY

The proposal represents inappropriate development in the Green Belt that is harmful to openness by definition and to the purposes of including land within the Green Belt. In addition, the proposal will detract from the open rural character of the site. Notwithstanding this, the proposal, as an individual piece of architecture, is of a high quality design, it will not be harmful to any important trees on or adjacent to the site, it will not be detrimental to residential amenity or highway safety, and with adequate mitigation it will not be prejudicial to protected species. With this borne in mind it is considered that very special circumstances (VSCs) have been demonstrated that outweigh the harm to the Green Belt and any other harm and as such there is no reason to withhold the granting of planning permission for this much needed form of development, subject to the application not being called in by the National Planning Casework Unit.

MAIN ISSUES

The main issues in this application are:

- Whether the proposed development would constitute inappropriate development in the Green Belt having regard to the National Planning Policy Framework and relevant development plan policies;

- The effect of the proposal on the openness of the Green Belt;
- The effect of the proposal on the character and appearance of the area;
- The effect of the development upon protected species; and
- Whether the harm by reason of inappropriateness and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Other Material Considerations

- Highways
- Landscape
- Neighbour Amenity
- Drainage

CONSULTATION RESPONSES

Statutory Consultees The following Statutory Consultee responses have been received:

Environment Agency – No objection

Non Statutory Consultees The following Non-Statutory Consultee responses have been received:

SMBC Drainage - No objection subject to conditions

SMBC Highways – No objection subject to conditions

SMBC Landscape - No objections subject to conditions

SMBC Ecology – No objections subject to conditions

SMBC Heritage Assets – No objection

SMBC Policy & Spatial Planning – No response

SMBC Housing Strategy – No objection

SMBC Urban Design – Concerns of location of site in relation to identified housing sites and justification for scale of development

Severn Trent Water – No objection

SMBC Adult Social Care – Support

PUBLICITY

The application was advertised in accordance with the provisions set down in the Town and Country Planning (General Development Procedure) Order 2015.

1 response was received. All correspondence has been reviewed and the main issues raised are summarised below (Planning Committee Members have access to all third party correspondence received):

Highways

- While supporting the proposed Care Home in terms of design, location and demonstrating a need that meets the very special circumstances of development in Green Belt at this site, the Solihull Ratepayers Association have highway concerns over the access onto Tanworth Lane and have requested that this is carefully assessed. This relates to the substantial amount of additional car use for the Care Home, staffing levels and visitors requiring 40 additional parking spaces that decant onto a shared access given both existing traffic issues and future planned developments also requiring highway access in this immediate vicinity.

PLANNING ASSESSMENT

Section 38(6) of the Planning & Compulsory Purchase Act 2004 requires that: -

‘Where in making any determination under the planning acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise’.

The National Planning Policy Framework at paragraph 11 re-confirms that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

Paragraph 196 of the NPPF confirms that the planning system is plan –led. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

This report considers the proposal against the Development Plan (Solihull Local Plan), the relevant policies of the National Planning Policy Framework (“NPPF”) 2012, the National Planning Practice Guidance.

The policies considered in determining this application of the Solihull Local Plan (SLP) 2013 are up to date and in accordance with the NPPF.

MAIN ISSUES

1. Whether the proposed development would constitute inappropriate development in the Green Belt having regard to the National Planning Policy Framework and relevant development plan policies

Guidance in relation to development within the Green Belt is contained within Chapter 9 of the NPPF, the advice within which is broadly echoed within Policy P17 of the SLP. The NPPF and P17 both clearly state that development within the Green Belt is inappropriate unless it falls within certain identified criteria. The use of land and erection of buildings for the purposes of a care home are not listed as being not inappropriate and as such the proposal must be considered as being inappropriate development within the Green Belt.

Inappropriate development should not be approved except in very special circumstances, and when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

2. The effect of the proposal on the openness of the Green Belt

The NPPF and P17 state that inappropriate development is by definition harmful to the openness of the Green Belt. As such, it therefore follows that the proposal creates such in-principle harm.

Further, the NPPF and P17 state that the Green Belt has 5 main purposes, which are:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

In its simplest terms, openness can best be described as being land devoid of urbanising features or structures, and as such, as soon as urbanising features are proposed on an area of land, openness is physically and visually harmed irrespective of the degree of visual impact of said structures.

With this in mind, and having regard to the 5 purposes of including land within the Green Belt as set out above, it is considered that the proposal will conflict with the first and third purposes.

The first purpose relates to checking the unrestricted sprawl of large built-up areas, and the third seeks to safeguard the countryside from encroachment. The site is situated on the southern extremity of Shirley, beyond what could at present realistically be described as the concentration of the main urban form of the town,

and the site at present consists of a grassed undeveloped paddock. As such, developing the site in the manner proposed will result in urbanising development that will clearly be at odds with these purposes.

Substantial weight against the proposal should therefore be afforded to the proposal by virtue of it constituting inappropriate development in the Green Belt and being harmful to two of the stated purposes of including land within the Green Belt.

The applicant's consider that in this instance there are VSCs that clearly outweigh the harm of the proposal by reason of its inappropriateness and any other harm. The significance and weight to be attached to the submitted VSCs will be assessed at the end of this report, once the extent of any potential 'other harm' has been properly assessed and identified.

3. The effect of the proposal on the character and appearance of the area

The proposed care home building itself will occupy a large section of the site and, together with the vehicular access and car park area to the south of the building, and to a lesser extent the sensory gardens that are located to the north and the generally proposed methods of site treatment, will result in a marked change to the character and appearance of the application site.

As previously set out, the site is currently a grassed paddock devoid of existing development, though it is situated adjacent to the Tanworth Lane doctor's surgery and the Council's San Souci training complex. Given the dramatic change that will occur to the character and appearance of the site, the proposal will have a harmful impact on what is currently a rural site on an edge of town location.

The above notwithstanding, in terms of the general layout of the site, the appearance of the building and its height, bulk massing and layout on the site, the proposal is clearly of a high quality that has taken due regard to existing nearby built development.

The site itself is well enclosed by mature trees that are to be retained (with the exception of 2 to the rear site boundary to the west and other low level planting and small self set saplings) which form an effective screen to development within the site. The proposed building is set back into the site to respect similar forms of neighbouring development (the doctor's surgery) whilst providing it with a suitable amount of territory, and the height is again reflective of neighbouring developments (the doctor's surgery and San Souci).

Although the building is clearly of a large bulk and massing, required to facilitate meaningful and useable units of accommodation and communal spaces for its future occupants in accordance with recognised design standards for development of this type, its scale is reduced through the use of a varied palette of materials and general articulation in its design.

The sensory gardens to the north, which are shown indicatively only, provide sufficient space between the building and its neighbours to ensure that it will not appear unduly cramped on the site, and the hard surfaced parking provision to the

south provides a similar buffer, whilst the existing boundary screening will ensure that the hard surfacing used to construct the parking areas does not appear overly harsh at the urban/rural transitional edge of the site.

The overall effect of the above is an acceptable and well thought out form of development in its own right, and notwithstanding that it will have a harmful impact upon the character and appearance of the area due to the loss of what is an existing undeveloped grassed paddock, the building has been planned, designed and set out to have as minimal an impact as is practicable having regard to its proposed use and required amount of internal units.

Representations have been received from SMBC Urban Design. Their primary concern is that the site is situated on part of proposed housing site No. 13 (Land south of Shirley) within the proposed Draft Solihull Local Plan, and occupies quite a large portion of the site across of its road frontage with Tanworth Lane. This would therefore impact upon the development of that site (if adopted for such purposes of course) and its interaction with adjacent site Nos. 11 and 12. However, given the relative immaturity of the Draft Local Plan at this stage only limited weight can be attached to this to the extent that it should not materially affect the outcome of this planning application.

In design terms, SMBC Urban Design advise that the applicant has clearly given a lot of thought to the function of the building and how it operates however there has been limited context analysis, and concerns have been raised relating to perimeter fencing and use of materials for the construction of the building. These issues can, however, be adequately controlled through the use of appropriately worded conditions (condition Nos. 3 and 12).

The proposal therefore, is contrary to Policy P15 of the SLP and moderate weight should therefore be attached to this in the decision making exercise.

4. The effect of the development upon protected species

The application is accompanied by a Phase 1 Habitat Survey, which has been carried out in accordance with the appropriate guidance.

The application has been assessed by SMBC Ecology who advise that the site itself has no ecological designation and there are no records of protected or notable species within the site. The WBRC does, however, hold several records of bats and badgers in the surrounding area. The site is an area of neglected grassland which is becoming overgrown. Habitats on site were identified as species-poor semi-improved grassland with tall ruderal herb and scattered scrub around the perimeter of the site. There is a small dried out pond within the grassland which contains wetland species. The site boundary is linear woodland with several mature trees which will not be directly affected by the proposals. From the Proposed Site Layout Plan the majority of habitats on site will be lost and replaced with a car park, care home building and associated garden landscaping. The landscaping on the drawing is only indicative but suggests that the wetland area will be completely removed.

In relation to bats, it is noted that some of the trees at the site boundary are mature and have the potential to support roosting bats. None of these appear to be directly impacted by the proposals but any lighting scheme should avoid directly illuminating any of the boundary vegetation to avoid impacting bat roosts and foraging routes. This may be achieved by only installing lighting where needed and placing lights at low level or fitted with cowling to direct light away from where it is not needed. The lighting scheme should show predicted lux levels across the site, including the landscaped areas, which could be adequately controlled by condition (No. 16).

A badger sett was identified within 10 to 15 metres from the site boundary to the west, and it is acknowledged that the proposal will impact upon established foraging zones. However, alternative foraging habitat is currently available to the west of the site and the loss of habitat could be accounted for through on-site enhancements and/or biodiversity offsetting, though probably a combination of both. The presence of alternative foraging habitat elsewhere does not, though, eliminate the risks of disturbance to the sett resulting from ground works within 30 metres of the sett entrance. Badger setts can be very extensive and tunnels may exist some distance from the sett entrance. The creation of car park spaces at the western end of the site may cause disturbance to the badgers through noise and vibration or may even cause tunnels to collapse.

SMBC Ecology advise that If the application is to be approved in its current form, further survey work with proposed mitigation works (if required) can be adequately required and controlled by the use of suitably worded conditions (No. 17)

The site contains habitat suitable for hedgehogs and it is possible that they may be present. The precautions recommended within the report for badgers and hedgehogs and potentially amphibians should be included with a Construction and Ecological Management Plan (CEMP), which will include precautionary working methods of protected and notable species and habitats during the works. (Condition No. 14)

Subject to the conditions as set out above it is considered that the proposal will not have any unduly harmful impacts upon protected species and as such the proposal is compliant with Policy P10 of the SLP. Neutral weight should be attached to this in the decision making process.

Other Material Considerations

Highways

Vehicular access into the site is to be taken from the existing access off Tanworth Lane that currently serves the adjacent children's nursery and football club. Within the public highway, carriageway markings are proposed to provide a 'right turn only' turning lane into the site when approached from a northerly direction. Within the site 40 No. car parking spaces are proposed.

The proposal has been fully assessed by SMBC Highway Engineers. They advise that the width of the current vehicular access (leading to the car parking facilities for the day nursery and football related parking) is increased to 6m in width to enable

vehicles entering and leaving the site to pass simultaneously. Although this would involve work on land outside of the application red line boundary, the land is within the blue line boundary and as such is achievable by condition (No. 8)

They also advise that the proposed vehicular access arrangements will require the consideration of traffic management (at least for the extent of the privately maintained section to be used by vehicles to the proposed development car park and car borne traffic to the existing facilities). Consideration should also be given to the provision of pedestrian facilities though this section of combined access use.

The currently submitted drawings indicate that the existing access onto Tanworth Lane will be widened by introducing splayed kerbs/extended lower height kerbs. SMBC's Highway Engineers advise that further detail of the transition between Tanworth Lane and the (above referenced) wider access are required to be submitted/approved prior to commencement of development, which should also include modifications of carriageway markings and signage, together with a Road Safety Audit to inform this process. This can be achieved through the use of a suitable worded condition (No. 9)

Finally, whilst acknowledging that the proposed on-site parking layout/provision is acceptable, they suggest that on site cycle parking is increased to 10no spaces in order to accommodate staff shift changeover. This can again be achieved by condition (No. 10)

It is therefore considered that the proposal will not be harmful to highway safety and is compliant with policies P7 and P8 of the SLP and neutral weight should therefore be attached to this.

Landscape

As previously set out, the site is well enclosed by boundary planting, and only minimal tree planting exists within the site. Of the larger boundary trees, only two are to be felled due to their poor/dangerous condition, as well as clearance of minor self set saplings etc.

The impact of the proposal has been assessed by SMBC's Landscape Architects. They have advised that the amount of proposed tree loss is acceptable, as is the impact of the proposal upon the remaining trees to be protected. They therefore raise no objections to the proposal, though conditions are required to ensure that the trees to be retained are adequately protected during construction, and that a suitable landscape scheme is proposed and implemented (Conditions 11 - 13).

The proposal is therefore compliant with policies P10 and P14 of the SLP and neutral weight should be attributed to this in the decision making exercise.

Neighbour Amenity

The surrounding land uses to the proposal are not residential and as such are not deemed to be sensitive – to the north is the doctor's surgery, to the west is the Sans Souci training centre, to the south is the children's nursery and football club, and to

the east are open fields. The nearest dwellings are located some distance away to the north on the opposite side of the doctor's surgery.

Having regard to the considerable separation distances between the proposal and the nearest dwellings it is not considered that the proposal will result in undue impact to the amenities currently enjoyed by the occupiers thereof.

The proposal is therefore compliant with Policy P14 of the SLP and neutral weight should be attributed to this in the decision making process.

Drainage

The views of the EA, Severn Trent Water and SMBC Drainage Engineers have been received. The EA raise no objections to the proposal, whilst SMBC Drainage Engineers and Severn Trent Water both advise that they have no objections to the proposal subject to conditions (No. 5)

The proposal is therefore compliant with Policy P11 of the SLP and neutral weight should be attributed to this in the decision making process.

Whether the harm by reason of inappropriateness and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development

It is now clear that the proposal will be harmful to the openness of the Green Belt by reason of it constituting inappropriate development (by definition harm), and by reason of it conflicting with 2 of the 5 stated purposes of including land within the Green Belt. This attracts substantial weight against the proposal. In addition, in terms of any other harm, it has also been shown that, whilst the building itself is of a satisfactory design and appearance, the loss of the existing grassed paddock will be harmful to the character and appearance of the area, which attracts moderate weight against the proposal. No other harm has been identified.

It must now be determined whether the applicant's submitted set of VSCs are sufficient to clearly outweigh the identified harm to allow planning permission to be granted for the development.

The submitted VSCs are as follows:

- There is an unmet need for the proposed development; and
- Having regard to the unmet need there are no more sequentially preferable sites available for the proposed facility.

Exploring the above further, it is stated that:

There is an unmet need for the proposed development

The proposed development will be purpose-built to specialise in dementia care and will be aimed at providing affordable residential and/or nursing care which can be commissioned at the Local Authority's 'usual fee rates'. The ultimate aim is the

delivery of a cost-effective dementia nursing home that acts as a blueprint for future developments of a similar nature.

The population projections for Solihull are set to increase dramatically by 2025, with a substantial increase in the percentage of people in the over 75 and over 85 age groups. Within these age groups dependency levels are higher and the prevalence of dementia increases dramatically. It is estimated that there are approximately 2,945 people in Solihull Borough currently with dementia. It is predicted that this figure will grow to between 3,800 and 4,239 by 2025. This will create an increased demand for dementia nursing care facilities in the Borough to cater for complex needs that require more intense levels of care.

The proposed 60 bedroomed dementia nursing home will replace the demolished Brookvale Care Home which was based in Olton and provided 60 affordable bedrooms. Prior to its closure, the Brookvale Care Home was deemed to be functionally obsolete and no longer fit for delivering high quality care for older people suffering from dementia.

Under the Care Act 2014, the ASC Directorate has a responsibility to provide care and support for people with dementia in Solihull Borough, and to improve the quality of care and support available for adults.

The Care Act 2014 sets out the general responsibilities of Local Authorities for providing care and support, and emphasises the importance of identifying adults in the Local Authority's administrative area with needs for care and support which are not being met (by the Local Authority or otherwise). Furthermore, Local Authorities have a duty to improve the quality of care and support for adults.

Both the Independent Living and Extra Care Strategy (2013) and Birmingham and Solihull Dementia Strategy (2014-2017) seek a greater choice of options in terms of accommodation for older people with dementia. The implications of the Care Act 2014 places statutory 'market shaping' obligations on the Council to ensure the overall provision of services remains healthy and there is adequate provision of high quality care and support to meet expected needs.

Considering the above, there is an urgent need to secure additional care home capacity within the Borough to compensate for the closure of the Brookvale facility. This tends to be focussed on the over 85 age group who are more likely to have complex needs and suffer from dementia. However, this is not without its difficulties as the Council must ensure enough affordable nursing home beds to meet the Borough's increasing needs. A significant number of care homes in Solihull are available only at fees far in excess of the Council's usual fee rates, which places added pressure on the Council and has resulted in out-of-Borough provision being the only viable option. Clearly, this is not ideal for patients or their families and alternative solutions must be found.

The proposed 60 bed dementia care nursing home will replace the demolished Brookvale Care Home which was based in Olton and provided 60 affordable bedrooms. The Brookvale Care Home was constructed in 1971, and a Stock Condition Survey, undertaken by the Council's Property Services Team in November

2014 (Appendix A), highlighted the building was increasingly unfit for delivering care to older people. The main issues associated with the Brookvale Care Home were as follows:

- Bedrooms were small with limited space available for personal furniture including wardrobes, cabinets and additional comfortable chairs for visitors;
- En-suite facilities were not available, meaning bathrooms and toilets were shared with other residents;
- Existing facilities were not well designed to meet the needs of frail older people or people with physical and/or sensory disabilities or with dementia which can make it difficult for staff to provide support in cramped spaces;
- Separate sleeping and living room spaces were not available;
- There was no potential to cater for couples who wished to continue to live together;
and
- The corridors were dark and narrow with poor natural light

The above characteristics made it very difficult for the Brookvale Care Home to provide high quality care with dignity and respect for individual preferences. The Stock Condition Survey identified a need for approximately £0.565m of essential short-term repairs and a total of £1.5m of improvements over the next 10 years. These works represented an unfunded liability and, given the wider concerns over design, age and configuration of the building, was considered to represent poor value for money. It was considered that carrying out these works would only serve to prolong the lifespan of the building without rectifying any of the underlying issues, and in order to address to any meaningful degree the issues raised above, an actual reduction of accommodation within the building would be the result at a time when there is urgent need to increase supply.

In light of the above, it was considered that the Brookvale Care Home was functionally obsolete and in need of replacement.

SMBC's ASC Directorate has investigated the potential ways in which the deficiencies in the existing provision can be addressed, and these are discussed below:

- i. Do nothing;
- ii. Refurbishment of Brookvale Site
- iii. New build on the Brookvale Site
- iv. New build on an alternative site in the south of the Borough

(i) Do Nothing

This strategy would appear to contradict the Birmingham and Solihull Dementia Strategy 2013-2016 and would place ever-increasing pressure on the Council to fulfil its obligations under the Care Act 2014. As a result of the demographic projections and increasing gap between supply and demand, there would be an unavoidable reliance upon out-of-Borough provision to ensure dementia sufferers in Solihull get the care they require.

(ii) Refurbishment of Brookvale Site

The option of refurbishment was appraised as part of the Stage 1 Feasibility Study (May 2015). It was discounted on the basis that the previous building did not make efficient use of the land. Any adaptation would have been constrained by working within the confines of the existing envelope of the building and its layout was considered difficult to convert to ensure best practice guidelines were met. Furthermore, fewer beds would be available which would fundamentally fly in the face of increasing provision levels and there would have been an increase in energy and maintenance costs. Additionally, there would be consequences for local neighbours due to car parking requirements.

(iii) New Build on the Brookvale Site

The Stage 1 Feasibility Study (May 2015) (Appendix B) identifies that the total capital costs of demolishing the existing Brookvale Site and building and equipping a new nursing home on the site would be £7.011m.

The capital receipt to be released from the disposal of the old site (on the basis of the site being suitable for housing) is required to part-fund the new development. Without this capital receipt (which would not be available if the site were not to be sold), the re-development would not be financially viable.

(iv) New Build on an Alternative Site in the South of the Borough

SMBC's ASC Directorate has, over several years, considered and discounted Options (i) to (iii) above. A new build option on an alternative site is the preferred option as it would offer better quality of care, regulatory compliance as well as facilitating best practice for caring for older people with dementia. Further, the funding released from the sale of the Brookvale site would enable construction of a facility with increased capacity at this time of high demand for such services, be built to high quality sustainable design and energy efficiency standards as well as maximising lower maintenance costs. This option exploits the opportunity to create a new, modern purpose-built facility offering better value for money on a long-term sustainable basis.

In light of the above, SMBC's Cabinet approved a proposal for the closure and re-provision of the Brookvale Care Home at their meeting on 30th September 2015, subject to statutory obligations that the Council must observe.

Having regard to the unmet need there are no more sequentially preferable sites available for the proposed facility.

The ASC Directorate has sought and reviewed sites which may have the potential for a new dementia care facility, which has been based around the needs of future residents and their support network, input from residential and commercial agents, discussions with developers and the Birmingham & Solihull Mental Health NHS Foundation Trust and consultation with Solihull Metropolitan Borough Council's

Strategic Land and Property, Planning and Economic Development and Regeneration Teams.

The site search exercise commenced in 2015 when a number of sites were identified by the Council's Strategic Land and Property Team as being potentially suitable as an alternative location for a new dementia care facility. The original search included 22 sites located in both the north and south of the Borough as set out below:

Sites in the North of the Borough Sites in the South of the Borough

- Bacons End Centre
- Kingshurst Village Centre
- Arran Way Shopping Centre
- Clopton Crescent Depot
- Endeavour House
- Bosworth Wood Campus / Jensen House
- Chelmsley Wood Town Centre
- Coleshill Heath School site
- Fordbridge School site
- Windward Way Industrial Estate
- Chelmond's Cross Village Centre

Sites in the South of the Borough

- Green Acres, Wagon Lane
- Land at Rowood Drive
- Blythe Valley Park
- Hallmeadow Road, Balsall Common
- Moat Lane Depot / Vulcan Road
- Brookvale Site, 111 Warwick Road, Olton
- HS2 Interchange Site
- Powergen Site
- Solihull Town Centre
- Tanworth Lane, Shirley
- Former TRW Site (The Green) , Shirley

Following further analysis of the need and supply and demand issues it was determined that a site was required in the south of the Borough. Whilst there are 14 dementia care nursing homes within Solihull Borough, providing a total of 816 nursing beds, none of these beds are currently offered at SMBC's usual fee rates. In terms of planned supply, Chelmond's Cross will provide affordable nursing care at SMBC's usual fee rates for the north of the Borough. There is a demonstrated need for affordable dementia care provision in Solihull Borough which has been exacerbated by the closure of the Brookvale facility. It has been estimated that the amount of beds the ASC Directorate would need to purchase to offer at SMBC's usual fees will increase by 32% by 2025, which represents an increase from 97 currently to 128 Dementia nursing beds.

From the end of 2017, 38 Dementia Nursing beds will be provided at SMBC's Usual Fee Rates on a 10-year block contract at the Chelmund's Cross facility which is owned by Runwood Homes. As this facility is located in the north of the Borough, the catchment area for the proposed facility has been defined as the south of the Borough. This will ensure a balanced provision/more equitable distribution of dementia care in geographical terms rather than having similar facilities concentrated in a single location within the Borough, and will mean dementia patients and their families living in the south of the Borough can access care provision closer to their homes avoiding the need to travel significant distances.

The location of the care home will have an impact on the level of income available from self-funders and the capacity to recruit and retain staff. The level of income is relevant to the business model of the new developed care home as a specified level of income will be required to service annual repayments of debt from prudential borrowing. It is likely to be more challenging for a home in the north of the Borough to attract the required numbers of self-funders than a home in the south of the Borough.

It is therefore considered that a new facility in the south will provide a strong basis upon which to attract and retain the required workforce to support the delivery of social care. The benefits of the recent development of Shirley Town Centre and the opportunities created will be maximised to establish supply chain networks, community links and a strong volunteer base.

Having established that a new site in the south is required, the identified sites in the north were dismissed, and the remaining contenders in the south were assessed against the following criteria:

- Site area of approximately 0.6 hectares
- Ownership – particularly regarding viability
- Accessibility
- Best Practice Design Criteria taken from National Guidance
- Delivery of a new Dementia Care Facility now

The results of the assessment are as follows:

Green Acres, Wagon Lane.

Would require demolition and clearance following relocation of day services for people with physical disabilities to alternative centres, a process which would delay the delivery of the scheme beyond the required timescales. The flooding issues associated with the Site would need to be resolved for the proposed residential use.

Land at Rowood Drive, Solihull

Site could accommodate a care home of sufficient size; however the development could not be delivered within the required timescales as the land is currently leased to Lode Heath School and the Secretary of State's consent would be required to any disposal in accordance with the provisions of Section 77 of the School Standards and Framework Act 1998 and Schedule 1 of the Academies Act 2010. There is also no certainty of success as the process is outside of the Council's

control, and any capital receipt arising would be required to be reinvested for education purposes.

Blythe Valley Park

Site dismissed as it is not commercially viable due to land acquisition requirements, and the development could not be delivered within the required timescales due to the protracted programme for the construction of major site infrastructure and services at Blythe Valley Park.

Moat Lane Depot, Vulcan Road

Site proposed for residential development in the draft Local Plan. Would require demolition and clearance following relocation of Council depot and/ or industrial units, which is unlikely to be delivered within the required timescales.

Brookvale Site 111 Warwick Road, Olton

Site dismissed due to viability as capital receipt arising from the sale of the site is needed to part - fund the proposed development, which would otherwise be unviable. Solihull Borough Council also wish to maximise the potential opportunity for the use of the site for other purposes.

Powergen Site, Shirley

Development Agreements have been completed for the sale and redevelopment of the site for residential housing, a petrol filling station, and a 260-apartment extra care scheme. The site is not available. An extra care facility is already proposed at the Site so displacing this would be contradictory to the overall aims of the Borough and counterproductive.

Former TRW site, Shirley

Existing business park proposed for further residential development in the draft Local Plan. Land is not in the ownership of the Council so an acquisition would be required, however due to high land values, it is anticipated that the development of a care home with a significant level of affordable provision is unlikely to be commercially viable. Adjacent to existing Sunrise care home.

Sharmans Cross Road

Site dismissed as the acquisition costs and costs of any compensatory provision for the loss of open space would make the delivery of a nursing home with a significant level of affordable provision unviable. It is also unlikely the development could be delivered within the required timescales due to the need to buy out the leasehold interest and acquire the privately owned part of the site.

Solihull Town Centre

Various options unlikely to be deliverable due to high land values and requirements of Council House refurbishment and Touchwood Extension programmes. Various options are unlikely to be delivered within the required timescales due to the need for relocation of existing uses and demolition and clearance of sites.

Land at Creynolds Lane, Shirley

Site has some/considerable impact upon the Green Belt and is in the Meriden Gap.

Land at Widney manor Road, Solihull

Site has some/ considerable impact upon the Green Belt and is in the Meriden Gap.

Land at Damson Parkway/Coventry Road

Site is in the Green Belt and the existing and future surrounding land uses would not complement a Nursing Home.

Land West of Dickens Heath

Site is in Green Belt and, whilst it benefits from a draft allocation for housing, the site acquisition costs would make the delivery of a nursing home with a significant level of affordable provision commercially unviable. Relatively isolated location would make the recruitment and retention of staff problematic.

Land south of Dog Kennel Lane

The site is in the Green Belt and development would result in a considerable impact. Whilst it benefits from a draft allocation for housing, the site acquisition costs would make the delivery of a nursing home with a significant level of affordable provision commercially unviable.

The site at Tanworth Lane (the application site) was considered to present the best option for re-provision. The advantages of the proposed dementia nursing home at Tanworth Lane include:

- Clear and available site in the Council's ownership ready for redevelopment;
- Could facilitate the delivery of existing Brookvale site for redevelopment;
- Located next to existing GP medical centre;
- Possibility of attracting workforce from neighbouring areas and Birmingham, as there is a bus from Solihull and Birmingham;
- 10% of people from Shirley South ward work in the health and social care sector; and
- Development of the site is optimal use of Council Land.

The applicants therefore contend that there is both an identified need for the proposed dementia care home, that the Council has a duty placed upon them to provide such care, and that there are no more suitable sites elsewhere that are sequentially more preferable than the application site for providing the required facility. These issues constitute VSCs in the context of Paragraph 87 of the NPPF, and planning permission should therefore be granted to enable the development to proceed.

Commentary and assessment of VSCs

It is accepted that there is an urgent requirement for the Council to provide additional dementia care provision within the Borough, and that this cannot be achieved either by modernising the existing facilities at Brookvale or by constructing a replacement facility on that site for the reasons that the applicants have clearly set out.

It is further accepted that the requirement for a replacement facility is best located in the south of the Borough.

In terms of considering alternative sites within the south of the Borough to accommodate the required additional accommodation, it is clear that the applicants have undertaken a thorough and robust assessment of alternative sites, both within and outside of the Green Belt. Having regard to the site selection criteria that any piece of land must comply with to be a suitable alternative, and for the reasons as set out above, it is further accepted that it has reasonably been shown that there are no more sequentially preferable sites available to the applicants than the application site at Tanworth Lane.

Having accepted that there is a need for the provision, the statutory duty that the Council has to provide further accommodation, and the lack of any more suitable sites, it must now be decided whether these factors constitute the VSCs that are required to outweigh the harm to the Green Belt by way of inappropriateness and any other harm that is required to enable planning permission to be granted.

Clearly this is a subjective matter, but in this instance it is considered that the submitted VSCs do indeed outweigh the harm to the Green Belt and any other harm as previously set out in this report and on this basis it is recommended that planning permission should be approved for the proposed dementia care home.

The proposal is therefore compliant with Policy P17 of the SLP.

CONCLUSION

This report has set out that the proposal represents inappropriate development in the Green Belt that is harmful to openness by definition and to the purposes of including land within the Green Belt. In addition, the proposal will detract from the open rural character of the site. Notwithstanding this, the proposal, as an individual piece of architecture, is of a high quality design, it will not be harmful to any important trees on or adjacent to the site, it will not be detrimental to residential amenity or highway safety, and with adequate mitigation it will not be prejudicial to protected species. With this borne in mind it is considered that very special circumstances (VSC) have been demonstrated that outweigh the harm to the Green Belt and any other harm and as such there is no reason to withhold the granting of planning permission for this much needed form of development.

RECOMMENDATION

Approval is recommended subject to the following précis of conditions a full list of standard conditions is available using the following link: <http://www.solihull.gov.uk/Resident/Planning/searchplanningapplications>., and subject to the application being referred to the National Planning Casework Unit and not, as a result, being called in by the Secretary of State for determination.

1. CS00 – Compliance with all plans
2. CS05 – Commencement within 3 years
3. CS06 – Materials to be submitted
4. CW10 – Finished floor levels

5. CW14 – Sustainable drainage systems
6. CN19 – Outdoor refuse storage
7. CN16 – Air conditioning/mechanical ventilation to be installed
8. The development hereby approved shall not be occupied until the existing access into the site from Tanworth Lane (located within the site edged in blue) has been widened to a width of 6m in accordance with details to be submitted to and approved in writing by the LPA.
9. Notwithstanding the requirements of Condition 8 above and the details contained within the approved plans, full details of the access and turning arrangements into the site from Tanworth Lane which shall include modifications of carriageway markings and signage, together with a Road Safety Audit to inform this process, shall be submitted to and approved in writing prior to commencement of development. The details so approved shall be implemented prior to first occupation of the development.
10. Notwithstanding the details shown on the approved drawings, the provision of on site cycle storage facilities shall be increased to 10 in accordance with details to be submitted to and approved in writing by the LPA. The details so approved shall be implemented prior to first occupation of the development.
11. CL03 – Barriers around trees to be retained
12. CL04 – hard and soft landscaping scheme to be submitted (including boundary treatment)
13. CL06 – Implementation of landscaping scheme
14. The development hereby permitted shall not commence until a Construction and Ecological Management Plan has been submitted to and approved in writing by the Local Planning Authority. In discharging this condition the LPA expect to see details concerning pre-commencement checks for badgers, bats, hedgehogs, amphibians and breeding birds and appropriate working practices and safeguards for wildlife that are to be employed whilst works are taking place on site. The agreed Construction and Ecological Management Plan shall thereafter be implemented in full.
15. No works to commence on site until a combined ecological and landscaping scheme has been submitted and agreed between the applicant and the local planning authority. The scheme must include all aspects of landscaping including details of pond creation, tree and shrub planting and subsequent management. The agreed scheme to be fully implemented before/during development of the site as appropriate.
16. The development hereby permitted shall not commence until details of all external light fittings and external light columns have been submitted to and approved by the Local Planning Authority. The development shall not be carried out otherwise than in full accordance with such approved details. In discharging this condition the Local Planning Authority expects lighting to be restricted along the site boundary and to be kept to a minimum at night across the whole site in order to minimise impact on emerging and foraging bats. This could be achieved in the following ways:
 - Narrow spectrum lighting should be used to avoid the blue-white wavelengths
 - Lighting should be directed away from vegetated areas
 - Lighting should be shielded to avoid spillage onto vegetated areas
 - The brightness of lights should be as low as legally possible;
 - Lighting should be timed to provide some dark periods;
 - Connections to areas important for foraging should contain unlit stretches.
17. No part of the development hereby permitted shall be commenced until a detailed badger survey, including timetabled mitigation measures where appropriate, has been carried out by a suitably qualified badger consultant and has been submitted to and approved in writing by the Local Planning Authority. Any approved mitigation measures shall be implemented in accordance with the approved timetable.
18. CI23 – Green Travel Plan
19. EN01 – Noise during construction

20. NOTE: Bat and Nesting Bird tree note: If it is essential to fell or lop any trees or shrubs, it should be ensured that this work does not disturb nesting birds, with work ideally being conducted outside the main breeding season (March-September). All nesting birds are protected from disturbance or injury under the 1981 Wildlife and Countryside Act. In addition, if mature trees are likely to be affected by the development, (e.g. by felling or lopping work), it is important to survey these trees for the presence of bats, prior to work commencing. Bats and their roost sites are protected under the 1981 Wildlife and Countryside Act and the Countryside and Rights of Way Act, and are also deemed a European Protected Species. Local Authorities are bound by the Conservation of Habitats and Species Regulations 2010 to have regard to the Habitats Directive when exercising their functions.
21. Statement of Compliance.

:

Appendix 4 – Maidenhead Call-In Decision



Appendix 5 - Stockport Recovered Appeal Decision



Appendix 6 – Four Oaks House and Four Oaks Barn





Four Oaks House
Back Lane | Meriden | Coventry | Warwickshire | CV7 7LD

FINE & COUNTRY

FOUR OAKS HOUSE







ACCOMMODATION

Set in 3 acres is this beautiful detached country home with a large driveway, stables, detached offices and gym, with stunning views to the rear.

The main house spans over 2,700 sq. ft. and is a great family home. Upon entering through the front door you are greeted with a large open hallway with leads into the main sitting room on the left. The sitting room is also adjoined to the conservatory which stays warm in the winter and cool in the summer, perfect for relaxing and enjoying the ambience of the idyllic location that Four Oaks House sits in. There is a small cellar which can be accessed from the conservatory. To the rear of the property is the main dining room and the kitchen. The kitchen comprises of traditional style units and granite work surfaces with ample appliances all integrated, as well as a gas fired Aga. Off the Kitchen is the boiler room and utility. Downstairs also offers a WC and a snug which could also be used as a study.

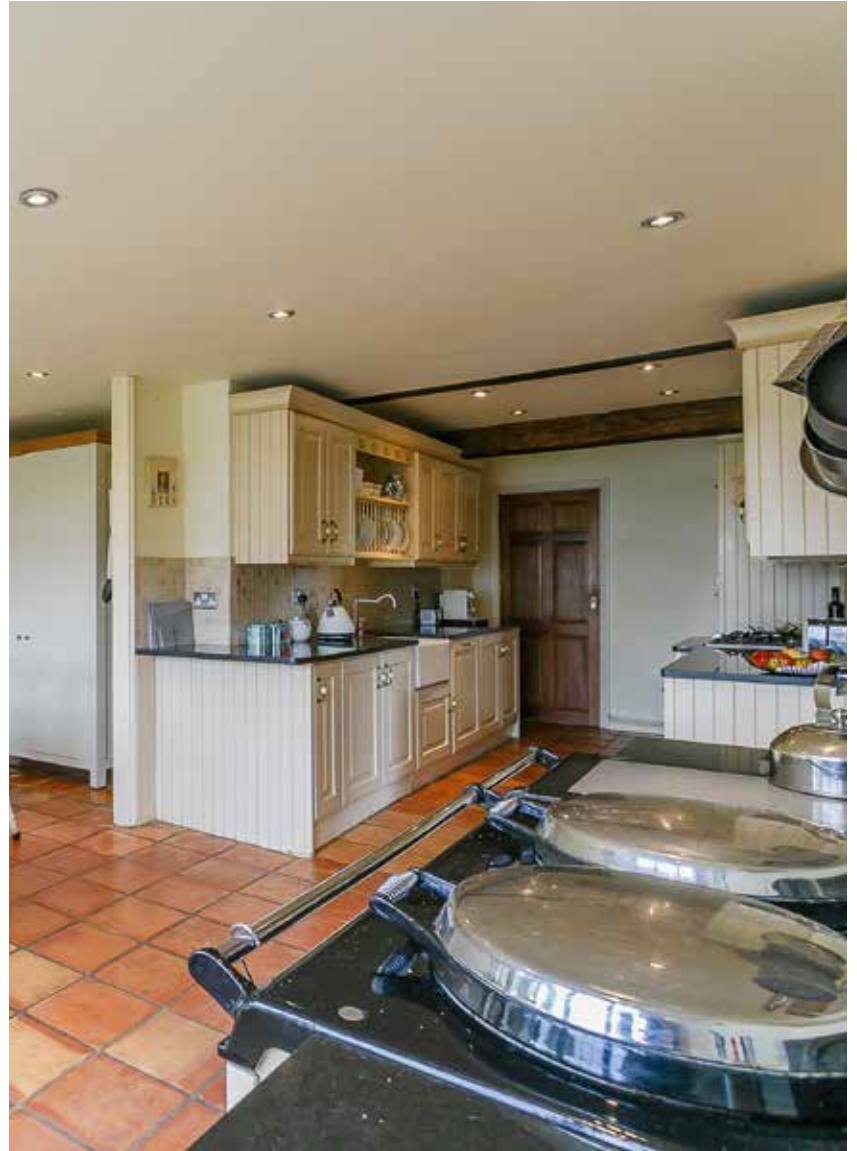








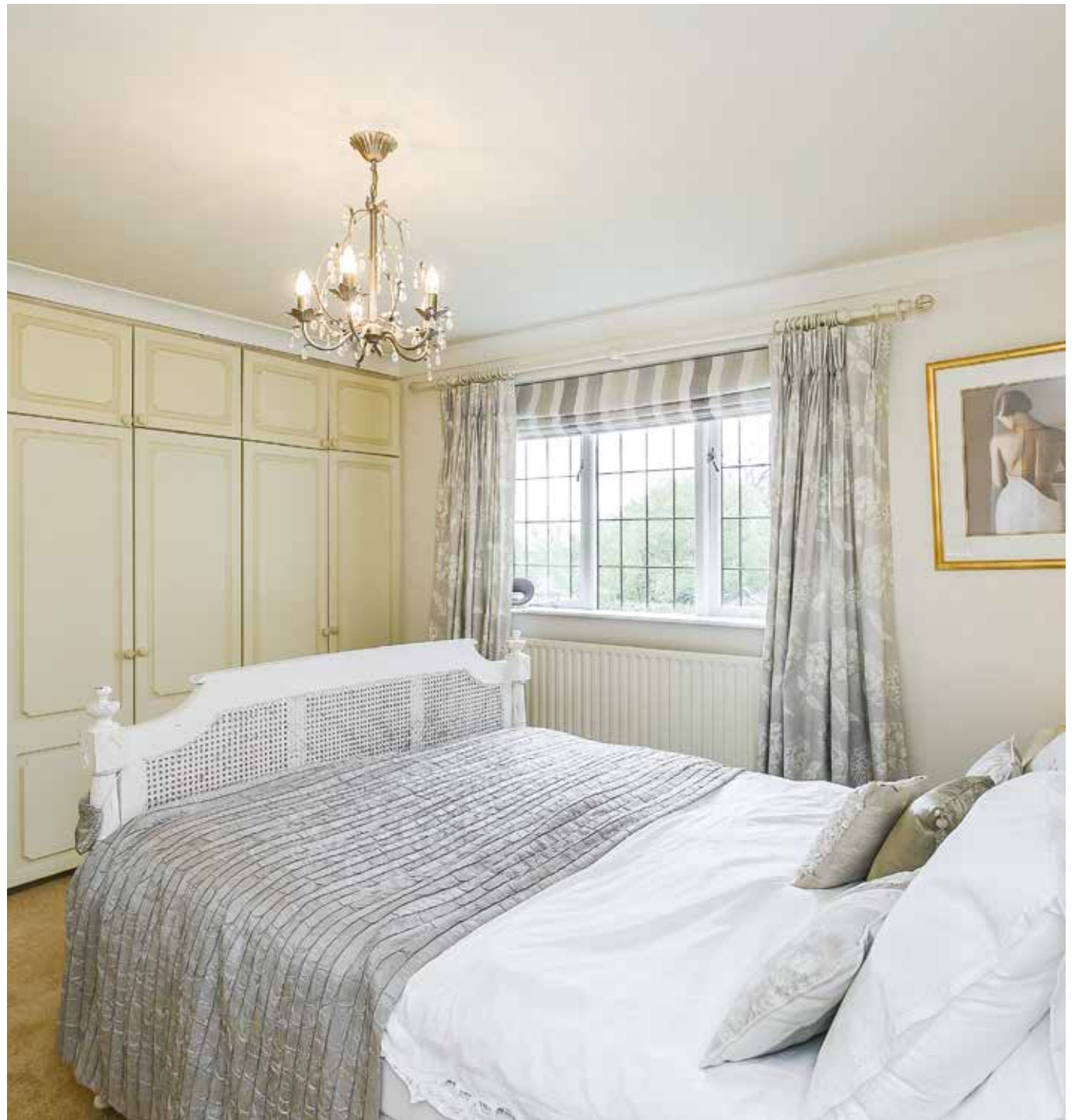








All five bedrooms on the first floor are extremely generous in size. As well as the family bathroom, there is also an ensuite to the master. The owners have added extra built in wardrobes to many of the bedrooms to further add to the facilities on offer.







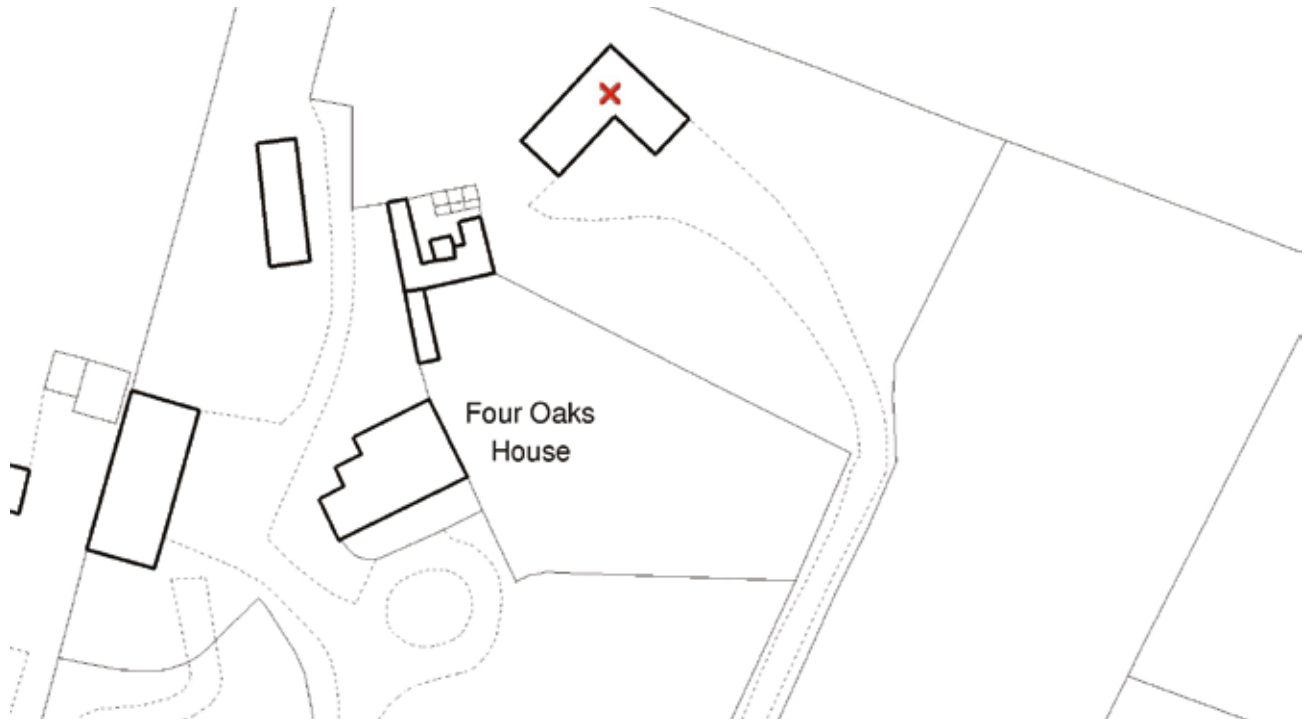


OUTSIDE

Externally the home is located on over 2.5 acres and sits behind a mature hedgerow meaning complete privacy to the home. Entry to the property is through the private gates which open up onto the impressive tree lined driveway leading up to the house. Situated on the grounds is also the external swimming pool room, a stable block, and significant office space detached from the home which offers a multitude of different opportunities such as use for a home gym.





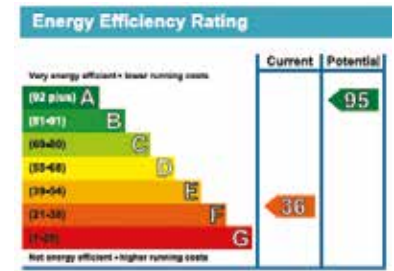


LOCATION

Back Lane is located on the outskirts of Meriden just outside of Coventry. Meriden is a popular village to the West of Coventry and to the North East of Solihull. Providing excellent access to A45, M6 and M42. Also has excellent access to the NEC and the Birmingham International Airport. Four Oaks House is also only a short commute into Coventry Train Station where a train into London Euston takes just under an hour.

SERVICES

All on mains except for the drains that are serviced by a Klargester.



Four Oaks Barn Back Lane, Coventry

Approximate Gross Internal Area
Main House = 2731 Sq Ft/254 Sq M

External Room = 146 Sq Ft/14 Sq M

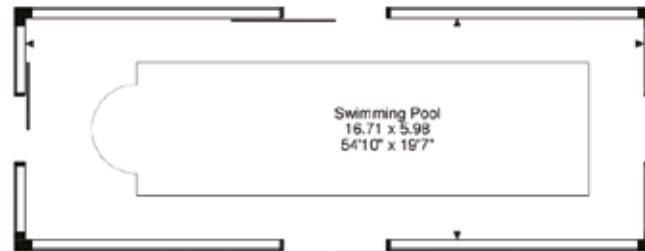
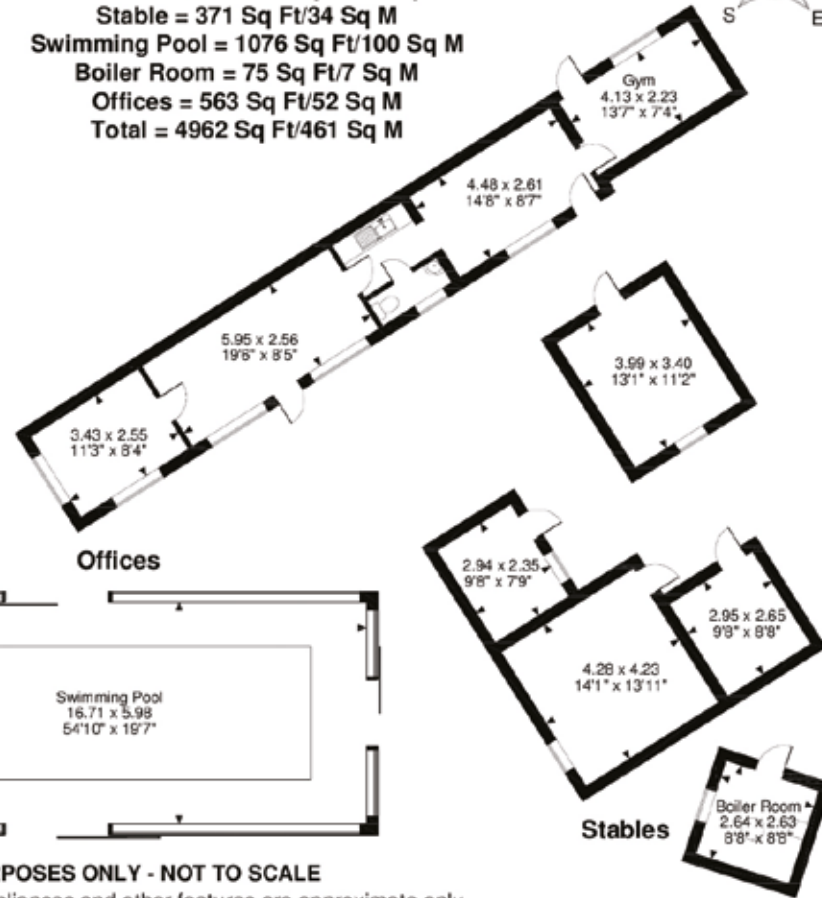
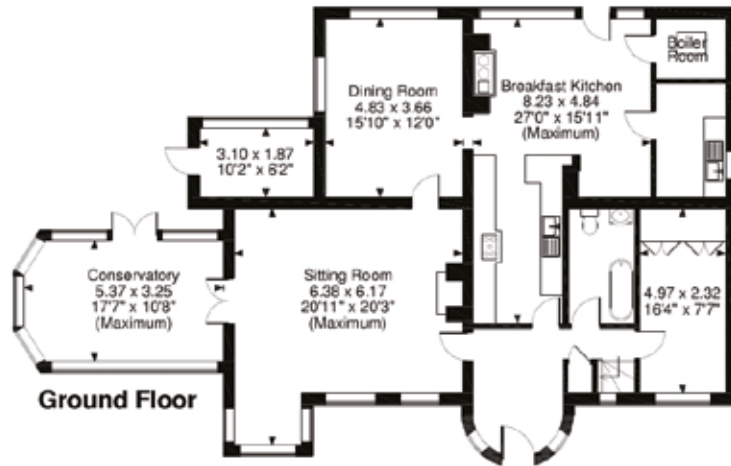
Stable = 371 Sq Ft/34 Sq M

Swimming Pool = 1076 Sq Ft/100 Sq M

Boiler Room = 75 Sq Ft/7 Sq M

Offices = 563 Sq Ft/52 Sq M

Total = 4962 Sq Ft/461 Sq M



FOR ILLUSTRATIVE PURPOSES ONLY - NOT TO SCALE

The position & size of doors, windows, appliances and other features are approximate only.

--- Denotes restricted head height

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Agents notes: All measurements are approximate and for general guidance only and whilst every attempt has been made to ensure accuracy, they must not be relied on. The fixtures, fittings and appliances referred to have not been tested and therefore no guarantee can be given that they are in working order. Internal photographs are reproduced for general information and it must not be inferred that any item shown is included with the property. For a free valuation, contact the numbers listed on the brochure. * These comments are the personal views of the current owner and are included as an insight into life at the property. They have not been independently verified, should not be relied on without verification and do not necessarily reflect the views of the agent. Printed 22.05.2017



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Four Oaks Barn • Back Lane, CV7 7LD

£1,000,000

Freehold

EPC rating: D

- Attractive Barn Conversion
- 5 Bedrooms
- Double Garage
- Large Kitchen/Breakfast room
- Approx 2.3 acres of grounds



Lounge 4.86 x 3.70

Full height quadruple glazed hardwood doors with French doors opening on to rear patio and gardens. Gas coal effect fire with marble surround and hearth. Half glazed hardwood door to the side and window with radiator below.

Stairs from hallway leading to:

1st Floor

Bedroom 1 4.87 x 3.69

Built in white wood wardrobes and chest of drawers, Velux window, window to side and radiator below. Central light fitting. Door leading to

En-Suite

Comprising of white shower cubicle, wash hand basin, low level wc, heated towel rail and window.

Bedroom 2 2.97 x 2.85

Fitted white wood wardrobes with sliding doors, low level windows, radiator and central light. Door leading to

En-Suite

Comprising of shower cubicle, white wash hand basin with oak effect wooden cupboard below, low level wc, heated towel rail, window and halogen spot lights.

Bedroom 3 2.97 x 2.47

Built in double wardrobe with sliding doors, low level window to the rear looking out to garden and open countryside, radiator and central light fitting.

Bedroom 4 3.77 x 2.47

Built in white wood wardrobes, low level window to rear, side window and radiator.

Bedroom 5 4.10 x 3.58

Lovely light, airy bedroom with fitted white wood cupboards under the eaves, 2 Velux windows to the rear and front of the house, radiator and central light fitting. Door leading to

En-Suite

Comprising of white free standing roll top bath with shower attachment, separate shower cubicle, wash hand basin, low level wc, heated towel rail, Velux window and spot light.

Bathroom 2.49 x 2.13

Family bathroom with white suite comprising of bath with oak effect side panel and shower attachment, wash hand basin, low level wc, heated towel rail, tiled floor and walls.



Sales



Lettings



Mortgages



Conveyancing



Surveying

Appendix 7 – Tudor Grange House



Chris Gardner

From: Chris Evans <chrisevans@huntersgroup.co.uk>
Sent: 09 December 2015 17:32
To: c.gardner@theislandproject.co.uk
Subject: Tudor Grange House, Solihull
Attachments: Tudor Grange House - Front Elevation.jpg; Tudor Grange House - Rear Elevation.jpg

Dear Chris,

Tudor Grange House, Blossomfield Road, Solihull

I thought you might be interested to know that Tudor Grange House will be coming to the market over the coming months. In view of our recent successes in the disposal of properties of this type, Solihull College have invited Hunters to tender for the disposal of the property and grounds. The property has been used in the past by Solihull College but that use is now winding down and the college are seeking to sell the property in the near future.

This very elegant original Victorian mansion house was built in 1899 and became Grade II star listed in the recent past. There will be therefore a wonderful opportunity to create a high quality residential conversion scheme standing in extremely attractive grounds, yet within walking distance of the very heart of Solihull town centre and the railway station nearby.

I am not sure if Hunters will be successful at tender stage but nevertheless the college has given me authorisation to notify any valued clients that this building will become available and so I would be grateful if you would let me know if you would like to be included as an interested party. An early response from you without, of course, formal commitment would be most useful and I look forward to hearing from you soon.

Yours sincerely



Chris Evans MARLA
Senior Negotiator
Hunters Land and New Homes
T: 01564 778779
M: 07850 917348
E: chrisevans@huntersgroup.co.uk



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TUDOR GRANGE HOUSE

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| Related Text | <input checked="" type="checkbox"/> | Old Map | <input checked="" type="checkbox"/> | Thesaurus | <input checked="" type="checkbox"/> |
| Investigation History | <input checked="" type="checkbox"/> | Aerial Photograph | <input checked="" type="checkbox"/> | Description | <input checked="" type="checkbox"/> |

DESCRIPTION

A large suburban house, built in 1887 (with walled garden and entrance lodge) in a combination of the Elizabethan and Jacobean styles of red bricks, laid in stretcher bond, with ashlar dressings and a plain tiled roof. It has two floors with attics and basements and attached to its west flank is a stable and garage block. The entrance front of the house is oriented to the north and has a near-symmetrical centrepiece which is recessed at first floor level and has a projecting three-bay porch to the ground floor. There are panels of carved stonework, particularly around the porch, featuring strapwork and grotesque masks. Extending to the west is a single storey range of two bays added by Sir Alfred Bird with a square bay window and small, elaborately-carved oriel capped by a battlemented parapet. The garden front is composed with deliberate asymmetry. The house was built for Alfred Lovekin of Adie & Lovekin, jewellers and silversmiths in 1887. His architect was Thomas Henry Mansell of Newhall Street, Birmingham. Lovekin's wife died in 1900 and in 1901 the house was sold to Alfred Bird, son of the founder of Bird's Custard Company. He enlarged the house, adding a library or study and a sizeable conservatory to the east, and had Blossomfield Road moved northwards, away from the entrance front of the house, and built a new entrance lodge at the end of the re-configured drive. He also employed Robert Bridgeman to ornament the house with statuary and furnished it with an extensive art collection which included paintings and panels of 16th century and 17th century Flemish stained glass, which survive in situ. The house is believed to have been used as a hospital during and after the Second World War. In 1946 the house was bought by Warwickshire County Council and became a school for children with special needs until 1976 when it became part of Solihull Technical College.

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DETAIL

URL:	http://www.pastscape.org.uk/hob.aspx?hob_id=1511261		
MONUMENT NUMBER:	1511261	COUNTY:	SOLIHULL
NMR NUMBER:	SP 17 NW 25	DISTRICT:	SOLIHULL
LAST UPDATED:	2010	PARISH:	SOLIHULL
		AREA:	N/A
		STREET:	Blossomfield Road
		MARITIME LOCATION:	N/A
		LOCATION:	SP 14119 78932

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MORE INFORMATION & SOURCES

The opening of the Birmingham-Oxford Railway in 1852 caused the initial expansion of Solihull's urban area and throughout the later 19th century and much of the 20th century, the borough has grown to become an affluent commuter suburb of Birmingham. Tudor Grange was built for Alfred Lovekin of Adie & Lovekin, jewellers and silversmiths in 1887. His architect was Thomas Henry Mansell of Newhall Street, Birmingham and the interior had panelling by Plunketts of Smith Street, Warwick. The company of Adie and Lovekin manufactured a wide range of silver fancy goods at the end of the 19th century. They had a factory in Regent Street, Hockley, and in 1894 they commissioned Mansell & Mansell to design a new factory for them at 23, Frederick Street, Birmingham which became known as 'Trafalgar Works? (Grade II).

Lovekin's wife died in 1900 and in 1901 the house was sold to Alfred Bird, son of the founder of Bird's Custard Company. He enlarged the house, adding a library or study and a sizeable conservatory to the east, and had Blossomfield Road moved northwards, away from the entrance front of the house, and built a new entrance lodge at the end of the re-configured drive. He also employed Robert Bridgeman to ornament the house with statuary and furnished it with an extensive art collection which included paintings and panels of 16th century and 17th century Flemish stained glass, which survive in situ. Alfred Bird became M.P. for Wolverhampton West in 1910. In 1920 he was knighted and in 1922, the year of his death, he was made a baronet. His widow lived on at Tudor Grange until her death in 1943 and the house is believed to have been used as a Red Cross auxiliary hospital during and after the Second World War. In 1946 the house was bought by Warwickshire County Council and became a school for children with special needs until 1976 when it became part of Solihull Technical College.

HOUSE

Tudor Grange is a large suburban house, built in a combination of the Elizabethan and Jacobean styles (sometimes referred to as Jacobethan) of red bricks, laid in stretcher bond, with ashlar dressings and a plain tiled roof. It has two floors with attics and basements and attached to its west flank is a stable and garage block.

EXTERIOR: The entrance front is oriented to the north and has a near-symmetrical centrepiece which is recessed at first floor level and has a projecting three-bay porch to the ground floor. The windows to the ground and first floors are mullioned and transomed, and there are projecting bay windows to the ground floor at either side. There are panels of carved stonework, particularly around the porch, featuring strapwork and grotesque masks. Extending to the west is a single storey range of two bays added by Sir Alfred Bird with a square bay window and small, elaborately-carved oriel capped by a battlemented parapet. The garden front is composed with deliberate asymmetry, having five bays with shaped gables to the left of centre and far right and a canted and square bay, each of two storeys, as well as a single-storey bay to the far right. To the far east end of the front is a wall, formerly inside the conservatory, which has a series of concrete plant holders which are modelled to appear like a rock formation with an alcove to the north-east corner. Also integral to the design of the south front is a terrace bounded by a low stone balustrade which has panels carved with diamonds and ovals topped by a moulded handrail. On the terrace is a stone bench with moulded supports, bearing lion's masks and scrolls with acanthus leaves to the bench back.

The skyline on both principal fronts has a very full array of clustered octagonal chimneys with moulded caps and there are shaped gables. The balustrade at the top of the wall has moulded balusters and the balustrade piers are surmounted by statues personifying a variety of figures including Hercules, Brutus and William the Conqueror, some of which were carved by White's, according to George Noszlopy (George T. Noszlopy, *Sculpture of Warwickshire, Coventry and Solihull*, Liverpool University Press, 2003, 301.), and others of which were added by Sir Alfred Bird who employed Robert Bridgeman who had worked at Lichfield Cathedral. Although the scheme of carvings appears somewhat arbitrary at first glance, Noszlopy has identified the overall scheme as based on late 16th century and early-17th century English engravings of heroes from Greek mythology, Roman Emperors and characters from English legend.

INTERIOR: The ground floor plan approximates to a double-pile plan with a large central staircase and entrance hall at either side of which are corridors leading to the former conservatory and a service court. The ground floor has a series of lavishly decorated rooms, including the Dining Room, Morning Room, Drawing Room and Music Room. The Jacobean and Elizabethan styles are freely mixed and there are also elements of Georgian joinery, particularly in the Music Room. Each room has an elaborate fireplace with a carved oak surround and overmantel and panelling to dado height. Many of the fireplaces have tiling by the De Morgan or Ruskin potteries. The plaster ceilings are decorated with strapwork, fruit and flowers in high relief. Many of the windows contain panels of stained glass of good quality showing coats of arms or mottoes. Several also have panels of Flemish or German 16th century or 17th century glass. The Study and Music Room are particularly sumptuous, with richly carved woodwork. Sir Alfred Bird was a collector of Old Master paintings and several of the panels in the Music Room and Hallway have buttons to their lower rims which allow the panels to be removed and it is possible that pictures were incorporated into the panelling with a mechanism to release them in the event of a fire, as is the case with the heavy frames at the Wallace Collection and other 19th century collections.

The panelling is recorded as being fitted by Plunkett's of Warwick, and it seems likely that they were responsible for fitting out the rooms in their entirety. The staircase hall contains further panelling and the window has nine panels of Flemish or German glass. To the first floor one bedroom has a fireplace with richly figured wood and ivory inlay. There is a first floor corridor with housekeeper's panelled cupboards to either side and Lyncrasta wallpaper and the former bedrooms contain a series of fireplaces with wood or cast metal surrounds.

STABLE BLOCK

Attached to the west side is the stable and garage block which has a T-shaped plan. The crossstroke is oriented north-south and has a partially-glazed roof. It appears that garages or carriage houses led off at either side of this part of the block (and Sir Alfred Bird is known to have been an early user of motor cars). The stables were arranged at either side of the central passageway of the downstroke, which runs east-west, but these have now been re-arranged to form teaching rooms. This part of the building is also richly decorated, with statuary and a louvered octagonal bellcote to the skyline and ball and sceptre finials. Several of the original windows have been replaced with uPVC windows and the openings appear to have been enlarged.

WALLED GARDEN

To the south west of the house, below the terrace, is an enclosed rectangular garden with walling to the north, south and west sides. It is of English bond brick with moulded brick and ashlar dressings. To the north and south sides are pairs of stone gate piers with panelled sides and vase finials supporting wrought iron gates, each with an overthrow.

FORMER LODGE

at the end of the shorter drive was later adapted to form servants' housing.

EXTERIOR: The original gate lodge of 1877 by Mansell lies at the end of the former shorter drive to the north-east of the house. It was later adapted to form servants' housing. It has two shaped gables to the north face, that at left having a canted bay with ogee lead roof. At right of this is a porch supported on moulded wooden posts with hipped roof and to the gable above is a square stone with cartouche bearing the cypher AL for Alfred Lovekin. To left of this and recessed is an extensive late-19th or early-20th century extension which has a truncated chimney stack. The west flank has three bays with cross windows and the south gable end has a further truncated stack. The east front has a gable at right with a further porch in the re-entrant angle.

INTERIOR: The relatively plain interior has been altered to accommodate office use. Several panelled doors survive, but no fireplaces.

GATE LODGE

The gate lodge was added in the late-19th century or early-20th century following the moving of Blossomfield

Road. It is of red brick with ashlar dressings and has a tiled roof and two storeys. The drive front has a canted bay to left with mullioned window with octagonal roof. To right of this is a recessed porch with segmental arch. The west gable end has a chimney stack at right and a first floor window of three mullioned lights. Immediately to right of the stack is an inserted 20th century ground floor window and there is a large similar window to the flank wall of the rear wing.

HOUSE

Tudor Grange is a large house with stable block, set in a suburb of Birmingham and designed for Alfred Lovekin, the owner of one of the larger silversmithing companies. It was built from the designs and under the superintendence of Mr. T H Mansell without regard to expense? according to the house sale catalogue of 1900. Additions were made by Sir Alfred Frederick Bird (son of the inventor of custard powder) after he bought the house in 1900. Tudor Grange is unashamedly the house of two newly-enriched tycoons and it goes beyond the norm of a suburban villa in both size and pretention. A Jacobean mansion set in a landscape of pleasure gardens might appear to ape the conventions of the upper class and their country houses but Tudor Grange differs from them in several crucial ways, not the least of which is its name. It seems never to have sat at the centre of a landed estate of any size. Instead it took those parts of country house life which appealed to the families which lived there and placed them close to the city and the business which paid for it all. Jacobean was amongst the most popular styles in the later 19th century for country house of the middling to larger size. It was generally used by owners who did not wish to advertise their Christian faith too forcefully by building in Gothic, and was felt to express English domestic values. The style would have had a local resonance and borrowed kudos from the 17th century Aston Hall to the west of Birmingham, and it was given further prestige when used by the Prince of Wales for his house at Sandringham, finished in 1870. Tudor Grange is unusual in having so much carved decoration both to the exterior and interior. Elaborate carving, even amongst the houses of the very rich, was considered an overt and conspicuous extravagance and was comparatively rare. The inclusion of a narrative scheme of figurative sculptures above the balustrade and their survival in comparatively good condition is also a rarity. Moreover, the sculptures have definite quality; Robert Bridgeman is known to have worked at Lichfield Cathedral and his figures at Tudor Grange are well-suited to the scale and the dramatic possibilities of their position. Further examples of craftsmanship of good quality can be seen in the rich panelling and moulded ceilings and fireplaces of the ground floor rooms fitted by Plunkett's of Warwick which show inspired design combined with skilful execution. The mixture of Jacobean, Tudor and Georgian elements may sound peculiar, but the design is carefully modulated so that one room has a noteworthy ceiling and another good panelling and the skilful execution creates a result which is inspired and atmospheric. The overall massing of the design is well managed and the house has an effective plan which clusters a series of reception rooms around the staircase hall and allows intercommunication between the different parts and views across the terrace and gardens. The plan has been little altered and is largely intact, and the great majority of the original fittings remain in situ, including Lyncrusta wallpaper, door furniture, tiled fire surrounds of quality and stained glass panels in the windows. This latter includes an interesting collection of German and Flemish stained glass of the 16th and 17th century in the staircase hall window and to several of the reception rooms. The loss of the large conservatory added by Bird might be regarded as unfortunate, but it was a later addition to the original fabric. Similarly, the addition of fire escapes mars the appearance on the flanks of the building, but these form parts of its present life as an educational building and could be removed with relative ease. The setting of the house within its immediate landscape, includes a terrace before the south front with a stone balustrade, the north wall of the conservatory, which has a series of cement plant holders, and a walled garden to the south of the house. The majority of the points raised by the owner's agents are addressed elsewhere in this assessment. However, two require further clarification. Firstly, the fact that the building does not appear on the local list of buildings of note: Solihull MBC were asked about this apparent anomaly and their response was that it has been their intention to add the building for almost seven years, but as any new addition to the list requires the submission of a report for the consideration by the full planning committee and as the building has been in safe hands and was well maintained they had not applied for its addition, although this remained their firm intention throughout. Secondly, the contention that Sir Alfred Bird and his connection with the house were too widely separated from the invention of custard powder by his father is accurate and there seem to be limited grounds for saying that the house was the location of any historic activity. However, it should be noted that Sir Alfred Bird was the MP for a Wolverhampton constituency and a generous benefactor to local institutions and was made a Baronet for his services.

The contention in the report prepared by Savile's Commercial that the upper floors of the building are in poor order does not seem to be the case. Although regular maintenance will continue to be a requirement in a building of this type and age a thorough internal inspection revealed no areas where water penetration had caused serious damage and the building appears to be in reasonably good condition.

The recent case of Sunnycroft, Near Wellington, Shropshire (Grade II) has some similarities to Tudor Grange. There too a sizeable suburban house with lodge and former stable block was considered for designation. The exterior of the house was relatively complete but architecturally unremarkable. The decision to designate depended in large measure upon the completeness of the internal fittings and their quality and the skill with which the overall internal scheme of decoration had been executed. Many of the same qualities of a skilfully executed and intact interior can be seen at Tudor Grange, but here the majority of the fittings were specifically commissioned for the house. Another, comparable example is Wightwick Manor, near Wolverhampton by Edward Ould, built in 1887 (Grade I). It is also a large suburban house set in a relatively small plot of land, for a paint manufacturer Theodore Mander and built in the Tudor style with brick and timber-framed walling. Its high grade is a reflection of the stylistically advanced nature of the design and the many fittings of considerable artistic quality. The qualities shown by Tudor Grange might reasonably be felt to fall between these two examples. All three houses share the virtue of very complete internal decorative schemes in which the original pattern of everyday life can be seen. At Sunnycroft many of the decorative and functional interior fittings were mass produced and selected from manufacturers' catalogues and the skill with which they were combined is one of the principal reasons for designation. At Wightwick the quality of the fittings, including glass by Kempe, tiles by De Morgan and Morris wallpapers and hangings were all considerations when deciding on the designation at Grade I.

Tudor Grange has a picturesque exterior, enlivened by stone carvings of definite quality and a series of skilfully designed interior spaces which build carefully towards the crescendo of the Music Room. It incorporates joinery,

plasterwork, tiles and stained glass of considerable quality and has a plan which has been little altered and still reflects its former use as the house of a prosperous businessman and manufacturer in late-19th century Birmingham. This combination of qualities gives it more than special interest and it should be designated at Grade II*.

STABLE BLOCK

The stable block has suffered some alteration, most notably in the adaptation of the stables and loose boxes to make teaching rooms and the alteration of a carriage house and grooms' accommodation to form a flower shop and office space. Nonetheless the outlines of the building are apparent. It is attached to the house and forms a picturesque adjunct, especially on the garden side. The elaborate front, with carved stonework, dial and weather vane are all very effective and the interior with its glazed throughway and suspended clock also has considerable special quality. It is clearly suitable for listing and is included with the designation entry for Tudor Grange.

A late-19th century suburban mansion, built for Alfred Lovekin to the designs of Thomas Henry Mansell and subsequently bought and altered by Sir Alfred Bird. The house retains its original plan and contains a series of reception rooms with lavishly designed interiors including panelling, plasterwork, antique glass panels and tile work which combine to give it more than special quality. It is recommended for designation at Grade II*. (1)

Listed. For the designation record of this site please see The National Heritage List for England. (2-3)

SOURCE TEXT

(1) English Heritage Listing File

Adviser's report on case 165778, in file 504978/001.

(2) List of Buildings of Special Architectural or Historic Interest

24-OCT-2008 District of Solihull

(3) World Wide Web page

Historic England. 2015. 'Historic England: The National Heritage List for England?', <http://list.historicengland.org.uk/resultsingle.aspx?uid=1392959> [Accessed 15-SEP-2015]

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MONUMENT TYPES

+ / -

POST MEDIEVAL [DETACHED HOUSE](#) 1887
POST MEDIEVAL [GATE LODGE](#) 1887
POST MEDIEVAL [WALLED GARDEN](#) 1887
EARLY 20TH CENTURY [DETACHED HOUSE](#) 1901
EARLY 20TH CENTURY [GATE LODGE](#) 1901
MID 20TH CENTURY [SPECIAL SCHOOL](#) 1946
SECOND WORLD WAR [HOSPITAL](#) 1939 to 1945
SECOND WORLD WAR [HOSTEL](#) 1939 to 1945
LATE 20TH CENTURY [TECHNICAL COLLEGE](#) 1976

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COMMENTS

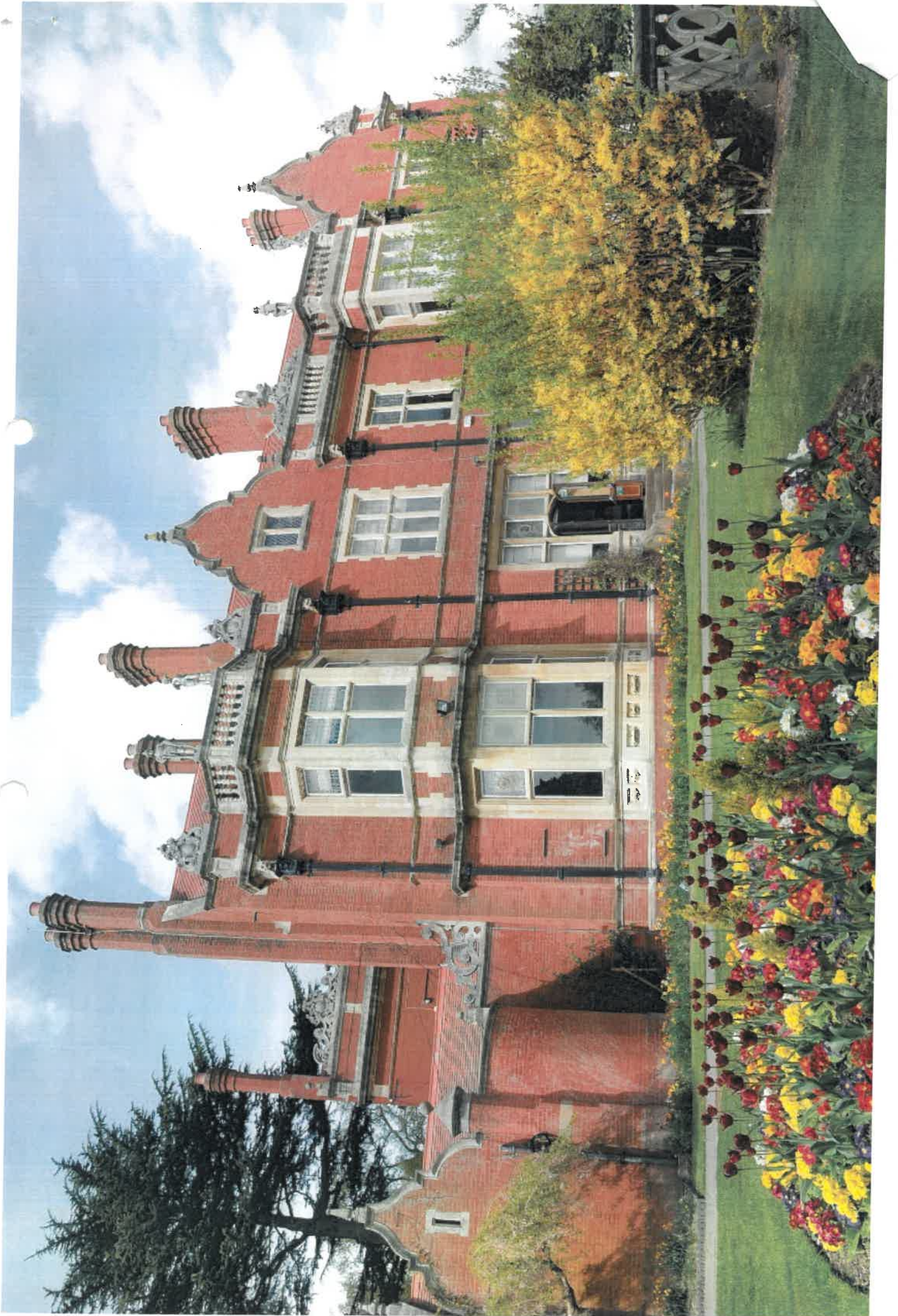
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Appendix 8 - Chesetts House and Chesetts Paddocks





John Shepherd
COLLECTION



Chessetts House

Chessetts Paddocks

Chessetts House and Chessetts Paddocks
Chessetts Wood Road, Lapworth B94 6ES

Guide Price £2,450,000

Freehold

Chessetts House -Edwardian Residence

Chessetts Paddocks – Modern Detached

6 Acres

Available Separately (if required)



Lapworth is a most delightful unspoilt village in which to reside, enjoying a rural environment, yet being only a few minutes drive from the larger villages of Knowle and Dorridge, whilst Solihull town centre is some five miles distant. Lapworth village contains local shops, excellent local inns, rail commuter service from Lapworth Station, village hall, St Mary the Virgin Parish Church, plus a junior and infant school in Station Lane. Surrounding Lapworth is lovely greenbelt countryside with many rural, canalside walks and bridle paths. There are two National Trust properties close to Lapworth, the historic houses of Baddesley Clinton and Packwood House. Stratford-upon Avon is some 14 miles away and Warwick approximately 9 miles. Furthermore, the National Exhibition Centre, Birmingham Airport and Railway Station the M42 and M40 motorway links are all within very easy reach.

Chessetts House & Chessetts Paddocks is situated on what is arguably one of the best roads in Lapworth in which to reside and this property is no exception offering over 9,000 sq.ft. accommodation.

Chessetts House is no exception comprising an Edwardian residence offering versatile 5 bedroom, 4 bathroom accommodation, the subject of an extensive refurbishment programme, it affords a beautifully appointed home extending to over 5,400 sq.ft. with the benefit of an excellent home office. The well-proportioned accommodation has many of the original features such as deep skirting boards, attractive fireplaces and moulded cornices make this a stylish and comfortable home. The generous reception hall is light and airy and leads to the principle reception rooms which comprise a Morning Room, a formal Dining Room, Drawing Room and a fabulously spacious, recently refurbished Dining Kitchen which has underfloor heating, contemporary units, integrated appliances and two pantries. There is also access through to a laundry room, and garaging.

To the first floor a delightful wide landing has an Art Nouveau style fireplace and bookshelves, making it a potential reading or study area. The master bedroom,

with a contemporary en suite bathroom, has a spacious dressing room with fitted wardrobes. There are two further double bedrooms, one of which is en suite, and a Jack and Jill style family bathroom. Stairs then lead to the upper floor which has a further two double bedrooms and en suite shower room. Also of particular interest on the first floor is an excellent home office, which could be adapted if required to provide further living accommodation, a nursery/play room or sixth bedroom. Central French doors open to a timber decked balcony with views over the front garden and countryside beyond. The room can be approached via a separate ground floor entrance or accessed from bedroom two. A private staircase leads down to potential en suite facilities.

Chessetts Paddocks located to the rear of the main house offers modern and spacious accommodation set over three floors extending to 3,400 sq.ft. On the ground floor is an open plan kitchen/dining and family area which leads to a formal dining hall then on to a superb drawing room with a vaulted ceiling, exposed roof trusses and folding doors which open out to the rear garden. There is also an excellent sized bedroom with a jack and jill style en suite.

A curved staircase in oak and steel leads to the first floor which has been given over exclusively to the master bedroom suite and bathroom. This room has French doors and Juliette balconies designed to take advantage of the garden views.

From the kitchen area, a glass framed staircase leads down to the basement which is home to a study, two further bedrooms both en suite and one also having a dressing room, plus access to the sunken patio garden.

Chessetts House and Chessetts Paddocks is set all within grounds of approximately 6 acres.





CHESSETTS HOUSE 5,421 sq.ft. (503 sq.m)

Ground Floor

- * Reception Hall with Cloakroom & Lobby Off
- * Sitting Room 5.12m (16'10") x 5.44m (17'10")
- * Drawing Room 5.47m (18'0") x 6.38m (20'11")
- * Dining Room 4.64m (15'3") x 5.94m (19'6")
- * Kitchen/Breakfast Room 9.35m (30'8") x 5.11m (16'9")
 - * Plant Room
- * Utility Room 3.87m (12'8") x 2.80m (9'2")
 - * Workshop
- * Garage 5.92m (19'5") x 5.54m (18'2")
 - * Side Hallway with Cloakroom

First Floor

- * Sitting Room 3.44m (11'3") x 4.68m (15'4")
- * Master Bedroom 4.55m (14'11") max. x 6.38m (20'11") with Dressing Room 5.12m (16'10") x 5.44m (17'10") and En Suite
 - * Bedroom Two 4.46m (14'8") x 5.23m (17'2") with En Suite
- * Bedroom Three 3.67m (12'0") max. x 4.45m (14'7") with En Suite
 - * Home Office 5.19m (17'0") x 12.40m (40'8")

Second Floor

- * Bedroom Four 4.28m (14'1") x 4.72m (15'6") max. with En Suite
- * Bedroom Five 4.46m (14'8") x 3.25m (10'8")



Ground Floor

Approx. 232.5 sq. metres (2502.6 sq. feet)



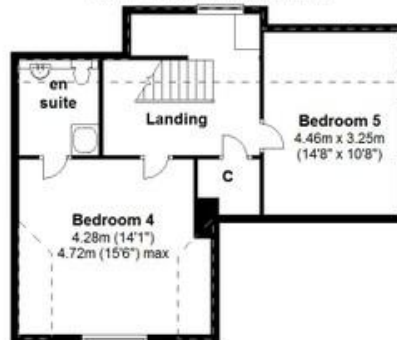
First Floor

Approx. 216.7 sq. metres (2333.0 sq. feet)



Second Floor

Approx. 54.4 sq. metres (585.9 sq. feet)



Total area: approx. 503.7 sq. metres (5421.5 sq. feet)

CHESETTS PADDOCKS 3,620.7 sq.ft. (336.3 sq.m.)

Ground Floor

- * Dining Hall 4.73m (15'6") max. x 6.97m (22'10")
- * Kitchen/Breakfast/Sitting Area 5.18m (17'0") x 11.48m (37'8")
- * Utility Room 2.35m (7'9") x 4.37m (14'4")
- * W.C.
- * Garage 2.53m (8'4") x 5.41m (17'9")
- * Drawing Room 7.58m (24'10") x 4.0m (13'1") max.
- * Bedroom 7.34m (24'1") x 2.66m (8'9") with En Suite

Lower Ground Floor

- * Study 2.83m (9'3") x 3.97m (13'0")
- * Bedroom Three 4.40m (14'5") x 5.77m (18'11") having En Suite and Door to Sunken Patio 4.92m (16'2") x 3.70m (12'2")
- * Bedroom Four 3.42m (11'3") x 3.89m (12'9") with En Suite and Dressing Room

First Floor

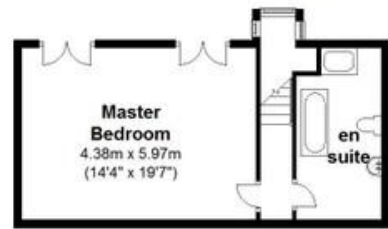
- * Master Bedroom 4.38m (14'4") x 5.97m (19'7") with En Suite Bathroom

ADJOINING PADDOCK

There is a paddock to the right hand side of the property and the total area of gardens and grounds is approximately 6 acres

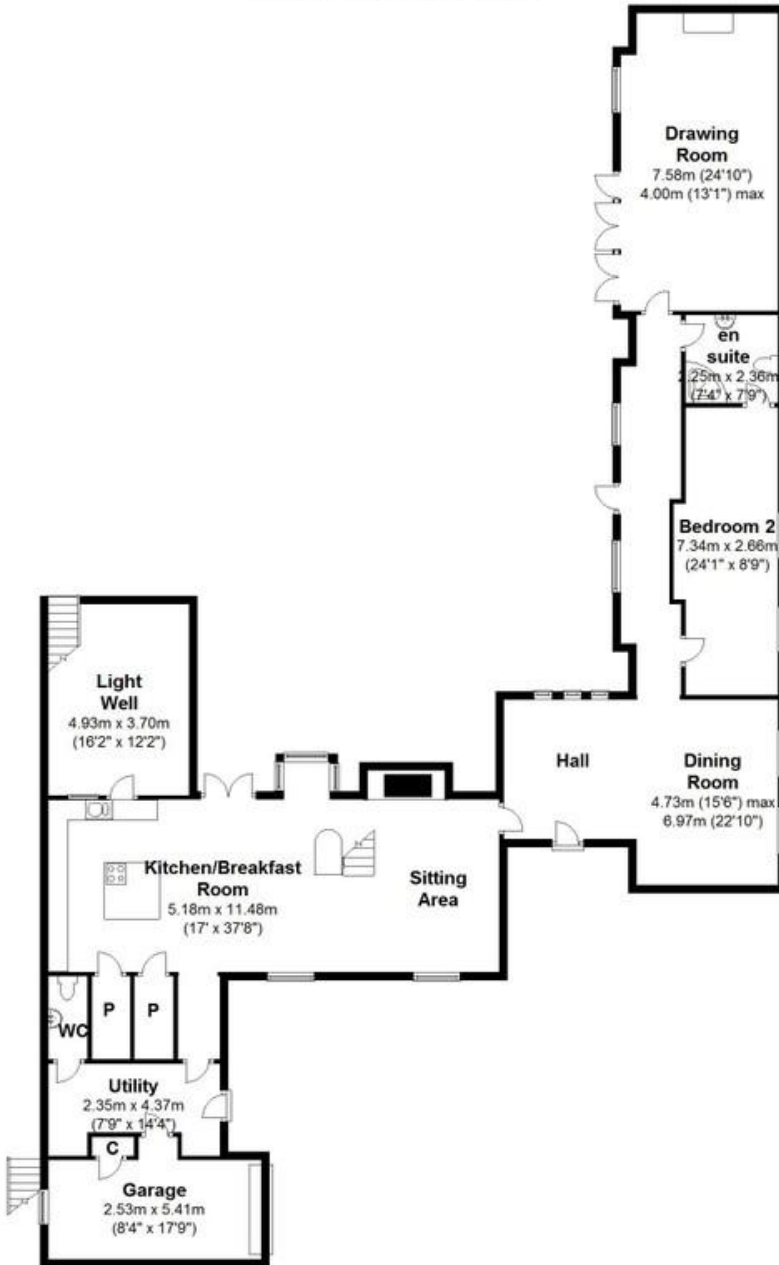
First Floor

Approx. 40.8 sq. metres (439.0 sq. feet)



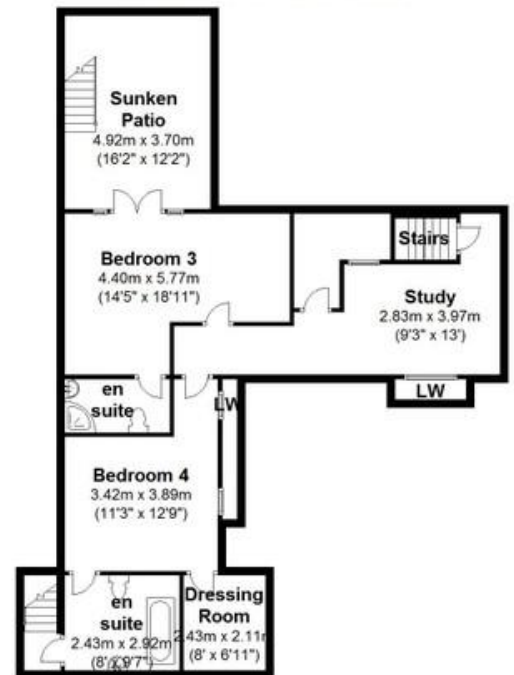
Ground Floor

Approx. 203.6 sq. metres (2191.5 sq. feet)



Basement

Approx. 101.8 sq. metres (1095.3 sq. feet)



Total area: approx. 346.1 sq. metres (3725.7 sq. feet)



Chessetts Paddocks



Chessetts Paddocks



Chessetts Paddocks



Chessetts Paddocks



Chessetts Paddocks



Chessetts Paddocks



Chessetts Paddocks



Chessetts Paddocks

Subjective comments in these details imply the opinion of the selling Agent at the time these details were prepared. Naturally, the opinions of purchasers may differ.

Money Laundering: We have in place procedures and controls which are designed to forestall and prevent Money Laundering. If we suspect that a supplier, customer/client, or employee is committing a Money Laundering offence as defined by the Proceeds of Crime Act 2002, we will in accordance with our legal responsibilities disclose the suspicion to the Serious Organised Crime Agency.

Agents Note: We have not tested any of the electrical, central heating or sanitaryware appliances. Purchasers should make their own investigations as to the workings of the relevant items. All room measurements and mileages quoted in these sales particulars are approximate.

Fixtures and Fittings: All those items mentioned in these particulars by way of fixtures and fittings are deemed to be included in the sale price. Others, if any, are excluded. However, we would always advise that this is confirmed by the purchaser at the point of offer.

Tenure: The property is Freehold with vacant possession upon completion of the purchase.

Services: Mains electricity and water are connected to the property. Drainage is to a shared system. Central heating is provided by way of an oil fired system.

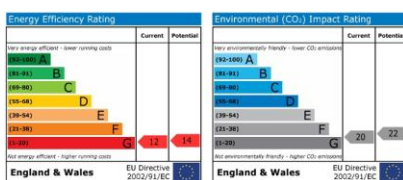
Local Authority: Warwick District Council.

Postal Address: The correct postal address of the property is understood to be Chessetts House, Chessetts Wood Road, Lapworth, Solihull B94 6ES

Land: It is suggested that prior to exchange of contracts, prospective purchasers walk the land and boundaries in order to satisfy themselves as to the exact area of land they are purchasing and also to check all fixtures and fittings either included or excluded in the sale.

Directions: From the agents office in Hockley Heath proceed south along the A3400 Stratford Road and turn immediately left into the Old Warwick Road, signposted Lapworth and Warwick. Proceed down the Old Warwick Road and take the third turning on the left into Packwood Lane which then continues into Rising Lane. Continue to the crossroads with The Punch Bowl Inn and turn right into Chessetts Wood Road where the property will be found on the left hand side.

John Shepherd, for themselves and for the vendors of the property whose agents they are, give notice that these particulars do not constitute any part of a contract or offer, and are produced in good faith and set out as a general guide only. The vendor does not make or give, and neither John Shepherd and any person in his employment, has an authority to make or give any representation or warranty whatsoever in relation to this property.

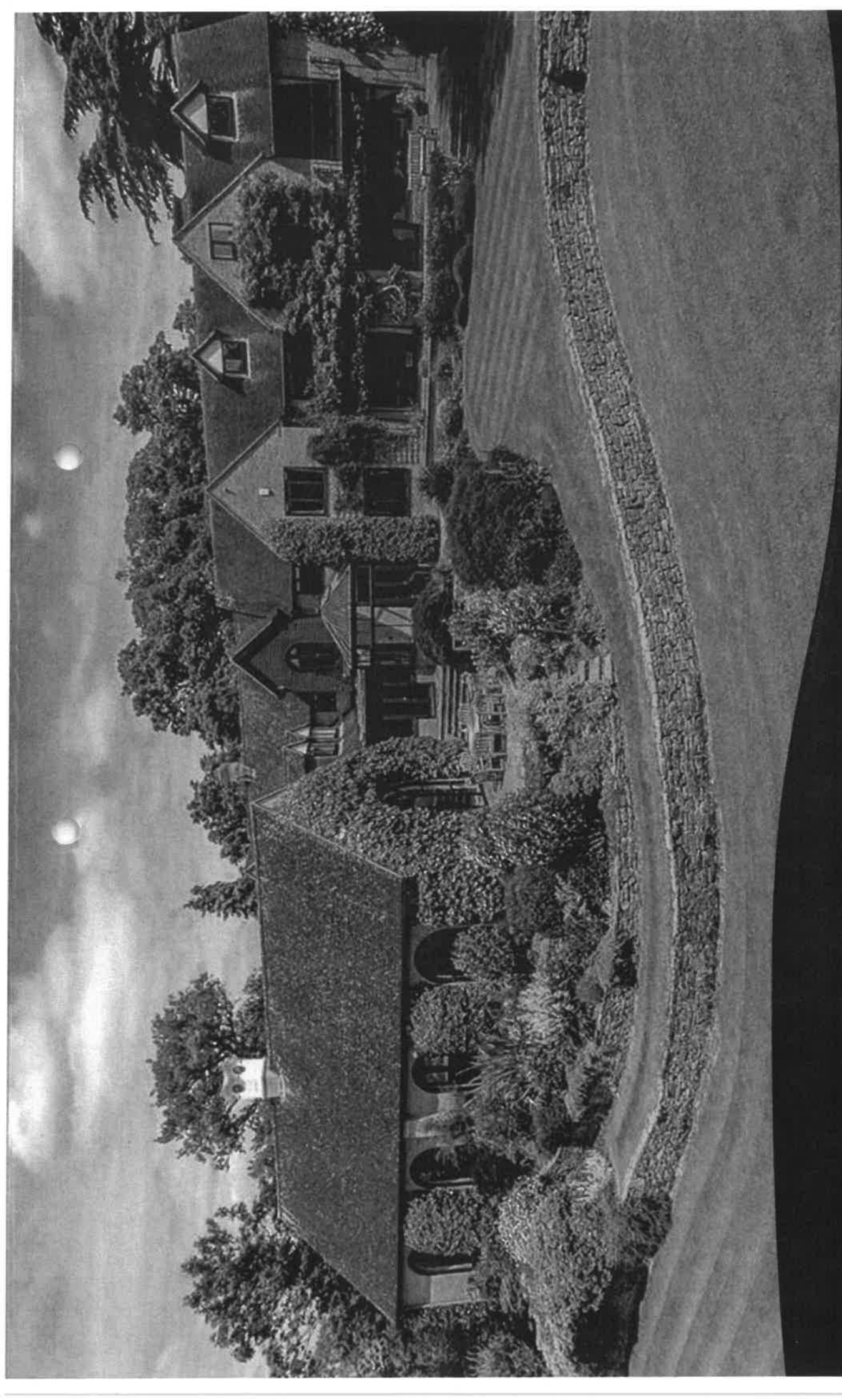


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Solihull
West Midlands
B94 6QT

Tel: 01564 783866
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Appendix 9 – Merrysfield





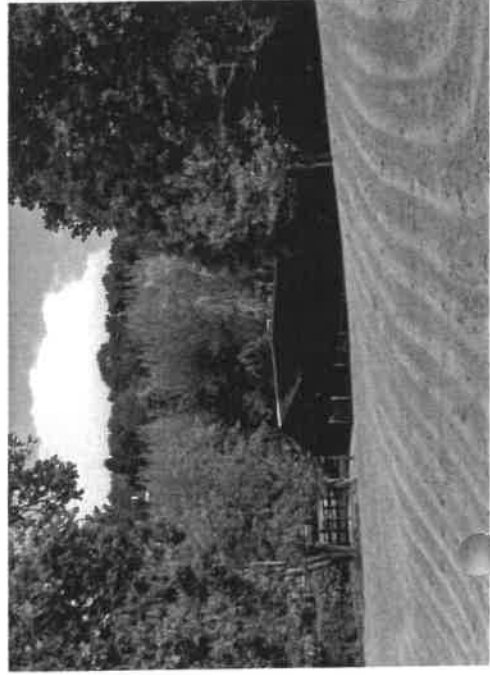
JOHN EARLE

Merryfields Vicarage Hill
Tanworth-in-Arden, Warwickshire B94 5EB

A substantial family dwelling house of some 6100 sq. ft.

The accommodation comprises; five reception rooms, six bedrooms, a self-contained 1-bedroom flat and a magnificent indoor swimming pool.

Set within 4.6 acres of parkland around and below the house, including paddock with stables and hay storage.



Canopy Porch

With part panelled wall, storm light, heavy oak plank and braced front door.

Principal Reception Hall

137' x 102' (4.15m x 3.12m)

Recessed ceiling downlights, door to understairs storage cupboard with shelving and coat hooks.

Cloakroom

9'10" x 5'8" (3.00m x 1.73m)

With wood panelling to half height, fitted with white suite comprising low level W.C., pedestal wash hand basin with mixer tap, white ladder towel rail, extractor fan, three doors to deaks cupboard with hanging rails, storage shelving and further cupboards over.

Drawing Room

9'11" x 15'5" (2.78m x 4.72m)

Recessed fireplace with marble hearth, Adam style mantel and surround with marble face to open hearth, currently fitted with gas coal effect grate, two low level storage cupboards to either side of recess, matching arch top shelf displays with back lighting and cupboard under, double doors to deep drinks cabinet with plate glass shelves and storage cupboard under. The hardwood double glazed windows give a fine aspect to the east and south over the terrace, lawns, ha-ha and to the parkland and fields below. Pair of casement doors onto the terrace, central light with dimmer switch control, three low voltage spotlights under the fireplace beam.

Play Room/Study

13'10" x 10'4" (4.24m x 3.17m)

With stripped oak Parquet floor, six recessed low voltage downlights, pair of wide double glazed casement doors onto the terrace affording a fine view across the gardens and parkland setting below, fitted twin work station/desk area with storage cupboards and drawers under and corner storage cupboard, currently housing the T.V., with shelving above and further storage cupboards and shelving to either side.

Dining Room

15'8" x 11'11" (4.78m x 3.65m)

With stripped beechwood flooring, centre pendant light, window to gable end and wide double casement doors onto the sun terrace, all affording lovely views over the lower terraces, gardens and parkland beyond.

Breakfast Kitchen

27'5" x 17'4" (8.38m x 5.30m)

In three parts, with patterned Delebole slate floor throughout. This is a Mark Wilkinson kitchen, that includes an extensive run of Baltic brown granite work surfaces, storage cupboards and drawers below with part of the central island unit fitted with a lower timber breakfast bar, large porcelain sink with main bowl, central drainer with waste disposal and draining surface to side, swing mixer tap over. A fitted Paul Bocuse gas range with twin oven, square hot plate to the side of the four gas rings, fitted Panasonic microwave. Housing for the American style Amana refrigerator with freezer and cold drinks/dispenser, fume extractor with downlighter over cooker, cupboards to either side, extensive plate rack beyond, ladder towel rail, ladder radiator to the side of which are storage cupboards, also housing the television with wire racks over. To the end of the kitchen, with access door from the rear hall, is a bench seating area, with small work desk and large built-in dresser unit with cupboards and drawers for china and glass storage, there are two bevel edged glazed doors to plate glass china and glass shelving and wide central shelving unit. A large number of low voltage downlights to the ceiling.

Amdega Conservatory (2003)

13'4" x 13'11" (4.00m x 4.00m)

With matching floor to the kitchen, of wood construction with pitched double-glazed roof and windows with casement doors onto the sun terrace, steps down to the lawn and parkland beyond. Wicker blinds to the roof and a pair of glazed casement doors into the billiard room.

Family Day Room

18'0" x 16'0" (5.50m x 4.90m)

With matching floor to the kitchen, Stone mantel with wide opening for the open grate, matching hearth, telephone and T.V. aerial cable, two wall light points, wide glazed casement doors opening to the billiard room.

Billiard Room

24'3" x 19'2" (7.40m x 5.54m)

With matching floor to the kitchen, recessed ceiling downlights, four wall light points, double glazed

timber casement doors onto the higher terrace, with steps down to the lower terrace, all affording fine views of the gardens and parkland beyond. Balustrading with matching gate giving access to the five steps leading down to the swimming pool entrance.

Changing Room/Cloaks Facility

11'6" x 6'8" (3.53m x 2.05m)

With matching floor to the billiard room. In the changing room section full height ceramic tiling to all walls, bowl ceiling light, ladder style radiator, doors to shelved storage and doorway into cloak/shower room fitted with large shower cubicle, slide-back shower door and rose with mixer tap, pedestal wash hand basin, low level W.C., bowl ceiling light and extractor fan. Full height wall tiling.

Swimming Pool

26'2" x 54'9" (8.00m x 15.70m)

With non-slip tiled floor all around the pool, with upstand to all walls, matching arch topped double glazed hardwood windows, including two with opening casement onto the inner courtyard and pathway leading to the sun terraces. Light oak clad ceiling, 13 protected wall lights at eye level, dehumidifier/heating unit with vents by each of the windows, including the large and wide arch topped gable window to the northerly end. The pool measures 12m x 5.2m.

Boiler/Pump Room

Housing gas-fired boiler solely to heat the pool via modern heat exchanger, circular pumps and filters. There is a Calorex 4 Delta dehumidifier.

FIRST FLOOR

From the principal hall, a wide stairway with easy-going treads, oak hand rail and turned spindles leads up the brass rodded, carpeted stairway, with large hair landing to the

Galleried Landing

16'4" x 10'2" (5.00m x 3.10m)

With recessed ceiling downlights, access landing to the right leading all the way down to the principal bedroom suite with recessed ceiling downlights and six windows, giving aspect to the front and oak stairway, leading to the second floor, panel door to airing cupboard with large insulated copper hot water cylinder, wall mounted programmers for the boilers. At the end of the access landing a door opens into the Principal Bedroom Suites Z-Shaped Landing.

Principal Bedroom

15'8" x 19'2" (4.77 x 5.84)

With pairs of dormer windows either side, ten recessed ceiling downlights, doorway to

'His' Dressing Room/Wardrobe

16'2" x 6'8" (4.94m x 2.08m)

With two Velux roof lights, hatch to roof space, seven bulls-eye style ceiling downlights, extensively fitted with chest of drawers, cupboards to either side, central mirror with shelf storage cupboard to each side. To one wall open access to clothes hanging rails with some storage shelving.

'Her' Dressing Room

11'9" x 4'3" (3.6m x 1.3m)

With built-in corner dressing table unit, with drawers and cupboards to either side, mirror over surrounded by further cupboards and drawers, window giving aspect over the gardens and parkland to the south, door to full height shoe rack storage and twin doors into.

Walk-in Wardrobe

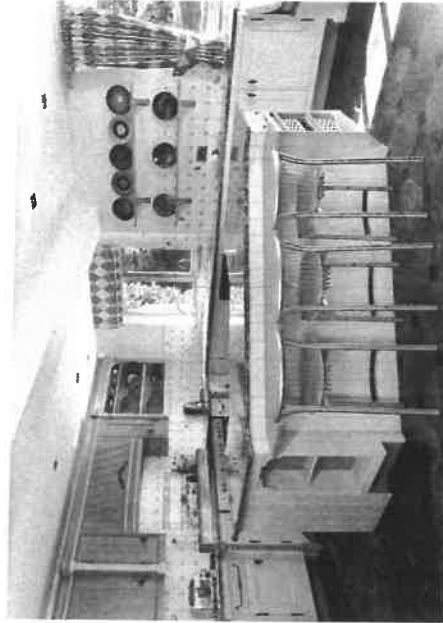
11'9" x 6'6" (3.6m x 2.0m)

Extensive range of open access hanging rails, shelved storage and some recessed bulls eye style downlights.

En Suite Bathroom

11'2" x 9'5" (3.42m x 2.88m)

Window giving aspect to the front, beautifully fitted with large corner Jacuzzi bath including separate hand held shower and mixer tap. Marble surround to the twin wash basins with plug plungers and mixer taps, storage cupboards and drawers under and to either side, large bevel edged wall mirror, storage cupboards to the side, smoked glass access door to the deep (1.7m) shower, with twin wall fixed shower roses, slide shower jet, thermostat control to main mixer, two recessed ceiling downlights and extractor fan.



Guest Suite (Bedroom 2)

14'6" x 15'6" (4.43m x 4.74m)

With window giving aspect to the east and pair of full height glazed casement doors with matching screens to side opening onto lead floor balcony with wrought iron railing, all affording lovely views over the parkland and open countryside beyond. Four wall lights.

En Suite Shower Room

12'0" x 6'0" (3.67m x 1.83m)

Fitted with white suite, comprising pedestal wash hand basin, low level W.C., corner fitted shower with glass access door to shower cubicle with 3 sideways jets, main shower roses and thermostat mixer control. Towel rail incorporating radiator under the window, roller blind, bevel edged mirror over wash basin and plate glass shelf to side.

Dressing Room

11'5" x 8'11" (3.50m x 2.73m)

Including the full range of wardrobes and dressing table units to both walls, all fitted with hanging rails, storage shelving for linen and clothes, and four chest of drawers units. Window affording views over the gardens and parkland, high level storage cupboards to either side of the wardrobes, three recessed ceiling downlights.

Bedroom 3

11'7" x 11'5" (3.54m x 3.50m)

With panel door to wardrobe with hanging rail and shelving above, double doors to further wardrobe with hanging rail and shelving, window overlooking the gardens to the rear, two ceiling lights.

Bedroom 4

14'5" x 11'11" (4.41m x 3.64m)

With windows giving aspects to the east and south over the gardens and parkland, two ceiling light points, panelled door to wardrobe with hanging rail and shelving above.

Family Bathroom

9'10" x 11'10" (3.00m x 3.63m)

With beech effect laminate floor, fitted with white suite comprising large corner panelled bath with mixer tap incorporating telephone shower attachment, low level W.C., bidet, wash hand basin, light oak vanity unit with cupboard under, glazed door to the corner fitted shower cubicle, with rose, adjustable height slide and thermostat control to mixer tap, towel rail, four recessed ceiling downlights, extractor fan, double doors to the large linen/clothing cupboard with slatted shelves, housing insulated copper hot water cylinder with immersion heater.

Bedroom 5

14'9" x 8'0" (4.50m x 2.46m)

With arch topped double glazed timber casement doors onto the small balcony, with wrought iron railings, all giving a fine view over gardens and parkland to the south, fully built-in unit in antique pine finish including a desk with drawers and storage cupboards to the sides and recessed plate glass top, three doors to wardrobes with hanging rails and shelving and drawers under, shelved storage to the side, access doors to sock, etc. drawers. Built-in bunks with safety rail to upper bunk, access ladder and storage drawers under lower bunk, three drawer chest of drawers unit to the side.

SECOND FLOOR

Landing

9'11" x 4'11" (2.77m x 1.5m)

With window giving aspect to the front with three recessed ceiling downlights, door to well-floored roof storage, which includes a wall mounted gas-fired central heating/hot water boiler.

Study Area

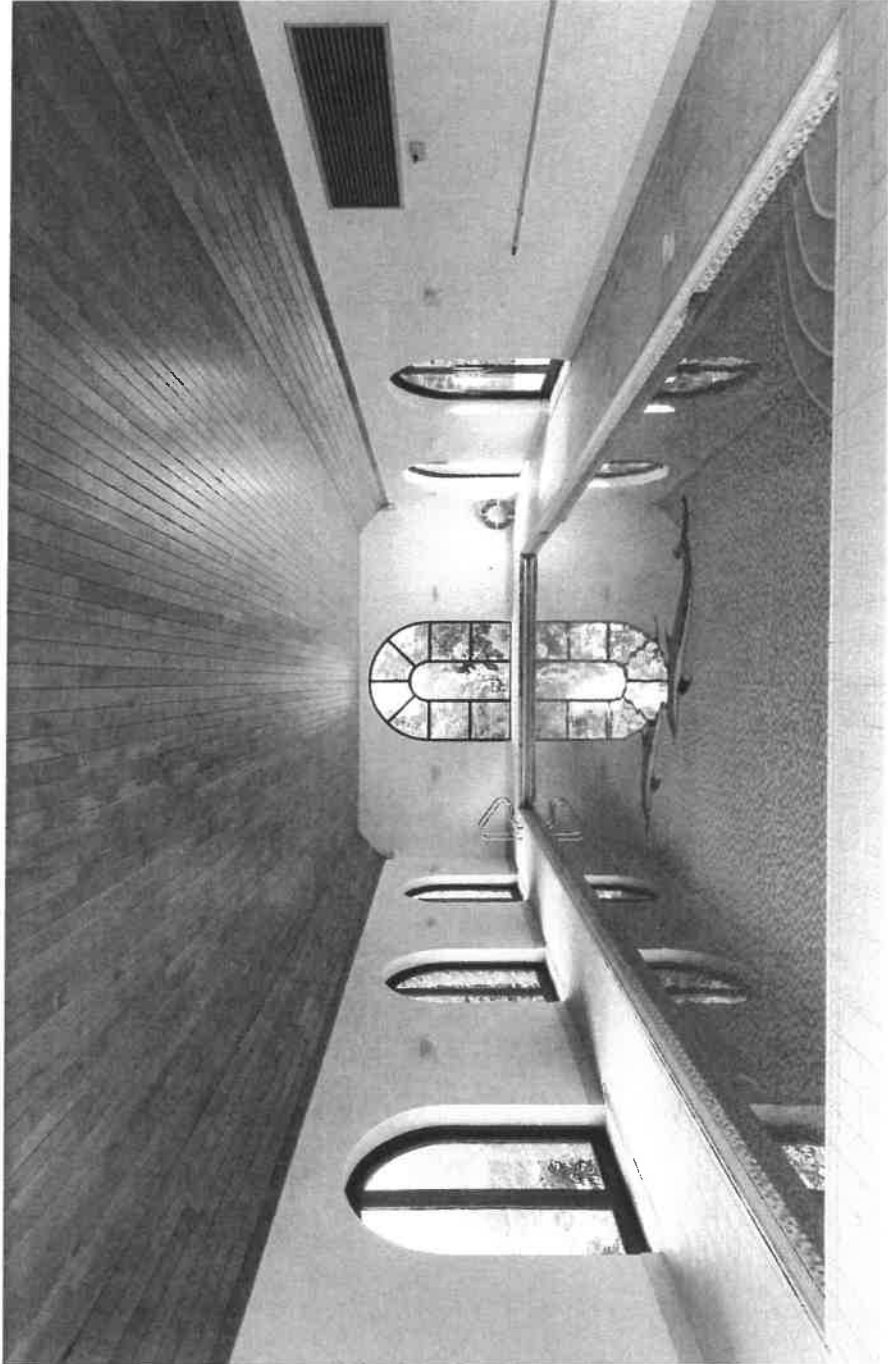
14'5" x 9'3" (4.41m x 2.82m)

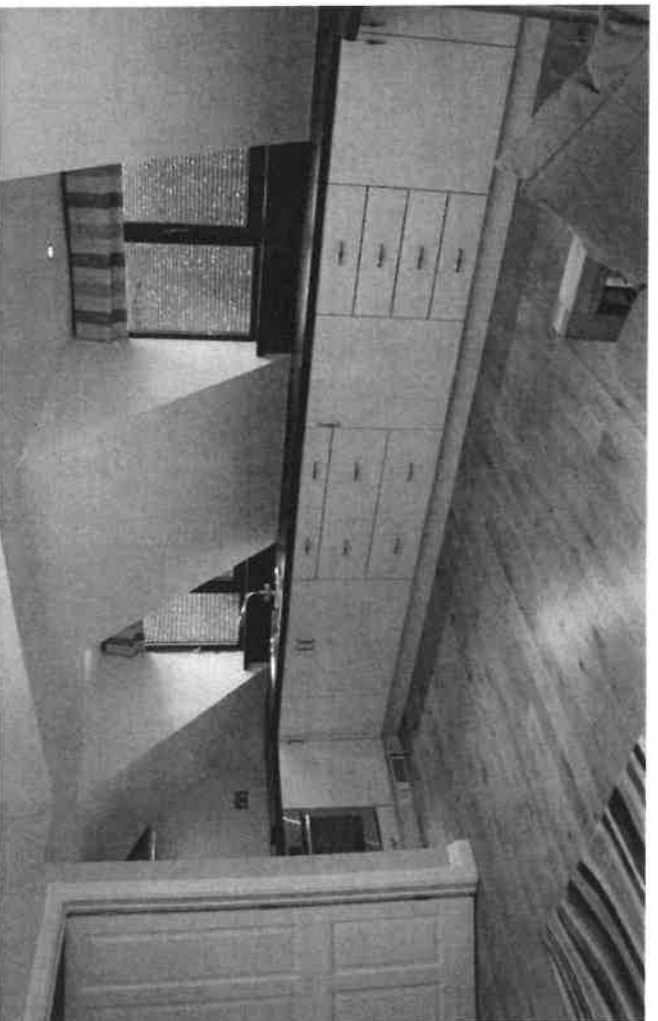
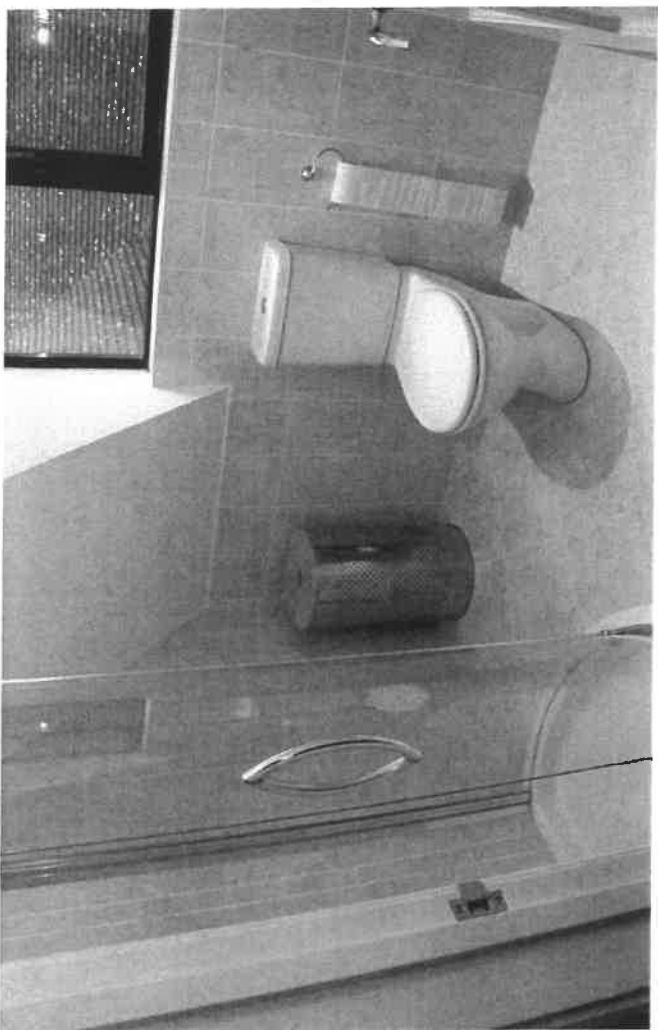
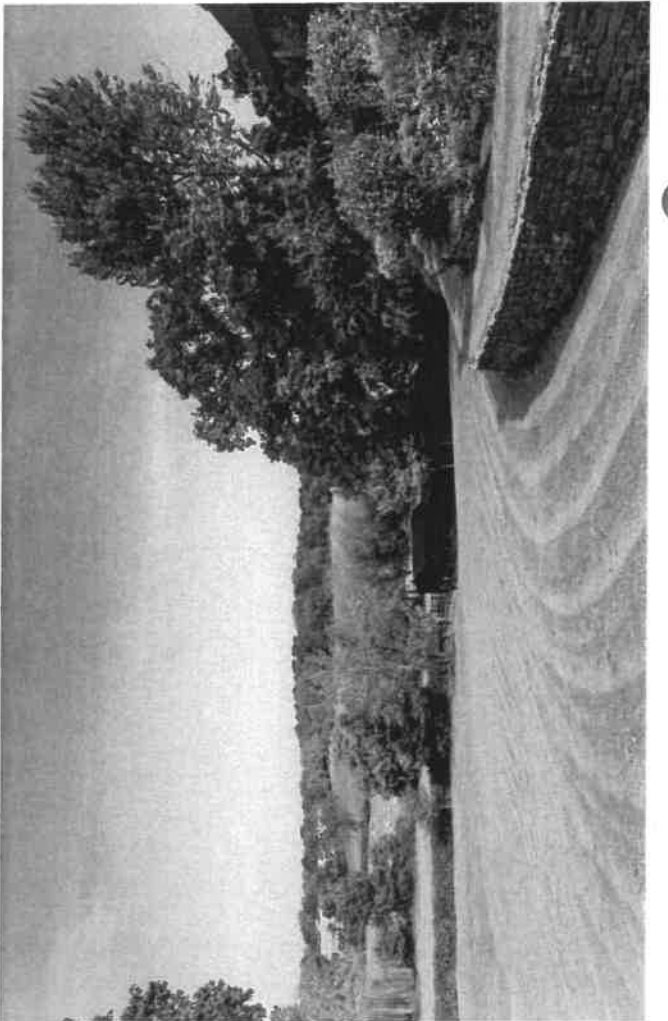
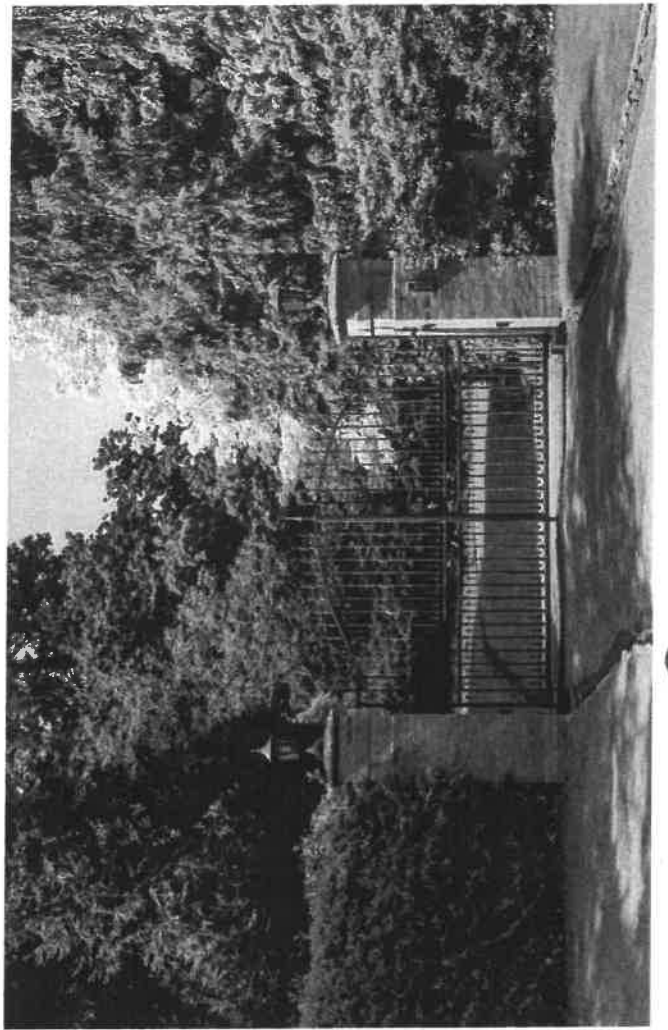
With corner window overlooking the gardens and parkland to the rear, recessed ceiling downlight.

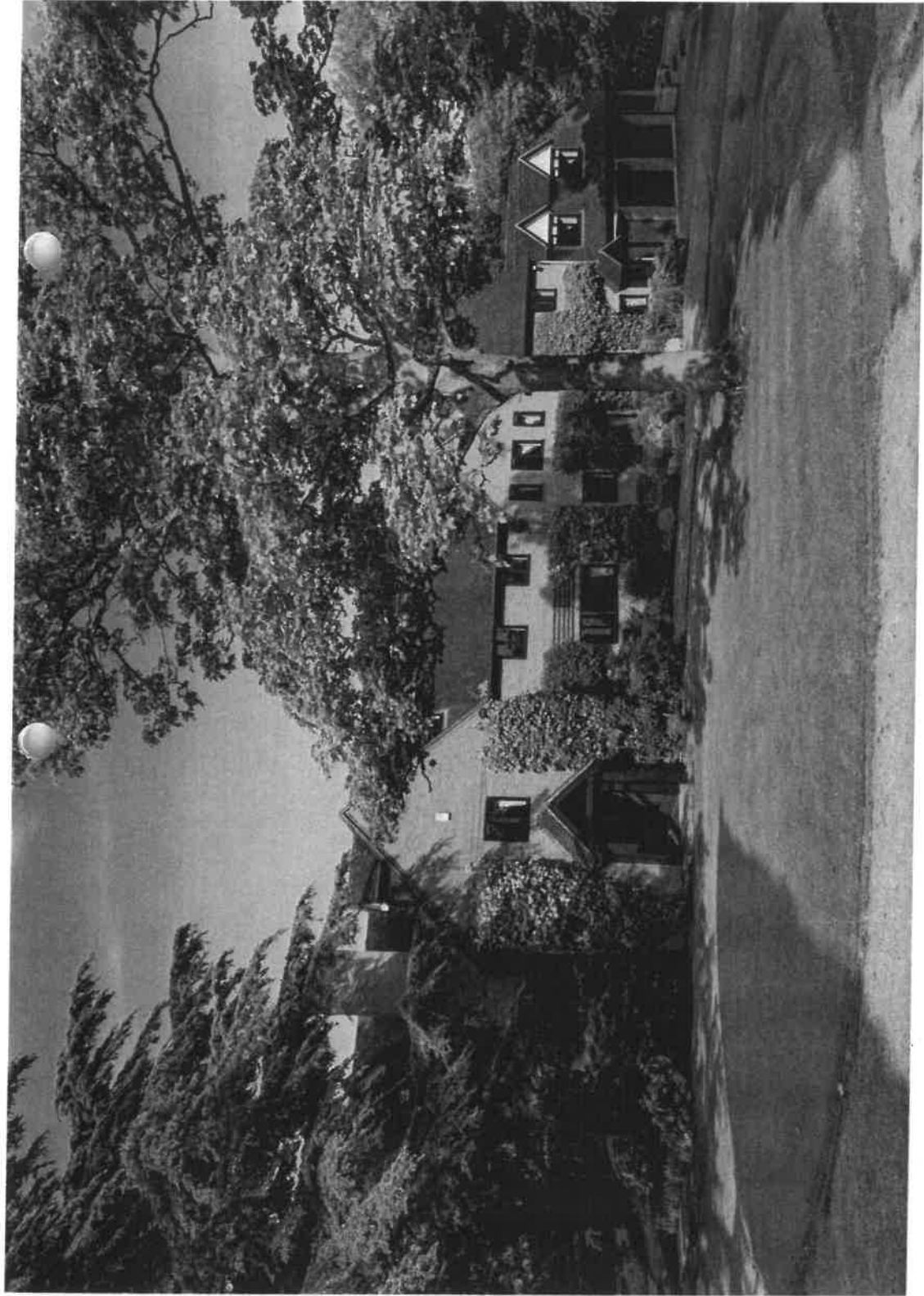
Bedroom 6 / T.V. / Sitting Room

21'11" x 13'9" (measured at 23" above carpet level) (6.70m x 4.04m (measured at 0.7m above carpet level))

With three dormer windows, six recessed ceiling downlights.







Energy Efficiency Rating	
Current	Potential
Very energy efficient - lower running costs A (92 plus)	72
B (81-91)	
C (64-80)	
D (55-63)	
E (39-54)	
F (21-38)	
G	
Not energy efficient - higher running costs	
England & Wales	
EU Directive 2002/91/EC	
Environmental Impact (CO ₂) Rating	

Environmental Impact (CO ₂) Rating	
Current	Potential
Very environmentally friendly - lower CO ₂ emissions A (62 plus)	73
B (41-61)	
C (26-40)	
D (16-25)	
E (10-15)	
F (7-9)	
G	
Not environmentally friendly - higher CO ₂ emissions	
England & Wales	
EU Directive 2002/91/EC	



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Appendix 10 – Berkswell Grange



Appendix 11 – Stable Cost Refurbishment Elemental Cost Analysis



Elemental Cost Analysis

12th Floor, Colston Tower, Colston Street, Bristol BS1 4XE

020 37355792 | zaheer.iqbal@fulkers.co.uk



CLIENT:	DESCRIPTION	QTY	UNIT	RATE	TOTAL
The Island Project	Remedial Works to Building Shell				
	Clearance of all fixings to walls	1	Item	£1,500.00	£ 1,500
GIFA	Removal of existing floor finish (first two rooms)	14	m ²	£25.00	£ 356
102 m² - Stable Building	Remove existing plaster / render wall	351	m ²	£10.00	£ 3,507
	Removal of existing concrete to floor above original cobbles (main open large stable)	87	m ²	£50.00	£ 4,365
DESCRIPTION:	Underpinning to external walls	90	m	£1,200.00	£ 108,000
Refurbishment of the Stable Building including structural works	Strengthening internal frame	1	Item	£5,000.00	£ 5,000
	External walls strapped with steel rods	1	Item	£2,500.00	£ 2,500
	New concrete slab above original cobbles including insulation and waterproofing; 150mm thick slab	87	m ²	£120.00	£ 10,476
PROJECT:	Roof repairs & strengthening	1	Item	£2,000.00	£ 2,000
Jerrings Hall Farm The Stables Building	Roof insulation in between existing rafters	109	m ²	£30.00	£ 3,274
	Existing windows made good	5	Nr.	£300.00	£ 1,500
	New double opening glazed door	1	Item	£2,200.00	£ 2,200
DATE:	New windows including openings	3	Nr.	£800.00	£ 2,400
28 October 2019	Internal Works				
	New internal walls	81	m ²	£50.00	£ 4,036
DRAWINGS:	New glazed partitions	17	m ²	£400.00	£ 6,600
CMS Architects	New single doors	8	Nr.	£650.00	£ 5,200
SK27 - Lower Unit	Works to existing external doors & frames	7	Nr.	£350.00	£ 2,450
	Wall finishes including lining	431	m ²	£25.00	£ 10,786
PREPARED BY:	Ceiling finishes including lining	109	m ²	£45.00	£ 4,911
Zaheer Iqbal	Floor finishes; screed and vinyl	87	m ²	£70.00	£ 6,111
	M&E Fit Out - (exc. Incoming services)	87	m ²	£450.00	£ 39,285
FAO:	Incoming water supply	1	Item	£1,000.00	£ 1,000
Jo Williams	Kitchen Sinks & base cupboards	2	Nr.	£1,000.00	£ 2,000
	Toilet (w/c, whb, mirror, towel rail)-excluding Doc M	2	Nr.	£1,350.00	£ 2,700
	External Works				
	Rear elevation re-graded for access steps	1	Item	£3,000.00	£ 3,000
	Pavings to rear of building including feature steps	31	m ²	£150.00	£ 4,688
	Feature external planters	2	Nr.	£1,500.00	£ 3,000
	Foul drainage connection to existing	1	Item	£1,750.00	£ 1,750

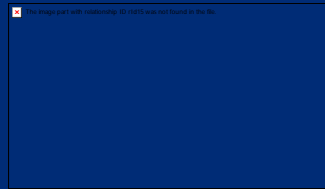
Main Contractor's Preliminaries	12	%	£	29,351
Main Contractor's Overheads & Profit	7.5	%	£	20,546
Design Development & Construction Contingency	10	%	£	29,449

ASSUMPTIONS & EXCLUSIONS

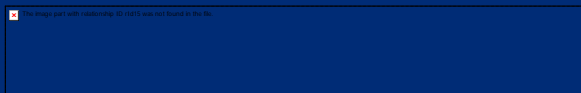
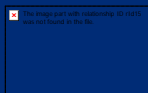
- 1) Existing render / plaster removed due to damp patches.
- 2) Underpinning allowed to all external and internal walls.
- 3) 150mm thick ground floor slab.
- 4) No external roof works.
- 5) Roof insulation fixed between roof rafters.
- 6) New window and door openings are assumed to be fitted in two brick thick walls.
- 7) New internal walls to be 100mm thick stud partitioning.
- 8) Wall and Ceiling finishes to be plaster & paint.
- 9) Floor finishes to be screed and vinyl.
- 10) M&E - Power, heating, ventilation, lighting and data points.
- 11) Doc M Packs are excluded.
- 12) Soil at rear of building is to be regraded for pavings and steps onto the grass area.

SUB-TOTAL	£	323,940
VAT @ 20%	£	64,788
TOTAL	£	388,727
£/m ² (exc. VAT)	£	3,710.65
£/ft ² (exc. VAT)	£	344.73

Combined
Combined



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