



**PLANNING SUPPORTING STATEMENT**  
**THE OLD HALL, TAMWORTH ROAD, COVENTRY**

**PROPOSED EXTENSION AND CHANGE OF USE TO HOTEL**

**Our Ref: AAH/1608/11PLA**

**AUGUST 2011**

## PLANNING SUPPORTING STATEMENT

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## 1.0 Introduction

- 1.1 This statement sets out our analysis of the relevant planning policy principles which need to be considered in support of this application for an extension to the existing pub restaurant, at Old Hall, Tamworth Road, Coventry. The Old Hall is a Grade II listed building, and comprises the main house, with some historic extensions and alteration, and a cottage with a tower in the grounds which is a separate building adjacent to the main building. The site is also located within the designated green belt, and therefore is subject to national green belt and historic planning policies.
- 1.2 The development proposal seeks to create hotel accommodation within the site and a subterranean large multipurpose room for hotel associated uses. The accompanying architectural plans illustrate the number of rooms associated with the hotel accommodation, which comprise of premium rooms and standard rooms. In addition there is an orangery.
- 1.3 The proposals site the majority of the development below ground floor level, arranged around sunken courtyards, with only a limited amount of development located above the ground. The orangery would be the largest above ground building, which will be attached to the original building. The orangery would comprise of a single storey modern extension. In addition, within the grounds there would also be a small modest pavilion building which would provide access to the subterranean development. The building would be sited within the identified grounds around the site. There is also a two storey extension to the elevation fronting onto Tamworth Road, which will consolidate the historic alterations and extensions to this elevation.
- 1.4 The following documents have been prepared in support of this planning application, and this supporting planning statement should be read in conjunction with these documents:
- Design and Access Statement & Heritage Statement
  - Flood Risk Assessment
  - Travel Plan
  - Tree Report
  - Full Plans

- 1.5 The proposed development would make use of the existing buildings, and would be inside the designated green belt. Accordingly we will need to consider local and national planning guidance alongside relevant planning case law.

## **2.0 The Site Details**

- 2.1 The application site is located to the west of the B4098, Tamworth Road to the north of the city. Tamworth Road is one of the principle routes in entering the city, linking the northern suburbs to smaller town and villages such as Corely and Filingley to the north, and Tamworth beyond.
- 2.2 The application site is comprised of attractive landscaped grounds, with a car parking area and two detached buildings. The buildings in the site are both derelict listed buildings, which previously operated as a public house and hotel. The buildings were listed in 1974 and have been vacant for the last few years. A fire on site has destroyed a substantial amount of the internal accommodation. The site is surrounded to the north, west and south by a mature local park, which is much more open than the application site, with fewer trees and shrubbery.
- 2.3 The site is generally flat, and benefits from an extensive amount of mature trees and shrubbery. Many of the mature trees in the site are subject to a tree preservation order. Around the main entrance to the site there is a large gate, and surrounding the site fronting the parklands there is iron railed fencing with mature shrubbery, sloping gently to the east however it is not a sufficient gradient to restrict development. The boundaries as exist include security fencing with some mixed vegetation which contributes little to the overall character of the area and represents an opportunity for improvement.
- 2.4 The site, including the listed building, will be discussed more fully both in this and accompanying reports.

## **3.0 Planning Policy**

3.1 Planning applications must be determined in accordance with the statutory Development Plan, unless material considerations indicate otherwise. If the Development Plan contains material policies or proposals and there are no other material considerations, the application should be determined in accordance with the Development Plan. Where there are other material considerations, the Development Plan should be the starting point, and other material considerations should be taken into account in reaching a decision. One such consideration is whether the plan policies are relevant and up to date. The Act provides that if there is a conflict between policies in an adopted Regional Spatial Strategy or policies in a Development Plan Document, the most recent policy will take precedence.

3.2 The Government's statements of planning policy are material considerations which must be taken into account, where relevant, in determining planning applications. These statements cannot make irrelevant any matter which is a material consideration in a particular case, but where such statements indicate the weight that should be given to relevant considerations, decision makers must have proper regard to them. The following national policy guidance/statements are relevant in considering this application:

- Planning Policy Statement 1 : Delivering Sustainable Development
- Planning Policy Guidance 2 : Green Belts
- Planning Policy Guidance 13 : Transport
- Planning Policy Statement 5 : Planning and the Historic Environment
- Planning Policy Statement 25: Development and Flood Risk

3.3 PPS1: Delivering Sustainable Development is of relevance in general. This identifies that good design is integral to good planning, and that the relationship of the development to the wider surroundings is an important planning consideration. In this respect, the design and selection of a suitable location for the proposed development has been critical taking into account the context of PPS1.

3.4 PPG2 Green Belt – this policy sets out the government policies on development in the green belt. The policy sets out the key consideration to limited development in the green belt, including to protect openness and prevent urban sprawl.

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

3.5 The main purposes of the green belt are as follows:

- To provide opportunities for access to the open countryside for the urban population
- To provide opportunities for outdoor sport and outdoor recreation near the urban areas
- To retain attractive landscapes, and enhance landscapes, near to where people live
- To secure nature conservation interest and
- To retain land in agricultural forestry and related uses.

3.6 PPG2 sets out a presumption against inappropriate development in the green belt stating that, 'such development should not be approved, except in very special circumstances'. It continues to state that inappropriate development is, by definition, harmful to green belt. It is for the applicant to show why permission should be granted. Very special circumstances to justify inappropriate development will not exist unless the harm by reason of inappropriateness and any other harm are clearly outweighed by other considerations. In view of the presumption against inappropriate development, the secretary of state will attach substantial weight to the harm to the green belt when determining applications.

3.7 One of the most relevant points of PPG2 is in paragraph 3.4 that the construction of new buildings inside the green belt is inappropriate development unless it is for the following purposes:

- Agriculture and forestry
- Essential facilities for outdoor recreation for cemeteries, and for other uses of land which preserve the openness of the green belt and which do not conflict with the purposes of including land in it.
- Limited extension, alteration or replacement of existing dwellings limited infilling in existing village
- Limited affordable housing for local community needs under development plan policies accordingly with PPG3

- Limited infilling or redevelopment of major existing developed sites identified in the adopted local plan.
- 3.8 Annex C states that the 'location of the new building should be decided having regard to the openness of the green belt and the purposes of including land in it, the objectives for the use of the land in green belts, the main features of the landscape, and the need to integrate the new development with its surroundings.
- 3.9 PPG13 seeks to encourage sustainable development, well designed developments, reusing brownfield sites in locations which can be readily accessible by means other than the private car.
- 3.10 The general objective of the guidance is to integrate planning and transport at the national, regional and local level. The guidance supports sustainable transport choices, together with accessibility of jobs, shopping and leisure, facilities and services by public transport, walking and cycling. Fundamentally, the guidance aims to reduce the need to travel, especially by car.
- 3.11 PPS4, 'Planning for Sustainable Economic Growth', sets out the government objectives policies on economic development, including guidance on retailing and town centre development. Hotel development is considered a town centre use and is therefore subject to the town centre policies of PPS4. The objectives, inter alia, include:
- To deliver more sustainable patterns of development, reduce the need to travel especially by car, and to respond climate change; and
  - To promote the vitality and viability of town and other centres as important places

For communities the government wants:

- New economic growth and development of main town centre uses to be focused in existing centres, with the aim of offering a wide range of services to communities in an attractive and safe environment and remedying deficiencies in provision in areas with poor access to facilities; and
- Competition between retailers and enhanced consumer choice through the provision of innovative and efficient shopping, leisure, tourism and local services in town centres, which allow genuine choice to meet the needs of the entire community (particularly socially excluded groups).

- 3.12 PPS25 provides national guidance with respect to flood risk and potential impacts upon the locality. The guidance states that development should not increase the risk of flooding, or displace effects without due care and attention. In terms of consultees, the Environment Agency considers the main points, including strategic drainage issues. PPS25 notes that Local Planning Authorities, when preparing development plans and considering applications for planning permission, should consult and take account of advice from the Environment Agency, whom will compare the proposal against the most recent legislation on climate change.
- 3.13 The Good Practice Guide for Tourism 2006. The document provides national guidance and clarification for the development of tourism facilities across England and Wales. The main focus of the report refers to:
- Maximizing the benefits for tourism, in particular ensuring that the development is able to reach its potential in contributing towards tourism in the locality, and linking these developments to communities to create additional economic benefits.
  - Ensuring that facilities are served by local services, and have access to public transport, reducing the dependence upon the private vehicle.
  - Providing an integrated design, which would sensitively assimilate into the immediate environment, which will obviously form part of the wider aims of planning.
  - Preserving the character of the area, and not adversely affecting activities on adjacent land.
- 3.14 The report identifies that planning should take a pro active role towards development. paragraph 2.7 states that, ‘the planning system, by taking a pro active role in facilitating and promoting the implementation of good quality development, is crucial to ensuring that the tourism industry can develop and thrive, thereby maximising these valuable economic, social and environmental benefits are achieved in the most sustainable manner possible’.
- 3.15 Within the report, hotel development is referred to frequently throughout the document. Hotel uses are considered as being a type of development which can be used to simulate economic development, and encourage growth.
- 3.16 PPS15, ‘Planning and the Historic Environment’, provides national guidance with respect to development affecting heritage assets. The statement continues to identify that planning plays a vital role in conserving our country’s heritage assets. It states that the governments

overarching aim is that the historic environment and its heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations'. The statement continues to identify the main objectives as being:

'To deliver sustainable development by ensuring that policies and decisions concerning the historic environment:

- Recognise that heritage assets are a non renewable resource;
- Take account of the wide social, cultural, economic and environmental benefits of heritage conservation and recognize that intelligently managed change may sometimes be necessary if heritage assets are to be maintained for the long term;
- Conserve England's Heritage assets in a manner appropriate to their significance by ensuring that decisions are based on the nature, extent, and level of significance, investigated to a degree proportionate to the importance of the heritage asset. Wherever possible heritage assets are put to an appropriate and viable use that is consistent with their conservation. The positive contribution of such heritage assets to local character and sense of place is recognized and valued, and consideration of the historic environment is integrated into planning policies promoting place shaping. To contribute to our knowledge and understanding of our past by ensuring that opportunities are taken to capture evidence from the historic environment and to make publicly available, particularly where a heritage asset is to be lost. '

3.17 Within PPS15, Policy HE11 seeks to enable development to secure the future conservation of a heritage asset and it outweighs the disbenefits of departing from the development plan taking into account whether

- It will materially harm the significance of the heritage asset or its siting
- It will avoid detrimental fragmentation of management of the heritage asset
- It will secure the long term future of the heritage asset and, where applicable, its continued use for a purpose sympathetic to its conservation.
- It is necessary to resolve problems arising from the inherent needs of the heritage asset, rather than the circumstances of the present owner, or the purchase price paid.
- There is a source of funding that might support the heritage asset without the need for enabling development. The level of development is the minimum necessary to secure the future conservation of the heritage asset and the design and type that minimizes harm to other public interests.

3.18 PPS9 sets down the Government's objectives in relation to biological and geological conservation for planning as follows:

- To promote sustainable development by ensuring that biological and geological diversity are conserved and enhanced as an integral part of social, environmental and economic development, so that policies and decisions about the development and use of land integrate biodiversity and geological diversity with other considerations.
- To conserve, enhance and restore the diversity of England's wildlife and geology by sustaining, and where possible improving, the quality and extent of natural habitat and geological and geomorphological sites, the natural physical processes on which they depend, and the populations of naturally occurring species which they support.
- To contribute to rural renewal and urban renaissance by:
  - 1) Enhancing biodiversity in green spaces and among developments so that they are used by wildlife and valued by people, recognising that healthy functional ecosystems can contribute to a better quality of life and to people's sense of well-being; and
  - 2) Ensuring that developments take account of the role and value of biodiversity in supporting economic diversification and contributing to a high quality environment.

3.19 PPS25 aims to ensure that flood risk is taken into account at all stages in the planning process to avoid inappropriate development in areas at risk of flooding, and to direct development away from areas at highest risk. Where new development is necessary in such areas, policy aims to make it safe without increasing flood risk elsewhere and where possible, reducing flood risk overall.

3.20 The application is not located within an area prone to flooding and there is unlikely to be an additional hard surfacing given the extent in place at present. A full comprehensive Flood Risk Assessment has been provided due to the scale of the development and this is appended as part of this document. In view of the conclusions of this assessment it is therefore considered that the proposals would fully accord with the aims of PPS25.

3.21 In summary, the policies cited from the Local Development Plan allow for provision of this type of development subject to compliance with certain criteria. Relevant policies to the assessment of this application include:

Policy OS5 'Achieving a High Quality City' seeks to encourage the improvement of living environments within the city boundaries. This is a general policy but refers to other policies within the plan, including BE2 (ensuring good design in the built environment), BE1 (requiring that developments meet the overall built strategy) and OS9 (providing access for disabled people).

Policy E1 'Overall Economic and Employment Strategies', seeks to diversify the economic base of the city, maximize employment and encourage regeneration.

Policy BE1 'Overall Built Environment Strategy' will promote and encourage improvements to the built environment throughout Coventry by applying good principles of urban design, whilst respecting the policies for historic buildings.

Policy GE1 'Green Environment Strategy' sets out the council's criteria in protecting green space within the city. One part of this policy refers to protecting the green belt against inappropriate development.

Policy OS4 'Creating a Sustainable City' seeks to encourage the reuse of existing buildings and land, and to promote good stewardship of the natural and built environment.

Policy EM4 'Flood Risk and Development' seeks to encourage development to minimise the risk of flooding and to maximize the absorption of surface water runoff by the ground.

Policy EM8 'Light Pollution' seeks to regulate schemes which incorporate external lighting. Proposals should not have an adverse impact upon road users, amenity of residents and should not detrimentally affect the landscape or rural character of the area.

Policy E4 'Hotels, Conference and Training Accommodation' considers the expansion of hotels. It states that development will be permitted providing it is compatible with nearby uses, has access from a range of transport choices, and is compatible with other plan policies.

Policy AM10 'Traffic Calming' seeks to encourage developers to incorporate or fund traffic calming measures if the traffic movements associated with the development would

otherwise have a materially harmful effect on road safety or on the environmental quality of local communities.

Policy AM17 'Car Parking' seeks to ensure that car parking development complies with supplementary planning guidance. It seeks to determine these requirements based on the proposed use and to ensure that the development will not cause parking problems elsewhere.

Policy AM22 'Road Safety in new Development' seeks to ensure that new development has a safe and appropriate access onto the highway system. It seeks to avoid danger or inconvenience to pedestrians, cyclists or drivers.

Policy BE11 'Alterations or Extensions to Listed Buildings' identifies that an alteration or extension to a listed building will only be permitted if no detrimental impact to the appearance and character occurs as a result of development. The setting and architectural interest are also key determining features which will be considered as part of any application.

Policy BE 20 'Landscape Design and Development' seeks to ensure that a high standard of design and boundary treatment should be evident as part of a development.

Policy GE6 'Control of Development in the Green Belt' seeks to protect against inappropriate development in the green belt, unless justified by very special circumstances. It continues that appropriate development must not harm visual amenity by reason of siting, materials and design.

Policy GE7 'Industrial or Commercial Buildings in the Green belt' explains that the alteration or extension of existing commercial uses may be appropriate if the overall impact on the character and openness of the green belt is improved.

- 3.22 It is considered that this application complies with the above mentioned policies, guidance and case law as the proposed development would be sensitively sited in a location which would complement the existing housing stock and character of the area. Furthermore its location and nature is such that a sustainable form of development can be achieved whilst respecting the amenity of the general area.

## 4.0 Planning History

4.1 There have been various applications made on the site since the 1940's. The building itself was listed in June 1974, and consequently all subsequent works required listed building consent, as well as planning approval. The accompanying Heritage Statement sets out the historic construction of the site, and should be read in conjunction with this report. In terms of the use, which is not clearly shown on the planning history, the city archives that the building became a hotel and restaurant in the 1960's, and various alterations and extensions have been constructed in order to accommodate this use. The most recent use was as a public house, which has recently closed.

4.2 Below is a summary of the planning applications made on the site:

L/1949/0018 – This application was for a foul water drain, and was approved in April 1949.

L/1964/0037 – This application sought for consent to use part of the hotel for a petrol filling station and sales building. This application was approved in March 1964.

L/1994/1689 and L1994/1694 – This application was for a ground floor extension to the side and rear, with a first floor extension, pergola, and various external works. This application was approved in November 1994.

L/1995/0796 and L/1995/710 – This application was for an amended alteration to the building. It comprised of a revised entrance in the southern elevation and revised facing materials to the extension. The alterations were approved.

Most recently an application was submitted to the council for the demolition of part of original buildings-retention of listed building and other ancillary buildings and erection of 2.5 storey extension with basement to provide 52 letting bedrooms and other associated accommodation (R/2010/0637). The application was withdrawn. This current proposal comprises the revised application.

## **5.0 Consideration**

- 5.1 In this part of the statement, the proposed development will be considered against local and national planning policy and guidance, and relevant material planning considerations.
- 5.2 The main areas for consideration are the impact upon the green belt, justification of very special circumstances, impact upon the listed building, design, amenity, flood risk, transportation and parking. Each of these key considerations will be considered sequentially with reference to local and national planning policies.

### **Impact on the Green Belt**

- 5.3 The application site is within a designated green belt, accordingly green belt policy provides the principle of development. The principle of extending buildings in the green belt is generally considered acceptable. PPG2 does identify that development of existing businesses is acceptable providing it is not disproportionate. The definition of 'disproportionate' development has been the subject of a number of cases which have been determined by the inspectorate. Law has found that in some instances a 150% increase in the size of the building is not disproportionate.
- 5.4 In this instance, by virtue of the majority of the development being located subterranean, the overall scheme would have a limited impact on the openness of the green belt, and therefore may not be considered 'disproportionate' or 'inappropriate' in terms of the development above ground level. In this instance the above ground floor level development constitutes a modest increase over and above the size of the original dwelling, which can in no way be considered 'disproportionate'.
- 5.5 Annex C of PPG2 details the guidance with regards to the redevelopment of sites 'without adding to their impact on the openness of the green belt'. It continues to identify that redevelopment should not be higher than the existing buildings, which this proposal complies with, or occupy a larger area than that of the existing built form, providing this would benefit visual amenity. In this instance, the proposal would occupy a larger area, however, through innovative design the proposal would still would have a neutral impact upon visual amenity as the majority of the proposed development would be screened.
- 5.6 The two main local planning policies include policies GE6 and GE7, both of which are policies that focus on development in the green belt. Policy GE6 seeks to protect the site from what

would be deemed as inappropriate development, unless it is justified through special circumstances.

- 5.7 In this instance, the proposal would comply with all counts, as it would have a low visual impact and uses appropriate design and materials. Policy GE7 identifies that the development of existing employment generating uses may be acceptable, providing it would not harm the character of the green belt. As the Old Hall is an existing commercial operation in the green belt, and the proposals sensitive design seeks to respect the openness of the green belt, the proposal would be compliant to policy.
- 5.8 The appropriateness of subterranean development in the green belt is one of the principal considerations guiding this application. At the meeting with the conservation and planning officer we were asked to prepare some national case law history with regards to subterranean development. As with most case law, there are a variety of outcomes, however, case law demonstrates some precedents regarding subterranean development, and how it is considered appropriate. In this instance with The Old Hall, there are additional considerations, including the preservation of a listed building, which is fundamental to the proposal. Two prominent examples in case law have been included in this appraisal below. There are numerous additional examples of subterranean development which have been incorporated into residential schemes throughout the country, which have resulted in the amount of development exceeding that of what may have been considered suitable 'above ground' development. The two cases highlighted illustrate key considerations with regard to development within the green belt.
- 5.9 In 2010 an application was submitted for a completed subterranean self contained residential development in Bolton (84508/10). The application was widely published as the applicant was the footballer Gary Neville. The property comprised of a subterranean dwelling within the green belt, and was not connected to an adjacent property, rather the proposal was to incorporate the subterranean design features. In conclusion the proposal was considered as constituting, 'exceptional circumstances' to provide a self contained dwelling. The application, which included a wind turbine, was subsequently approved, and was not called in by the Secretary of State. The application was considered to have a negligible impact on the character and openness of the green belt, as the majority of the development was hidden, as it was below ground, and it was also considered that the design was of such high value that it constituted exceptional development. In terms of the

relationship between this case and The Old Hall, the proposal would constitute as equally exceptional in design, with a negligible impact on the green belt for the same reasons.

- 5.10 There are also some fundamental differences between the site in Bolton and The Old Hall. The site in Bolton was on a raised area on exposed moorland, with no screening, either through vegetation or relating to an existing building, therefore it is considered to have a much greater effect than the current proposal at The Old Hall. In addition, the exceptional circumstance of the site in Bolton was by virtue of its design and the natural screening of the site. In this application for The Old Hall, a combination of exceptional design and preservation of the listed building collectively combine to create further justification.
- 5.11 Another case worthy of consideration is an application made in 2010 and 2011 for a hotel development at Hersham Golf Club, in Surrey. This application comprised of a 5 star 198 bedroom hotel to be built in the green belt. The majority of the hotel was to be built subterranean, therefore, as the applicants argued, it would have a neutral impact on the green belt. The application was refused by the local council, and was subsequently refused at appeal. The appeal report highlights various points which can provide clarification on development in the green belt.
- 5.12 One of the main concerns with the appeal site was the amount of development proposed above ground, some 6762 square feet. This is in direct contrast with the subject site proposal, which has a much reduced above ground addition. In paragraph 13 of the appeal it states the following in relation to the subterranean part of the development proposal, 'the accommodation would be below ground floor level and would have less of an impact on openness than the above ground parts of the scheme'.
- 5.13 The appeal scheme sought to create a substantial amount of parking on the site, which was a concern for the inspector. Within The Old Hall, the existing parking requirements may be utilised, protecting openness. This impact would be minimal as it would be limited to the less frequent occasions when the site is operating at capacity. The appeal site would have also resulted in the loss of large areas of woodland, which the inspector cited as a major concern in spite of additional planting schemes. This would not be the case with The Old Hall.
- 5.14 In conclusion, the application was refused by virtue of adverse impact to the green belt. However, the adverse impact to the green belt was caused by material differences between this appeal case and the current application at The Old Hall, further adding support to the proposal.

- 5.15 The Old Hall relates to an existing site, whereas Hersham Golf Club sought to erect a completely new building and introduce a new use to the site. The scale of the proposal of Hersham with 195 bedrooms, was disproportionately larger than the application at The Old Hall. The proposed development at The Old Hall would preserve the listed building, which is considered, from a policy perspective, to provide special justification for extending the building. In this instance the subterranean development would actually enhance the setting of the listed building. The Old Hall already has car parking areas, whilst Hersham Golf Club needed to create new parking and infrastructure in order to construct the hotel, which was considered a major contributing factor to the reasons for refusal.
- 5.16 PPG2 also provides guidance regarding development for listed buildings. In Annex C paragraph 11 and 12 it encourages the re-use of buildings with architectural or historic interest. It refers any development to PPS15. In addition, it states that Local Planning Authorities should have regard to the desirability of preserving gardens and grounds of special historic interest.
- 5.17 In Case law a good example in preserving listed buildings may be found in (Mid Bedfordshire 5/9/07 DCS No. 100-050-380) in which it was accepted that a large extension was needed to ensure the preservation of a railway crossing cottage. The inspector observed that the dwelling was a small cottage built in 1864 by Bedford Railway as accommodation for the crossing keeper. The listing referred to the design being a smaller version of the stations on the line, several of which were listed. The cottages were all designed in the picturesque style to appease the Duke of Bedford whose estate was crossed by the line. The inspector noted that the building had been vacant for several years and had become increasingly derelict and vandalised to the extent that it was included in the council's buildings at risk register. He took the view that there was a pressing need to get the listed building repaired and in beneficial use. He reasoned that the level of investment required, and the very small size of the present cottage, indicated that an extension of some size and substance was likely to be necessary to achieve a viable scheme and facilitate the attention that the building required if it were not to be lost entirely.
- 5.18 Although for a domestic extension, the principle of extending in green belt was also evident in an additional example in case law. This case illustrates the need to take a more effects based approach to the assessment of applications for extensions in the green belt, rather than a pure policy based approach. Permission was granted for a conservatory to a dwelling that would cumulatively result in a 123% increase in the size of the original dwelling, from

130m<sup>2</sup> to 290m<sup>2</sup>. An inspector held that the council's assessment of percentage increases did not reflect the lack of harm caused to the openness of the green belt by the small size of the proposed conservatory. Rather than being a balanced approach, it would effectively 'freeze' the dwelling at its current size and this was a simplistic method of assessment. A more analytical approach that examined the effect of the conservatory was required and, taking a pragmatic line, the inspector concluded it would be a modest extension. Even taking into account previous enlargements, it would not be a disproportionate addition and was not therefore inappropriate in the green belt (South Bedfordshire D.C. 01/05/01).

- 5.19 Whilst this case was for a domestic property, the principles are transferable to The Old Hall. It has been accepted by the council that the building requires redevelopment, and needs to operate as a viable business in order for this to be undertaken. The South Bedfordshire case highlights that vacant dilapidated listed buildings are best brought back into use, and in this instance, the viability required extensions and alterations.
- 5.20 Additional support may be found in the 'Good Practice Guide on Planning for Tourism 2006'. Annex A states that 'moderate-sized extensions to an existing hotel or public house, including the addition of bedroom accommodation, can help to ensure the future viability of such businesses. This may satisfy a local need as well as a tourism one, by fully utilising the potential of the site but without any disproportionate increase in scale. In all cases, careful consideration should be given to ensure that the size of the extension proposed is not disproportionate for the location concerned.'
- 5.21 The principle of preserving the listed building, whilst undertaking extension work in the green belt may be considered as an 'exceptional circumstance', as the preservation of the listed building is of tantamount importance. The key considerations should therefore be the balance of preserving the listed building, ensuring that the operation would be viable, whilst creating minimal impact on the character of the green belt.
- 5.22 With this site, it was considered, in spite of exceptions both in case law and policy, that a bulky disproportionate extension would not be best suited to protect the setting of the listed building. A direct comparison could be made at The Royal Court Hotel, close to the site, where the original building has been disproportionately extended. The proposal at The Old Hall is to create a wedding venue, and boutique type hotel accommodation. It is considered that the original listed building would be retained with minimal amounts of visual development, preserving the setting and character of the listed building. From both a

conservation and planning perspective, it was considered that a subterranean development, fronting onto subterranean landscaped courtyards, would provide a suitable sustainable solution.

- 5.23 In addition, the proposal would also accord with green belt policy in retaining attractive landscapes and enhancing landscapes near where people live. The proposed landscaping improvements and redevelopment of the listed building would combine to provide and improve local landscape for patrons of the neighbouring park and the surrounding area.
- 5.24 It would also improve damaged and derelict land around towns, as identified in PPG2, as being a key consideration. The proposed redevelopment of The Old Hall would bring a derelict site back into use, improving the locality. In summary, it is considered that the extension would be compliant with national green belt policies, and therefore is, in principle, acceptable.

### **Very Special Circumstances**

- 5.25 Should the local planning authority consider the proposal as being ‘inappropriate development’, the applicant is aware that very special circumstances would need to be demonstrated in order for the development to be approved. Whilst it is considered that the proposed extension would be compliant with local and national planning policies, it is also considered that there are significantly more benefits to the proposal than possible harm to the green belt.
- 5.26 PPG2 advises that inappropriate development is, by definition, harmful to the green belt and the onus is on the applicant to show why permission should be granted. Very special circumstances will not exist ‘unless the harm by reason of inappropriateness, and any other harm, clearly outweighs the benefit’. The special circumstances demonstrated by this case are summarised below and supported by the stated case law.
- 5.27 The preservation of a listed building may reasonably be considered as an exceptional circumstance. This would comply with PPG15 and local plan policies GE6 and GE7. PPG15 recognises that historic buildings are most likely to survive if they are put to economic use and this is clearly of particular relevance to proposals for the extension of commercial buildings. The following cases are of interest in this regard and have sought extensions to listed buildings for various commercial uses.

- 5.28 The monumental case at Hillingdon Council in 1984 saw the preservation of some listed buildings made financially possible by office development in their grounds (Hillingdon LB 29/5/84). Here an important listed house in the green belt (Swakeleys) was in very poor condition. An inspector noted that permission had already been granted for one office building and the income from this had enabled work to start on repairing years of neglect and decay. A second building was alleged to be necessary to carry on the work and the inspector accepted this in good faith and noted that the new building would not be prejudicial to the setting of the house being far enough away for this objection to be reduced almost to insignificance. In terms of the Old Hall, the design and siting of the additional development would be visually negligible, and seen as a legitimate way in which to justify the redevelopment of the site. This case has some direct comparables to the current application at the Old Hall, as the wider development, which would not be overly visually instructive, would facilitate the restoration of the listed building. It therefore may be reasonably considered that the preservation and restoration of the listed building would constitute as being an exceptional use.
- 5.29 Another relevant case is from Wigan Council in 2000. Here a proposal to extend a hotel in a locally listed parkland in the green belt, including the construction of a leisure facility and new function suite to replace a marquee, was called-in by the Secretary of State. The development fell outside any of the categories outlining appropriate development. However there would only be limited impact although this did not constitute a very special circumstance. It would create 56 new jobs and the majority would go to local people. There would be no harm to the listed building. Whilst some additional traffic would be generated, the provision of a "one-stop" hotel and conference facility could have advantages over other alternatives where such facilities were dispersed. The Secretary of State granted permission (Wigan 10/1/00 DCS No.034-951-985).

### **Listed Building**

- 5.30 PPG15 states at Annex C paragraph C7 that, 'Modern extensions should not dominate the existing building in either scale, material or situation. There will always be some historic buildings where any extensions would be damaging and should not be permitted. Successful extensions require the application of an intimate knowledge of the building type that is being extended together with a sensitive handling of scale or detail.'

- 5.31 One of the main considerations in determining applications for extensions and alterations to the listed building is the overall impact any alteration would have upon the architectural or historic interest the listed building holds. An accompanying Heritage Statement should be read in conjunction with this report, and which provides detailed analysis of the historic merits of the proposal, and the proposal alterations.
- 5.32 The building itself was listed in 1974, and the official listing description states that the building is, 'A Early to mid C19 alteration of earlier house. Stucco front in Neoclassical style. 2 storeys, entablature, blocking course. Panelled end pilasters, central pediment over slight projection and ground floor semi-octagonal bay. 3 sash windows in reveals. Ground floor rustication. Recessed wing on left with conspicuous modern incongruous porch'.
- 5.33 As previously mentioned, preserving the integrity of the building will be of tantamount importance. The accompanying Heritage Statement will provide further clarity in this matter, and will highlight the justification for the proposed alterations.
- 5.34 As previously mentioned, PPG15 provides the main national planning basis for determining listed building applications. To repeat, in Annex C paragraph C7 it states that, 'modern extensions should not dominate the existing building in scale, material or situation. There should be some historic buildings where an extension where any extensions would be damaging and should not be permitted. Successful extensions require the application of an intimate knowledge of the building type that is being extended together with sensitive handling of scale and detail'. In terms of minor additions to listed buildings guidance is given at C.68 that only undamaging and visually unobtrusive positions for such fixtures should be agreed.
- 5.35 The proposed extensions to the eastern elevation fronting the highway are modest in their scale and appearance. These alterations and extensions were proposed by virtue of the current untidy elevation which fronts onto the highway, which is one of the key viewpoints in the locality. The councils conservation officer advised that redevelopment from this vista would be appropriate, and would improve the aesthetics of the site. In terms of the design of the extension, it was considered that a consummate modern extension should be erected. It was considered that the extension would be best read as an addition, rather than attempting to undertake a pastiche addition, which would do little to add to the aesthetic of the building. Despite the design, the extension would relate to the existing building in terms of render and finish, retaining the link between the old and new development. The proposed

fenestration would also provide uniformity in its design, and will provide a much improved elevation when viewed from the highway. The scale and size of this extension seeks to retain the architectural and historic interest of the building, compliant with PPG15 and local planning policy BE11. The alterations would be a vast improvement to the existing mixture of roof types, pitches and building material, providing a suitable extension.

- 5.36 The orangery extension, which is proposed to the southern elevation, will comprise of a series of glazing and pillars, which again would be of a modern design, which seeks to be read in conjunction with the listed building, being an obvious addition, however providing a visual link through the use of matching material. The proposed building is subservient in terms of scale and size of the existing building, particularly when viewed from the south west, with the backdrop of the existing buildings. The extension is in no way disproportionate to the existing building, nor would detract from the historic or architectural interest of the listed building itself, compliant with PPG15 and BE11.
- 5.37 The subterranean additions will comprise of a subterranean banqueting area which would be served from the orangery. This area would not be visible from the listed building, preserving its setting and character. Part of the structure will be screened by the proposed walled garden. The walled garden is an historic feature of the site, and was historically constructed on the site. It is considered that by reinstating the wall garden an original feature of the listed building will be reconstructed. Within the garden the contemporary roof lights would be screened, and will add architectural interest to the site. There will be two sunken courtyards within the site, which will be landscaped. These areas will be visually separated from the listed building, which forms the main architectural and historic interest of the site. The only additional building will be a pavilion, which will architecturally mirror the proposed orangery on the site. This will be a subservient addition within the grounds, and have a negligible impact. The proposed alteration would be consummate to planning policy, and would not represent inappropriate development.
- 5.38 The refreshment and preservation of the listed building in the green belt is considered as being a special circumstance, which is supported by case law. In this instance, the building is in a poor state of repair, and the site would clearly benefit from redevelopment. The vacant building, and site overall, does not currently realise the potential of the unique setting and does not currently positively contribute to the locality. Bringing the site back into use as a small hotel is not a viable business, and it is accepted by the planners and developers that, in

order for the site to be sustainably redeveloped, some additional and extension work will be required.

- 5.39 The combination of innovate design and preservation of openness, collectively contributes to having no adverse effect in the green belt, whilst creating an extension which in its own right is considered 'exceptional design'.

## **Design**

- 5.40 The appearance, scale, height and layout of the proposal have been a key consideration from the outset, in order to ensure that the setting of the listed building is preserved, whilst preserving the openness of the green belt. A detail of the design may be read in full within the accompanying design and access statement, which should be read in conjunction with this report. The design proposal has evolved, following initial conception to the current proposed application. This includes alterations to the layout and sizes of the proposed extension. In particular, following a meeting with the council's conservation officer, it was considered that the western elevation, fronting the highway, is altered to provide an improved vista from the highway. This was incorporated into the design.
- 5.41 The proposal also benefits from landscaping improvements, particularly to the front of the building, which is considered as being the principle elevation. The enhanced landscaping provides a much improved vista into the site, as viewed from the park, and for patrons of the hotel within the site, when entering the listed building. A more comprehensive review of the evolution of the design and building may be read in the accompanying Design and Access statement.
- 5.42 The montages and 3D visualisation document, which accompanies this application, demonstrates that there would be no visual harm as a result of the proposal, particularly when viewed from the park, which is outside of the application site. The overall design ensures that the extension is integrated into the landscape, and preserves openness. The majority of the existing mature trees within the site will be retained, providing a visual buffer for the site when viewed from the park, preserving the special setting of Old Hall.
- 5.43 The scale of the proposal was considered from both a viability perspective, and to ensure it would be consummate to a small profitable boutique type hotel. With the bulk of the extension being below ground, with a green roof and sunken landscaped courtyards, the

combination of natural materials, vegetation and glazing will reflect the natural character of the locality.

- 5.44 The small outbuilding in the grounds, which provide access to the courtyard areas, have been incorporated in order to comply with the Disability Discrimination Act. By providing disabled access to all areas of the building, various design measures have been considered and adopted appropriately as part of this proposal.
- 5.45 The sunken courtyards will provide architectural interest to the site. The banqueting facility and hotel rooms will be arranged around two sunken landscaped courtyards. The use of extensive glazing, providing outlook onto these landscaped areas, will ensure that the proposal constitutes as exceptional design, which should be applauded by the council. The result will be an attractive secluded area, which would accommodate events and also provide a unique hotel experience. It is considered that this site could constitute as ground breaking design, and be an exceptional example of groundbreaking architecture in the Coventry area.
- 5.46 In conclusion, the use of appropriate design and materials has meant that the proposal would be well integrated into the landscape. The unique design, with minimal impact to both the listed building and openness of the green belt, have been sensitively developed in order to comply with national and local planning policies OS5, E1, BE1 and BE20, whilst providing a unique design to the wider character of the area.

### **Amenity**

- 5.47 By virtue of the location of the proposed extension, which is not located within a residential area, or within close proximity to a residential property, it is not anticipated that there will be any adverse impact upon residential amenity. Mitigating measures, such as the sunken courtyards, and the accommodation being located within buildings, further mitigate any potential impact. By virtue of the location of the development, it is not anticipated that there would any adverse noise and disturbance, and it is reasonable to assume that noise levels will be well within national and regional planning policies.
- 5.48 It may be reasonably concluded, by virtue of the location of the proposed development in relation to the nearest residential properties, that the proposal would not have a material impact upon amenity in the locality.

## **Trees**

- 5.49 The site benefits from a number of trees, which have been protected through a tree preservation order. In addition to the protected trees, the site benefits from a number of trees and shrubbery, which help to distinguish the application site from the neighbouring park.
- 5.50 The proposed works result in the loss of several trees, that have all been classified as being a low quality by virtue of poor condition or small size. This is summarised in the accompanying tree report. The siting of the proposed development was heavily influenced by both protected and none protected trees, as retaining the landscaping and character of the area was considered a key consideration to the success of this application, retaining the boundary trees and shrubbery. The proposal also includes new planting, which will also have a positive impact on the wider character. The arboricultural method statement which accompanies this report will help to ensure that the future of the trees will be protected on the site.
- 5.51 The accompanying tree report summarises that the development can be achieved on this site subject to special precautionary measures being taken to protect the trees during and post construction. These restrictions may be imposed through appropriate planning conditions should the application be approved.

## **Flood Risk**

- 5.52 The accompanying Flood Risk Assessment comprehensively addresses concerns and issues around potential flooding of the site, and should be read in conjunction with this report. The site is located in Flood Zone 1 which is considered a low flood risk area from the perspective of fluvial and tidal flooding with an annual probability quantified as less than 0.1% in any given year.
- 5.53 The second main concerns with Flood Risk Assessments relate to the risk of surface water flooding to the site. The Flood Risk Assessment concludes that surface water drainage is anticipated to be low owing to the local topography and sparse development within this area. The risk of groundwater flooding remains unknown in lieu of a site investigation however it is anticipated that where there is a perceived risk, flood resistant measures could be implemented to mitigate this risk. The Flood Risk Assessment continues to identify that the drainage design of the development could be conditioned at the planning stage and

undertaken during the building regulations assessment. This would be agreed with the statutory consultees prior to further building works beginning on the site. The conceptual drainage strategy within this report however demonstrates that the site drainage system could discharge to Severn Trent Sewer in accordance with sustainable drainage principles.

- 5.54 The report concludes that the proposal is considered to accord with the requirements of Planning Policy Statement 25 and Policy EM4 of the Local Plan, with the residual risk to the site fully mitigated, and as such considered tolerable. The proposal should be allowed to proceed from the perspective of 'flood risk'.

### **Transport Assessment**

- 5.55 The Transport Assessment should be read in conjunction with this report, and provides a detailed review of a transport plan for the site. The focus of the report is to review the current on site provision for parking and transport, and to review the required parking in line with alternate means of transport to the site. The plan has been prepared in conjunction with PPG13 and local planning policies AM17, AM10, AM22 and OS5.
- 5.56 The report summarises that there is currently 108 vehicular parking spaces on the site, with 5 disabled parking spaces. This level of parking has been associated with the previous uses of the site as both a public house and a hotel facility.
- 5.57 The projected required parking has been calculated considering national parking requirements and TRICS databases. The proposed vehicular parking provision would serve the hotel facility and banqueting area. The flows of traffic have been modelled, as there will invariably be peak flows of traffic at various points of the day. The modelling showed that 110 parking spaces are adequate for 200 guests, and that a banqueting facility for over 650 guests will require an additional 90 car parking spaces. As patrons frequent the site, the majority of these additional car parking spaces would only be used as overflow, and during weekends. This will mitigate the council concerns of on street parking on Tamworth Road.
- 5.58 A Green Travel Plan would also promote and encourage sustainable travel amongst staff, and the proximity of a bus service, would also mitigate any impact. A taxi and coach drop off point is incorporated into the design. It is also proposed, by way of a mitigation measure, that the site is marshalled. The report concludes that the uses would create very few single journeys, and the nature of the use will mean that it is reasonable to assume that car

journeys will be shared. It concludes that traffic generation would not adversely affect the highway network in the vicinity of the site.

## 6.0 Conclusion

6.1 In assessing this application in relation to policy and environmental context it is considered that the application should be granted for the following reasons:

- The site is currently derelict, the redevelopment of which would accord with local planning policies, and the wider aims of national policies. The redevelopment of the site will have a number of benefits including creating local employment, improving the security of the area, improving the visual amenity of the area and providing Coventry with a new high quality hotel and wedding venue.
- The listed building is currently in a poor state of repair, and risks becoming irreparable where the historic and architectural interest could be lost. National planning policy seeks to encourage development as a means of restoring and preserving listed buildings. This should be considered as a major contributing factor to the redevelopment of the site.
- Having undertaken an appraisal of the proposal from key vantage points outside of the application site, it is considered that the proposed development would have a neutral impact in terms of affecting the openness of the greenbelt. The development in principle can sit comfortably in its surrounding context complementing the character of the area, whilst being compliant with green belt policy. National policy guidance and case law illustrates that subterranean development can be used as a way to create development in the green belt.
- The site is located within a sustainable location with good public transport connections alongside cycle routes to ensure that patrons have other more sustainable travel options reducing the reliance on private vehicles. In addition, a coach and taxi drop off point will also add to the choice of modes of transport accessing the site, improving the overall sustainability of the proposals.
- The proposals would respect the amenity of the occupants of neighbouring properties by virtue of the siting of the development and design measures incorporated into the detailed design of the scheme.

- The proposals are unlikely to increase the flood risk potential of the site as appropriate mitigation can be incorporated within the scheme. This application is compliant with PPS25.
- Sufficient off street parking would be achievable. Appropriate visibility will be maintained at the access point so as to ensure that this application would not result in circumstances which would be prejudicial to highway safety. There have been various mitigation measures discussed, which would mean that the proposal would be compliant.
- The listed building would be preserved and the site made commercially viable through the proposed alterations and extension. The extensions and alterations have been designed to complement the listed building, being read as obvious new additions, but mirroring key elements of the design in order that the entire building is read as a whole. The design of the extensions would be respected in all parts of the new development, in order to retain uniformity, providing an architecturally stimulating alteration to the building.
- The proposals would result in an overall improvement in the habitats provided within the site due to the creation of garden curtilages and public amenity areas and open spaces which would provide some ecological habitats and an improvement in ecological linkages with the adjoining park. The proposal will also preserve the protected trees on the site, retaining the landscape character of the site, particularly when read from the surrounding open parkland.

6.2 Having regard to the above and all other matters it is subsequently considered that the proposed development meets the expectations of policies of the Development Plan and other policy guidance including specifically the provisions of PPG15. It is respectfully requested that this application should be granted subject to conditions.