

PLANNING SUPPORT STATEMENT

Conversion of existing farmhouse into four dwellings and the conversion and alteration of two existing agricultural barns into four dwellings

At Arbour Tree Farm, Chadwick End, B93 0BE

On behalf of Mrs Ceri King

Our Reference: 18081-PSS-AC
Planning Portal Reference: PP-11091884
Date: 17 March 2022

Tyler-Parkes Partnership

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1. Introduction

This Planning Support Statement has been prepared on behalf of Mrs Ceri King (the applicant) to accompany a detailed planning application for conversion of the existing farmhouse into four dwellings and the conversion and alteration of two existing agricultural barns into four dwellings at Arbour Tree Farm, Chadwick End, B93 0BE (the application site).

Following the refusal of planning application PL/2021/00301/PPFL under delegated powers on 7 October 2021, the practice has been engaged by Mrs Ceri King to prepare a planning statement in support of a re-submitted application for the above development, which has been submitted today via the Planning Portal (ref. PP-11091884).

Planning Application Content

The planning application comprises the following:

- Planning Application Form and Certificates
- Completed 'Community Infrastructure Levy (CIL) form
- Planning Support Statement (this document)
- Keystone Heritage - Heritage Impact Assessment
- Keystone Heritage - Heritage Impact Assessment Additional Information (January 2022)
- HWA Structural Report on Barns – December 2020
- ACE Habitat Survey - October 2019
- CWS Reptile Survey report
- CWS 2021 Updated Nocturnal Bat Survey report
- BJUFC Arboriculture Report
- Biodiversity Impact Assessment
- Access Note by DTA Transport Consultants in connection with PL/2020/01780/PNCUDW Prior Approval application (Aug 2020)
- Drawings:

Reference	Title
18081(10)0-101	Location Plan
18081(10)M-201A	Existing Block Plan
18081(10)M-401D	Proposed Block Plan
18081-B1(ALL)-201	Plan, Elevations, Sections of Barn B1 as existing
18081-B1(ALL)-401	Plan, Elevations, Sections of Barn B1 as proposed
18081-B2(ALL)-201	Plan, Elevations, Sections of Barn B2 as existing
18081-B2(ALL)-401A	Plan, Elevations, Sections of Barn B2 as proposed
18081-H(20)M-201	House plans as existing

Planning Support Statement
Arbour Tree Farm, Chadwick End

Reference	Title
18081-H(20)M-401	House plans as proposed
18081-H(25)M-201	House elevations as existing
18081-H(25)M-401A	House elevations as proposed
18081-H(25)M-202	Outbuildings as existing
18081-H(25)M-402	Proposed bat roost building
18081-H,B1,B2(SC)01 Rev A	Schedule of Accommodation
18081 DTA	Vision Splay drawing (May 2020)

The Purpose and Structure of this Planning Support Statement

This Planning Support Statement describes the site and its location along with the proposed development, the planning policies and guidance (both national and local) against which the proposal has been assessed and considers the reasons for refusal in detail and explains why this re-submitted application should be granted planning permission.

2. Site Description

The house and barns sit within the Arbour Tree Farm complex which is located on the eastern side of Warwick Road (A4141), just north of its junction with Arbour Tree Lane in the Green Belt, approximately 600m to the north of the village of Chadwick End. There is limited planning history for this farm complex : PL/1968/10526/HIS was for the conversion of an outbuilding to a cottage; PL/2019/02921/PNCUDW was a Prior Notification Application to convert agricultural barns to dwellings which was refused; and application PL/2020/01780/PNCUDW was also to convert agricultural barns to four dwellings which was approved

There are presently three dwellings on the site – the farmhouse, a cottage at one end of the threshing barn and another cottage on the south side of the entrance drive not affected by this proposal. In addition, application PL/2020/01780/PNCUDW allows for conversion of the agricultural buildings to four dwellings.

The buildings that are subject of this application are the main farmhouse, which is locally listed, the large two-storey former threshing barn and a detached single storey cart store. Together this group of buildings form the historic core of the farmstead. The history and evolution of the farm is analysed and described in the accompanying heritage statement.

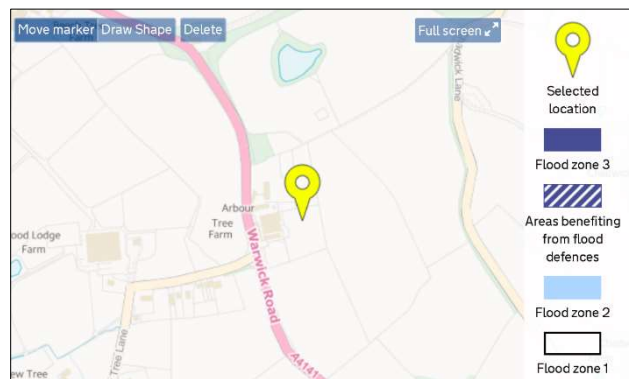
The main farmhouse has an older central section which has exposed timbers, but it seems clear that many timbers have been installed for decoration, rather than for structural necessity. Either side of the central section are two large, newer, extensions, perhaps 1950's, with little historic merit.

The site is not within a Conservation Area and no statutory listed buildings are located on the site or within close proximity.

The application site is on the Warwick Road, where there are two bus services, the no 88 service runs every two hours between Solihull and Balsall Common and a more limited service, no 514. There are bus stops 100m from the farm entrance, and there is a footpath on the Warwick Road toward Chadwick End, which is 600m South of the proposal site.

There are no trees that would be impacted upon as a result of this proposal.

The site does not fall within an area identified by the Environment Agency as one liable to flooding. The Environment Agency Flood Map shows the property lying within Flood Zone 1 – not liable to flooding and the site area of the barns is less than 1 hectare. We are not aware of any flooding incidents on the land.



3. Planning History and Background

Planning application PL/2021/00301/PPFL was refused under delegated powers on 7 October 2021 for the following reasons:

1. The proposed development would result in the creation of isolated dwellings in the countryside. The site is not sustainably located or accessible given its distance from local services, facilities and high frequency public transport.

The proposed development would therefore be contrary to Policy P7 of the Solihull Local Plan 2013 and guidance contained within the National Planning Policy Framework 2021.

2. The applicant has failed to demonstrate that the proposed development would deliver a net gain of biodiversity.

The proposed development therefore conflicts with Policy P10 of the Solihull Local Plan 2013 and guidance contained within the National Planning Policy Framework 2021.

3. The applicant has failed to demonstrate that refuse vehicles or emergency service vehicles can safely manoeuvre within the vehicular access, or within the application site so as to be able to re-enter the public highway using a forward gear.

The proposed development therefore conflicts with Policy P8 of the Solihull Local Plan 2013 and guidance contained within the National Planning Policy Framework 2021.

4. The Proposal

The farmhouse and outbuildings are currently vacant and no longer in viable agricultural use. While the main farmhouse has been maintained, some of the outbuildings are currently in a poor state of repair. The proposed works include the redevelopment of the former Arbour Tree Farm to residential dwellings. All existing buildings will be retained and converted; no historic buildings will be removed to facilitate the proposal.

The general exterior appearance of structures will be maintained with the retention of the locally distinctive red tile roofs, brick walls and timber framing. Existing buildings will be sympathetically repaired using like-for-like materials or appropriate modern equivalents. The addition of render is proposed to some outbuildings that are already painted white. Interventions, both internally and externally, have been kept to a minimum. No further additions to the former farmstead buildings are required.

The proposed works of conversion to the farmhouse and various out-buildings are the same as previously proposed in respect of planning application PL/2021/00301/PPFL:

Main Farmhouse The proposed works include the division of the main farmhouse into three residential units. The single storey range to the south (right) of the house will be converted to a fourth, single storey, dwelling.

The proposal will see the original and earliest parts of the farmhouse returned to one single dwelling. This residence will be accessed via the modern front porch, retaining the existing, probably original, point of entry. No changes are proposed to the principal (west) elevation of this part of the farmhouse. Three windows to the rear will be enlarged as French doors onto the garden.

A second dwelling will be created within the early 1960s extension. To facilitate this division, some internal doorways will be sealed. An external covered passageway formed in the 1960s will be sealed and access to the dwelling will be via the existing adjacent laundry doorway. No alterations to the main rear gable wall are required but minor modifications to the 1960s laundry and utility rooms are proposed, as detailed on plan.

A third dwelling will be created by dividing off those parts of the house added in the late 19th-early 20th century and in the late 1960s respectively. Internal doorways at ground and first floor levels will be sealed as detailed on plan. Again, no changes are proposed to the main late 1960s gable but one window opening on the front elevation will be enlarged to provide a new point of access.

The roof spaces of each dwelling will be separated by a (clearly modern) brick-built partition for security and to comply with building regulations.

The existing farmhouse grounds will be divided to provide gardens to each property. Care has been taken not to introduce parking areas adjacent to dwellings within the locally listed building; instead, parking areas will be restricted to within the existing yard.

Range adjoining the farmhouse The existing single storey study and adjoining late 19th century outbuildings to the south of the main house will be retained and converted to a single storey dwelling. Alteration to residential use can be achieved with the retention of the study chimney as well as two out of the three internal walls currently dividing the stables and kennel. External doors and windows will be altered as indicated in the detailed plans. The existing through-passage will be sealed off to the elements with the addition of glazing/French doors but the timbers on each side will be retained in situ; a sense or impression of the existing passage will be retained by the visual permeability offered by the glazing.

Detached L-Shaped Outbuilding Range The L-shaped single storey range of outbuildings aligning the road will be retained and converted to one, single storey residential dwelling, as outlined in the detailed plans. The general appearance of the range, as seen from the public highway, will essential remain unaltered. The continuous, unbroken, wall flanking the road will not be punctured by the addition of any doors or windows; only three conservation-style rooflights will be inserted to allow natural light into the dwelling.

Two doorways in the northernmost stables (ranging from c.1887-1925 in date) will no longer be used and the east side of the barn that is currently open to the elements will be sealed off; again, a high proportion of glazing here will retain a feeling of structural permeability. With the exception of the corner section of the range, where the introduction of an internal corridor is required, conversion to residential use can be achieved with relatively little internal sub-division.

Former Threshing Barn and Cottage The former threshing barn will be retained under the proposed plans. The main through-passage formed by the full height openings will be retained and will provide a means of access to the converted farmstead. The separate sections of the former barn either side of this passageway have previously been sealed off and adapted for modern use. Both sections will respectively be converted into a two-storey dwelling, as detailed in the submitted plans. This has been achieved with minimal intervention to the historic main shell of the barn, including the timber-framed elements of the building.

The existing cottage will be retained and will continue in residential use with minimal intervention.

The conversions presently proposed would therefore provide eight dwellings in total, compared to the two existing dwellings (the third existing dwelling is separate). The existing floor area of the house and barns is 760m² and as a result of the works proposed the would be 805m². The increase is largely due to the new first floor in part of the former threshing barn. In volume terms there will be no change.

Aside from the agricultural barns with consent to convert to four dwellings, there remain a range of brick stables, tack rooms and menage.

5. Planning Policy

The Town and Country Planning Act 1990 ('the Act') establishes the legislative framework for consideration of this application. Section 70(2) of the Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the decision-maker in determining planning applications to have regard to the Development Plan, insofar as it is material to the application, and to any other material consideration. Where the Development Plan is material to the development proposal it must therefore be taken into account unless material considerations indicate otherwise.

The Development Plan for Solihull Metropolitan Borough Council comprises the Solihull Local Plan, adopted in 2013.

The Solihull Local Plan: Shaping a Sustainable Future

At the Borough wide level, Chapter 3 of the SLP sets out a series of twelve Challenges and Objectives, in response to the issues raised through public and stakeholder engagement in the plan making process.

Challenge G "An Imbalance in the Housing Offer Across the Borough, etc" identifies, amongst other things, a shortage of smaller and family-sized homes, particularly affordable housing, which prevents many households from satisfying their housing needs, across the Borough but particularly in the Mature Suburbs and the Rural Area.

The following policies are referred to in the reasons for refusal of the previous planning application:

- Policy P7 'Accessibility and Ease of Access' states that all new development should be focussed in the most accessible locations and seek to enhance existing accessibility levels and promote ease of access. Development is required to meet certain accessibility criteria unless justified by local circumstances.
- Policy P8 'Managing Demand for Travel and reducing Congestion' requires all development proposals to have regard to transport efficiency and highway safety.
- Policy P10 'Natural Environment' expects a developer to take full account of the nature conservation or geological value of sites and the existence of any habitats or species.

The following SLP policies are also of relevance, to varying degrees, to the application as submitted:

- Policy P5 'Provision of Land for Housing' is also relevant insofar as it states that new housing will be supported on unidentified sites in accessible locations where they contribute towards meeting identified borough-wide housing needs and towards enhancing local character and distinctiveness. The policy states

that higher densities will be more appropriate in the most accessible locations.

- Policy P9 ‘Climate Change’ confirms that the Council will take full account of national and local targets for reducing greenhouse gas emissions and increasing the generation of energy from renewable and low carbon sources, when considering the location and design of new development.
- Policy P14 ‘Amenity’ states that 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 permit development only if it satisfies a number of criteria, such as: respects the amenity of existing and proposed occupiers and would be a good neighbour. Developers will be expected to locate and design new developments so as to minimise the visual and other amenity impacts; safeguard important trees, hedgerows and woodlands, encourage new and replacement tree and hedgerow planting.
- Policy P15 ‘Securing Design Quality’ states that all development proposals will be expected to achieve good quality, inclusive and sustainable design, which meets a number of key principles, and seeks all new residential development to adhere to the guidance set out in the Council’s New Housing in Context Supplementary Planning Guidance (SPG). It also calls for development to be built to Lifetime Homes standard.
- Policy P16 ‘Conservation of Heritage Assets and Local Distinctiveness’ advocates strong protection of the Borough’s wider historic environment. Development proposals will be expected to preserve or enhance heritage assets, including non-designated assets, in a manner appropriate to their significance, conserve local character and distinctiveness and create or sustain a sense of place
- Policy P17 ‘Countryside and Green Belt’ allows for the exceptions identified in the National Planning Policy Framework, adding that the re-use of rural buildings should not have a materially greater impact on openness than the existing use.
- Policy P18 “Health and Well Being” amongst other things reinforces the Council’s aspirations in terms of energy efficiency in new home, and states that: “New residential development will be expected to be built to the Lifetime Homes standard in accordance with Policy P15 Securing Design Quality, to ensure that homes are adaptable and enable people to live independently for longer. All developments should maximise internal insulation and opportunities for solar gain and wherever possible, developments should also seek to incorporate private amenity space.

Emerging Solihull Local Plan Review

The Review of the Local Plan is at a relatively advanced stage of preparation. In terms of policies relevant to the proposal, the draft version of the Plan contains policies that are broadly like those in the adopted SLP above. In many cases there are policies in the new plan which are similar to policies in the adopted plan which seek the same

objectives, although they may be expressed slightly differently.

- Draft Policy P5 'Provision of Land for Housing' now also makes specific reference to the need for proposals to comply with the nationally described space standards set out by Government. The need to maximise the efficient use of land is again emphasised.
- Draft Policy P7 'Accessibility and Ease of Access' continues to state that all new development should be focussed in the most accessible locations and seek to enhance existing accessibility levels and promote ease of access. Amongst other matters, it requires proposals to demonstrate how access to the site will be achieved in a sustainable manner by a range and choice of transport modes. Minor housing proposals such as this are expected to provide access to a bus service offering at least a 30 minute daytime frequency within 400m of the site.
- Draft P10 'Natural Environment' now specifies that development will be required to demonstrate how it will secure a 'net gain' in biodiversity of at least 10% compared with the pre-development baseline.

However, following the last of the scheduled hearing sessions held on 3 February 2022, the inspector confirmed that further consideration to a number of significant issues of soundness is required. As a consequence, the earliest date for adoption of the Local Plan will be during 2022/23.

In accordance with the advice in the NPPF at paragraph 48 it is considered that relevant policies pertinent to this application have limited weight in the planning balance but this may still be dependent on the circumstances of each case and the potential relevance of individual policies.

Material Considerations

1. NPPF National Planning Policy Framework

The National Planning Policy Framework (NPPF) has recently been revised (July 2021) and places a greater emphasis on design quality and beautiful places. The NPPF sets out the Government's planning policies for England and how these are expected to be applied. It constitutes guidance for local planning authorities and decision takers and is a material planning consideration in determining planning applications.

The NPPF outlines a series of considerations against which delivering sustainable development should be assessed. The NPPF encourages Local Planning Authorities to approach decision taking in a positive way and to foster the delivery of sustainable development. LPAs are advised to look for solutions rather than problems and decision takers are asked to approve applications for sustainable development where possible.

The Government believes that sustainable development can play three critical roles in England: an economic role, contributing to a strong, responsive, competitive economy; a social role, supporting vibrant and healthy communities; and an environmental role, protecting and enhancing our natural, built and historic environment.

Paragraph 11 confirms the presumption in favour of sustainable development and paragraph 12 states that proposed development that accords with an up to date Local Plan should be approved without delay, and that where the development plan is absent, silent or relevant policies are out of date permission should be granted unless there is any adverse impact which would significantly or demonstrably outweigh the benefits.

Paragraph 38 states that decision-makers at every level should seek to approve applications for sustainable development where possible.

Paragraph 105 advises that "...Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making."

Paragraph 218 confirms that the policies in the Framework are a material consideration which should be taken into account in dealing with applications from the day of its publication.

2. National Planning Practice Guidance

On 6th March 2014 the Government published the National Planning Practice Guidance (PPG). The PPG replaces previous planning practice guidance documents and covers a number of topic areas. The PPG supplements and explains policies in the NPPF and assists in their application and is a material consideration in the determination of planning applications. The PPG has been regularly updated since 2014.

3. National Design Guide

The National Design Guide (2019) illustrates how well-designed places that are beautiful, enduring and successful can be achieved in practice. The document identifies 10 characteristics that interplay with one another to achieve such places and are: Context; identity; built form; movement; nature; public spaces; uses; homes and buildings; resources; lifespan. Such considerations should inform and be referenced within any Design and Access Statement.

4. Supplementary Planning Documents

New Housing in Context SPG (2003) - provides guidance with regard to a wide range of considerations including plot format, access and layout considerations, which will assist in assimilating new development into its surroundings, with regard to local character and distinctiveness. The SPG confirms that all new development in existing residential areas will be required to respect, maintain or enhance local distinctiveness and character, to make most efficient use of land whilst allowing for high quality contemporary and innovative design.

Housing Development Guidelines SPG (1994) - Whilst somewhat dated, the SPG provides guidance in terms of considering such matters as security; layout; amenity and spaces around dwellings; landscaping; design; and highways matters.

Meeting Housing Needs (including Affordable Housing) SPD (2014), and subsequent Addendum - the stated intention of this SPD is to provide a consistent approach for the implementation of Policy P4 (Meeting Housing Needs) of the adopted SLP and to provide clarity and certainty for key stakeholders in respect of residential development. As identified previously, the proposed scheme would be immune from any Affordable Housing provisions.

Vehicle Parking Standards SPG (2006) - Amongst other matters the SPD sets out parking standards for residential development. It states that for dwelling houses an average of 2 spaces per dwelling unit (excluding integral garages) will be expected, unless at accessible locations where only one space per unit will be permitted. Exceptionally, for sites in an accessible location but with a main road frontage, two spaces per unit may be required on road safety grounds.

The Historic Environment SPG (2001) - the SPG provides guidance on various heritage matters, including amongst other matters, locally listed buildings and their importance in terms of their architectural style, history or association with local history, and their group value with associated buildings. Their maintenance will be encouraged and they will receive special consideration during the development control process.

Rural Buildings Conversion SPG (2001) - relates specifically to the conversion of old barns, stables, cart hovels, granaries and other unused farm buildings to residential and/or small-scale business use; provides guidance to those seeking to convert existing rural buildings to alternative uses and identifies the key policy requirements used in the determination of planning applications where the conversion of rural buildings is proposed.

5. Community Infrastructure Levy (CIL)

The Council has adopted the CIL Charging Schedule on 4th July 2016. The site lies within the rural area of Solihull where new residential development would be charged at £183.76 (Indexation Rate).

6. New Homes Bonus

The 'New Homes Bonus' is a Government scheme which is aimed at encouraging local planning authorities to grant planning permissions for the building of new homes in return for additional revenue. The Government provides additional funding for new houses by matching funding the additional council tax raised for new homes with an additional amount for affordable homes for six years. Having regard to Section 70 (2) of the Town and Country Planning Act 1990, the New Homes Bonus is statutory and a local finance consideration in the determination of planning applications. As such, it is a material planning consideration.

7. Case Law

Consideration of Development Plan policies is not a legalistic forensic exercise. Often policies will pull in different directions. Decision makers need to consider whether the proposal broadly accords with those policies as confirmed in the case of R. on the application of Laura Cummins and London Borough of Camden, SSETR and Barrett Homes Limited [2001] in which Ouseley J. cited R. v Rochdale MBC ex parte Milne [2000]. As Sullivan J. said in the Milne case 48:

“It is not at all unusual for development plan policies to pull in different directions. A proposed development may be in accord with development plan policies which, for example, encourage development for employment purposes, and yet be contrary to policies which seek to protect open countryside. In such cases there may be no clear cut answer to the question: “is this proposal in accordance with the plan?” The local authority has to make a judgement bearing in mind such factors as the importance of the policies which are complied with or infringed, and the extent of compliance or breach.”

Citing City of Edinburgh Council v. Secretary of State for Scotland [1997] Sullivan J. went on to say that:

“I regard it as untenable to say that if there is a breach of any one policy in a development plan, a proposed development cannot be said to be “in accordance with the plan”. Given the numerous conflicting interests that development plans seek to reconcile: the needs for more housing, more employment, more leisure and recreational facilities, for improved transport facilities, the protection of listed buildings and attractive landscapes et cetera, it would be difficult to find any project of any significance that was wholly in accord with every relevant policy in the development plan. Numerous applications would have to be referred to the Secretary of State as departures from the development plan because one or a few minor policies were infringed, even though the proposal was in accordance with the overall thrust of development plan policies. For the purposes of section 54A it is enough that the proposal accords with the development plan when considered as a whole. It does not have to accord with each and every policy therein.”

6. Assessment

Taking each of the previous reasons for refusal in turn the following comments are made.

- 1. The proposed development would result in the creation of isolated dwellings in the countryside. The site is not sustainably located or accessible given its distance from local services, facilities and high frequency public transport.**

The proposed development would therefore be contrary to Policy P7 of the Solihull Local Plan 2013 and guidance contained within the National Planning Policy Framework 2021.

Policy P5 of the Local Plan supports new housing on unidentified sites in accessible locations where they contribute to meeting borough wide needs and towards enhancing local character and distinctiveness. In order to find support in Policy P5, developments should:

- (a) be located in accessible locations;
- (b) contribute to meeting borough wide housing needs, and;
- (c) enhance local character and distinctiveness.

In terms of the first test, Policy P7 of the Local Plan expects development to meet certain accessibility criteria (as shown in the table below) and sets out criteria of walking distances that new development should seek to achieve “unless justified by local circumstance” and comments on distances from primary schools, doctor’s surgeries and food shops as well as distances from bus stops and railway stations. The intention is that development should be easily accessible and linked to existing amenity facilities that are capable of being arrived at on foot.

The development falls outside the ideal distances that Policy P7 aspires to:

	Policy P7 distance requirement	Actual distance calculation
Bus stop	400m	100m
Rail station	800m	3.05km (Kingswood Station, Lapworth)
Food store	800m	4.980m
Primary school	800m	4.980m
GP surgery	800m	3.860m

Paragraph 79 of the NPPF advises that to promote sustainable development in rural areas, housing should be located where it would enhance or maintain the vitality of rural communities and that (with certain identified exceptions) local planning authorities should avoid new isolated homes in the countryside.

Paragraph 80 states that planning policies and decisions should avoid development of isolated homes in the countryside unless one or more listed circumstances apply:

- a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;
- b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets;
- c) the development would re-use redundant or disused buildings and enhance its immediate setting;
- d) the development would involve the subdivision of an existing residential building; or
- e) the design is of exceptional quality, in that it:
 - is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and
 - would significantly enhance its immediate setting and be sensitive to the defining characteristics of the local area.

However, these are only to be considered if the proposal is first found to be an “isolated home”. The NPPF also contains no definition of the term “isolated”. In this respect, the Court of Appeal judgment in *Braintree DC v. SoSCLG* [2018] EWCA Civ 610 held that “isolated homes in the countryside” simply connotes a dwelling that is physically separate or remote from a settlement. Whether a proposed new dwelling is, or is not, “isolated” in this sense will be a matter of fact and planning judgment for the decision-maker in the particular circumstances of the case in hand”.

Therefore, the issue of “isolated” is not a consideration of the proximity of a site to services and facilities, but whether proposed dwelling/s would be physically or functionally far away, or remote, from other places, buildings or people.

Notwithstanding the above, the proposal would both re-use redundant/disused buildings that would enhance the setting of this non-designated heritage asset and would involve the subdivision of an existing residential building.

In this case, the house and barns sit within the Arbour Tree Farm complex which is located on the eastern side of the A4141 Warwick Road, 80m north of its junction with Arbour Tree Lane, and approximately 600m to the north of the village of Chadwick End. There are presently three dwellings on the site – the farmhouse, a cottage at one end of the threshing barn and another cottage on the south side of the entrance drive. In addition, application PL/2020/01780/PNCUDW allows for conversion of the agricultural buildings to four dwellings. The site is also in close proximity to neighbouring dwellings in Arbour Tree Lane that are situated approximately 150m away.

Given the proximity of the site to the existing dwellings on the site, the properties in Arbour Tree Lane, Chadwick End and the surrounding scattering of other properties, the proposal would not result in the creation of isolated dwellings in the countryside in the context of paragraph 80 of the Framework, and therefore there is no need to consider the circumstances that would justify allowing isolated homes. Indeed, it is noted that this view was shared in respect of the previous application reference: PL/2021/00301/PPFL.

However, in the opinion of the local planning authority it was considered that the application site is not in an accessible location and will likely result in a car dominant development in terms of access to services and facilities. There are local facilities including children's equipped play area, a village hall and public house in Chadwick End. Otherwise, a full range of services and facilities, including a train station as well as employment opportunities, is available in Dorridge and Knowle some 4km away.

Access to Chadwick End, Dorridge or Knowle from the site by bicycle or on foot would require cycling or walking along the A4141 Warwick Road, which is unlit and has no footways, other than those serving the bus stops on either side of the A4141 some 100m away from the site. Whilst access could be achieved by walking or cycling, nevertheless having regard to the distances involved it is unlikely that occupants of the proposed dwellings would do so, particular as Dorridge and Knowle are located beyond what would normally be considered as a reasonable walking distance. Most journeys by future occupiers would be reliant upon private modes of transportation to serve their day-to-day needs.

Paragraph 105 of the NPPF recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas and this should be taken into account in decision making. This recognises that rural areas will not have the same level of accessibility as urban areas.

Whilst the proposal would be likely to result in an increase in the need for private cars, the site is only a short car journey from a wide range of services and facilities, including a train station. Therefore, in terms of rural locations, the site is relatively well served by a range of services and facilities, as well as employment opportunities. Whilst there would be reliance on the private car, this would only be for relatively short journeys (approximately 7 minutes maximum). As such, there would be no conflict with the NPPF.

Furthermore, whilst it is accepted that each case is assessed on its individual planning merits with regard to the particular circumstances of the site, prevailing development plan policies and material planning considerations, nevertheless there also has to be consistency in decision-making between cases where similar issues arise.

In this respect, it is noted that planning permission was granted for the change of use of existing agricultural barns to residential, including demolition and roof reinstatement together with associated works at Elvers Green Farm, Elvers Green Lane, Knowle, Solihull B93 0AA on 9 October 2020 (LPA Reference: PL/2020/01535/PPFL). In reaching this decision, it was commented that:

“Although Elvers Green Farm is located outside of the settlement of Knowle within the rural area, day-to-day convenience shopping, services and facilities can be found in Knowle located only 1.3 km from the application site.

There are regular bus services available on the Kenilworth Road, which run between Solihull and Coventry throughout the day (the nearest bus stop is 0.6km from the application site).

Policies P7 seeks to direct development to the most accessible locations, including the promotion of cycling, walking and use of public transport; whilst applying flexibility to rural locations. Elvers Green Farm being a farm, by its very nature is located within the countryside, although it is not considered to be remote.

Elvers Green Lane is popular with cyclists and walkers, it is in reasonable proximity to Bus Stops on Kenilworth Road which provides a regular service between Solihull and Coventry, including a stop in Knowle. The flexible approach outlined in Policy P7, to housing developments in rural areas is noted as being in accordance with NPPF paragraph 103, which recognises that situations vary between urban and rural areas.

For the reasons outlined above, I conclude that the proposal would not result in isolated dwellings in an unsustainable location. Therefore, the development would accord with the accessibility and sustainability aims of the Framework and Policies P7 and P8 of the Local Plan."

Whilst it is acknowledged that Arbour Tree Farm is not currently served by the same frequency of bus services enjoyed by Elvers Green Farm and that Elvers Green Farm is located in closer proximity to Knowle than the application site, nevertheless the journey times to the range of services and facilities referred to in policy P7 are broadly similar such that the site is considered to be favourably comparable and acceptable in terms of accessibility:

	Distance/journey time from site	
	Arbour Tree Farm B93 0BE	Elvers Green Farm B93 0AA
Bus stop	100 metres	780 metres
Rail station		
Dorridge Train Station, Station Approach, Dorridge B93 8JA	5.4km (3.4 miles) - 7 minutes by car - 13 minutes by bus (route 88) - 15 minutes by bicycle - 62 minutes by foot	3.7km (2.3 miles) - 7 minutes by car - 31 minutes by bus/foot (route A7) 46 minutes by bus/foot (route 88) - 13 minutes by bicycle - 47 minutes by foot
Kingswood Station, Lapworth B94 6JQ	3.05km (1.9 miles) - 5 minutes by car - no direct bus services - 10 minutes by bicycle - 35 minutes by foot	6.75km (4.2 miles) - 10 minutes by car - no direct bus services - 22 minutes by bicycle - 81 minutes by foot

Planning Support Statement
Arbour Tree Farm, Chadwick End

	Distance/journey time from site	
	Arbour Tree Farm B93 0BE	Elvers Green Farm B93 0AA
Food store		
Tesco, 40-44 St Johns Close, Knowle B93 0LE	4.98km (3.1 miles) - 7 minutes by car -13 minutes by bus/foot (route 88) - 16 minutes by bicycle - 61 minutes by foot	1.77km (1.1 miles) - 5 minutes by car - no direct bus services - 7 minutes by bicycle - 22 minutes by foot
Sainsbury's, 375 Station Rd, Dorridge, Solihull B93 8FG	5.14km (3.2 miles) - 7 minutes by car - 29 minutes by bus/foot (route 88) - 16 minutes by bicycle - 62 minutes by foot	3.86km (2.4miles) - 8 minutes by car - 34 minutes by bus/foot (routes A7 & 88) - 14 minutes by bicycle - 47 minutes by foot
Primary school		
Knowle C of E Primary School, Knowle B93 0JE	5.14km (3.2 miles) - 6 minutes by car - 16 minutes by bus/foot (route 88) - 16 minutes by bicycle - 61 minutes by foot	1.44km /(0.9 miles) - 3 minutes by car - no direct bus services - 6 minutes by bicycle - 18 minutes by foot
Dorridge Primary School, Station Road, Dorridge, B93 8EU	4.98km (3.1 miles) - 6 minutes by car - 27 minutes by bus/foot (route 88) - 15 minutes by bicycle - 59 minutes by foot	3.21km (2 miles) - 6 minutes by car - 31 minutes by bus/foot (route A7) - 12 minutes by bicycle - 40 minutes by foot
Lady Katherine Levinson C of E Primary School, Fen End Road West, Temple Balsall, Knowle B93 OAN	4.98km (3.1 miles) - 6 minutes by car - no direct bus route - 46 minutes by foot - 12 minutes by bicycle	2.73km (1.7 miles) - 4 minutes by car - no direct bus route - 32 minutes by foot - 9 minutes by bicycle

Planning Support Statement
Arbour Tree Farm, Chadwick End

	Distance/journey time from site	
	Arbour Tree Farm B93 0BE	Arbour Tree Farm B93 0BE
GP surgery		
The Blythe Practice, 1500 Warwick Road, Knowle B93 9LE)	5.31km (3.3 miles) - 6 minutes by car - 13 minutes by bus/foot (route 88) - 16 minutes by bicycle - 64 minutes by foot	1.93km (1.2 miles) - 4 minutes by car - 22 minutes by bus/foot (route 88) - 7 minutes by bicycle - 25 minutes by foot
Linbury Doctors, 123 Chessetts Wood Rd, Knowle, B94 6EL	3.86km (2.4 miles) - 6 minutes by car - 36 minutes by bus/foot (route 88) - 11 minutes by bicycle - 47 minutes by foot	5.31km (3.3 miles) - 8 minutes by car - no direct bus services - 17 minutes by bicycle - 63 minutes by foot

Indeed, there is no maximum distance specified in policy P7 of the adopted or emerging Local Plan. However, this is only one measure of accessibility and does not take into account relative journey times, which is a highly relevant factor. In these circumstances, it is considered that the comparative accessibility of the site with Elvers Green Farm is a significant material consideration in the assessment of this application which attracts great weight.

Moreover, the site is equally as accessible to services and facilities as the existing dwellings on the site, together with the four dwellings approved under application PL/2020/01780/PNCUDW and those that are within Chadwick End and Arbour Tree Lane. In relation to this part of the District, which is a predominantly rural area, the site is in an accessible and sustainable location.

Furthermore, paragraph 105 of the NPPF recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas and this should be taken into account in decision making. This recognises that rural areas will not have the same level of accessibility as urban areas. On this issue, it is considered that the site would be a suitable location for residential development having regard to the accessibility of services and facilities in journey times and not just distance.

Although there would be reliance on the private car, this would be for relatively short journeys in the rural context of the site and surrounding area (approximately 7 minutes maximum). Consequently, the proposal would not be in direct conflict with Policy P7 of the adopted Local Plan, which advocates a flexible approach to housing developments in rural areas in accordance with the aims and interests that the NPPF seek to protect and promote in this regard.

The lasting consequences of the Covid19 pandemic are also of relevance in that many employees are now working from home on a more permanent and flexible basis, and that mainstream shopping for items such as food, clothes and leisure etc. is now often undertaken via delivery, significantly reducing the need for private travel.

In addition, the Government's net carbon zero targets will result in the end of new diesel and petrol car sales from 2030 which, coupled with the continued investment in and the significant take up of electric vehicles, means that the impact of private car travel and the underlying rationale for these policies will be addressed by alternative means.

Accordingly, the mitigating factors including the wider accessibility of the site, the services and facilities offered at nearby Knowle and Dorridge, the opportunity for flexible working and shopping by delivery reducing the need for private vehicle travel and the reduction in carbon emitting vehicles and uptake of 'clean' vehicles reducing the impact of private travel should also be taken into account.

Other Material Considerations

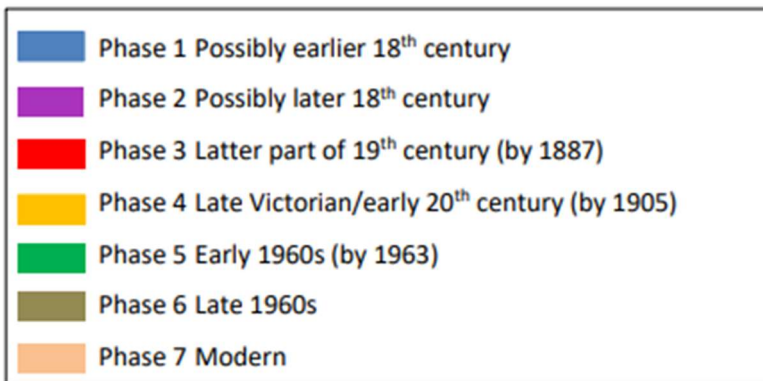
Notwithstanding the above, the environmental benefits of the scheme in terms of the overall benefits of the scheme in heritage terms are also considered to be a significant material consideration in the assessment of this aspect of the proposals. Whilst no objection to this aspect of the proposals was raised in respect of planning application PL/2021/00301/PPFL, nevertheless it is considered that it attracts greater weight in the planning balance than it was previously given and should carry significant weight in the assessment of the proposals.

Policy P16 of the adopted Local Plan is consistent with the NPPF in that they seek to protect and enhance designated and non-designated heritage assets and guide against development that would cause substantial harm to the significance of any heritage asset.

In accordance with the NPPF, great weight must be given to the conservation of designated heritage assets. There is a substantial amount of planning case law regarding how a decision taker must address the issue of harm to heritage assets. Essentially, this makes it clear that the decision maker is required to give considerable importance and weight to the desirability of avoiding harm to the heritage asset. There is accordingly a strong presumption, imposed by the Planning Listed Buildings and Conservation Areas Act 1990, against harmful development. This is the case whether the harm is 'substantial' or is 'less than substantial'. There is no specific test in the NPPF of what differentiates substantial harm from other harm for the purposes of national policy. Whilst the judgments are not prescriptive as to where the threshold between 'substantial' and 'less than substantial' lies, nevertheless case law has been established that for harm to be substantial, the impact on significance is required to be serious such that very much, if not all, of the significance of the asset is eroded, for example by complete demolition.

Arbour Tree Farm is one of a number of dispersed farmsteads to the north of the village of Chadwick End. The Heritage Statement submitted with this, and the previous application, sets out the historical background to the application site and evolution of Arbour Tree Farm with the earliest part of the house dating to the 18th century, or

slightly earlier, that has been repeatedly enlarged since the 18th century, resulting in a house that is three or four times the size of the original structure:



In terms of its significance as an heritage asset, Arbour Tree farmhouse, the yard and outbuildings are considered to be of low heritage significance with the majority of that significance derived from archaeological and historic value, commensurate with the buildings' non-designated heritage asset status.

While the proposed works will inevitably result in a level of change to the locally listed farmhouse and non-designated outbuildings as well as to their setting, there will be minimal impact the structures' key areas of significance. Overall, impact will be restricted to between neutral and slight adverse.

With regard to Arbour Tree Farmhouse, the proposed divisions will emphasise the different phases of the building with the central portion of the house being returned to the scale and proportions that it was originally, prior to extensions being added in the late 19th and 20th centuries. With regard to the outbuildings, the structures are currently unused and rapidly deteriorating due to a lack of maintenance. The proposals will enable them to be sympathetically repaired using appropriate, like-for-like, materials and techniques. The proposals would result in the sympathetic reuse of a heritage property to safeguard its future and would reflect responsible stewardship of the buildings.

Collectively, the proposals would also enable the retention of the farmhouse and

associated out-buildings as an historical grouping worthy of retention for its historic character and the contribution it makes to the countryside within which it sits. In this respect, an addendum to the Heritage Impact Assessment is submitted with this application which concludes as follows:

“The heritage significance of the component buildings at Arbour Tree Farm has been reviewed and found to be attributable in no small part to the group value of the buildings as an illustrative collection of traditional inter-working and inter-dependent farm buildings that for centuries formed a single farmstead set in courtyard arrangement in a wider landscape of enclosed fields.

It is therefore desirable to preserve not only as much historic fabric of the individual buildings as possible, but also the legible relationships between the buildings (and spaces) within that group in terms of their physical and functional connectivity.

The site is currently partially vacant and is starting to suffer from a lack of investment in repair and maintenance. It is difficult, however, to see how further investment in the non-designated historic buildings will be made whilst they continue to lack any beneficial re-use.

The most sympathetic and least invasive use of the buildings would be to continue their role as traditional agricultural buildings operating as part of a traditional farmstead. But presumably if this were a viable option the farm would still be operating, so it must be presumed that it is not viable.

Residential redevelopment, while inevitably resulting in some level of change to the buildings, would seem to offer one of the least damaging options for the site, and one that presents numerous advantages in terms of preserving the group value of the farm buildings under one cohesive scheme.”

Whilst there would be an environmental cost by the use of mainly motorised transport to access local services and facilities by future residents of the proposed dwellings, nevertheless this would be outweighed by the environmental benefits of preserving the group value of the farm buildings under one cohesive scheme.

Paragraph 80 of the NPPF, whilst requiring policies and decisions to avoid isolated homes in the countryside, has exceptions, two of which are supportive of the proposals: “b) the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; d) the development would involve the subdivision of an existing residential building.

Paragraph 189 is of specific relevance:

“Heritage assets range from sites and buildings of local historic value to those of the highest significance, such as World Heritage Sites which are internationally recognised to be of Outstanding Universal Value. These assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations”.

Whilst the farmhouse is at the ‘local historic value’ end of the spectrum its conservation,

together with the associated group of out-buildings, in a manner appropriate to its significance, would be achieved by the proposals. Quite clearly there would be changes to their appearance and layout, but these are modest and the scheme is sympathetically designed, involving minimal alteration, and it would remain a feature in the countryside that could be enjoyed for what it is – agricultural buildings of a 17th/18th century origin which represents a diminishing resource if only because they eventually decay away without a viable use.

Sufficient heritage benefit is offered by the current scheme to not only comply with legislation and planning policy on the preservation and enhancement of the historic environment but also, on balance, to outweigh restrictions contained in Local Plan policy P7 in regard to the location of new residential development.

2. The applicant has failed to demonstrate that the proposed development would deliver a net gain of biodiversity.

The proposed development therefore conflicts with Policy P10 of the Solihull Local Plan 2013 and guidance contained within the National Planning Policy Framework 2021.

Policy P10 'Natural Environment' expects a developer to take full account of the nature conservation or geological value of sites and the existence of any habitats or species.

Draft policy P10 'Natural Environment' of the emerging Local Plan now specifies that development will be required to demonstrate how it will secure a 'net gain' in biodiversity of at least 10% compared with the pre-development baseline.

This reflects paragraph 180 of the NPPF and the provisions in The Environment Act 2021, which introduces an obligation for developers to ensure all new proposals feature at least a 10% improvement to biodiversity. The Act will require all planning permissions in England (subject to exemptions) to be granted subject to a new general pre-commencement condition that requires approval of a biodiversity gain plan, which is to be managed for at least 30 years.

The consultation response from SMBC Ecology of 15th June 2021 requested, amongst other matters, a Biodiversity Impact Assessment (BIA) calculator to show that the development as proposed will result in a net gain to biodiversity in accordance with NPPF.

A Biodiversity Impact Assessment has now been prepared in support of the application and demonstrates that the proposal would deliver a net gain of biodiversity to fully address this reason for refusal.

- 3. The applicant has failed to demonstrate that refuse vehicles or emergency service vehicles can safely manoeuvre within the vehicular access, or within the application site so as to be able to re-enter the public highway using a forward gear.**

The proposed development therefore conflicts with Policy P8 of the Solihull Local Plan 2013 and guidance contained within the National Planning Policy Framework 2021.

A tracking plan (Drawing No. 10(M)-401 Revision D) has been prepared in support of the application that demonstrates that refuse vehicles and emergency service vehicles would be able to safely manoeuvre within the vehicular access, or within the application site so as to be able to re-enter the public highway using a forward gear. As such, this reason for refusal has been satisfactorily addressed. We would also point out that the farmhouse, which is furthest from the access, as well as the two other existing houses already have refuse collected and the lorry stops on the highway, which is not particularly safe. By accommodating refuse collections from within the site would therefore represent a significant improvement in highway safety terms in accordance with Policy P8 of the Solihull Local Plan 2013 and the aims and interests that the National Planning Policy Framework 2021 seeks to protect and promote in this regard.

Other Matters

For the avoidance of any doubt, the scheme does not include the provision of a footpath between the existing agricultural buildings to the south of the application site to the existing bus stop on Warwick Road. In all other respects, the proposal is as previously submitted and it is noted that the LPA does not consider that the proposal would be inappropriate development in the Green Belt and raises no objection to matters such as the impact on the Green Belt, the character and appearance of the area, living conditions at other properties, landscape, archaeology and drainage. Conditions were suggested in respect of the previous application regarding details of proposed boundary treatments within and around the site boundaries, works of conversion to the locally listed farmhouse and to address concerns regarding potential nesting locations of swallows and the impact of the proposed development. Such conditions are confirmed as being acceptable for the purposes of this application too.

7. Conclusions

For the above reasons, it is submitted that the proposed development satisfactorily addresses the reasons for refusal of planning application PL/2021/00301/PPFL and is in accordance with the provisions of the development plan, adopted supplementary planning guidance and with Government policy in the NPPF, and should be approved.

The Framework sets out the Government's objective of significantly boosting the supply of homes, recognises the contribution of small and medium sites to meeting the housing requirement of an area and sets out that planning decisions should promote an effective use of land. The Council does not currently have a 5-year housing land supply and the provision of 7no. new residential units would contribute to the shortfall in general housing land supply in the Borough. The proposed development would help meet the housing needs of the present and future generations through the delivery of the proposed dwellings. This is a social benefit that weighs in favour of the scheme and is a factor in support of the development to which substantial weight should be attached.

The proposal would also provide homes where there are work-at-home facilities, fast broadband, etc, for which it is notable that in a post-Covid environment many employees are now working from home either full or part time and food and leisure shopping deliveries are now common-place. Furthermore, the broad mix of dwelling sizes would enhance the community on site as well as provide support to the maintenance and provision of facilities in the local community.

The application is for a minor scale of residential development. As demonstrated above, the site is considered to have adequate access for future occupiers to a range of existing services and facilities, in a sustainable location. Notwithstanding the comparison with the approved scheme at Elvers Green Farm, it is considered that the site is in a suitable location for residential development having regard to the accessibility of services and facilities in journey times and not just distance. Indeed, there is no maximum distance or journey time specified in policy P7 of the adopted or emerging Local Plan and paragraph 105 of the NPPF recognises that opportunities to maximise sustainable transport solutions will vary between urban and rural areas and this should be taken into account in decision making.

As with any new residential development proposal, the construction of new dwellings would provide jobs in associated trades necessary to ensure the efficient and sustainable development of the scheme and the residents would provide additional workforce for local businesses. In addition to this, the proposals would provide a New Homes Bonus contribution to the council, together with on-going Council Tax revenues. The proposed development would also provide additional custom and support to the services and facilities locally. Therefore, the proposal would contribute to the economic objective of sustainable development.

Arbour Tree Farm is included on the Local List of Heritage Assets. The proposal would preserve the significance of the locally listed building and thus satisfy the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the Framework. The buildings are permanent and substantial and would be preserved for future generations. The new residential investment would also stimulate future repair and maintenance of the retained historic buildings, which would contribute to

safeguarding the fabric of the farmstead's core heritage assets longer term. Whilst there would be an environmental cost by the use of mainly motorised transport to access local services and facilities by future residents of the proposed dwellings, nevertheless this would be more than offset by the environmental benefits of preserving the group value of the farm buildings under one cohesive scheme.

The proposed development will have a net biodiversity gain. Additionally, it will be constructed to modern building standards resulting in the occupation of the building using energy efficient measures and appliances, resulting in less carbon being emitted from the building than the existing dwelling. In this respect, the proposal would also contribute to the environmental objective of sustainable development.

Having regard to the totality of the policies in the Framework, the proposed development is sustainable when looking at its social, economic and environmental credentials in the round. The perceived adverse impacts of the development have been addressed and do not significantly and demonstrably outweigh the benefits. Overall, it is considered that the proposals constitute an environmentally, socially and economically sustainable form of development that accords with the Framework and the Development Plan as a whole.