
Appeal Decision

Hearing held on 2 September 2014

Site visit made on 2 September 2014

by David Nicholson RIBA IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22 October 2014

Appeal Ref: APP/Q4625/A/14/2213978

Meriden Hall, Main Road, Meriden, Coventry CV7 7PT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Pertemps Investments Ltd against the decision of Solihull Metropolitan Borough Council.
 - The application Ref 2013/994, dated 13 June 2013, was refused by notice dated 29 August 2013.
 - The development proposed is a new office building with basement parking on site of existing car park.
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Decision

1. **The appeal is dismissed.**

Main Issues

2. The main issues are whether the proposal would:
 - (a) amount to *inappropriate development* in the Green Belt and, if so, whether *very special circumstances* exist to clearly outweigh this and any other harm;
 - (b) preserve the special architectural and historic interest of the listed building or its setting.

Reasons

3. Meriden Hall is a Grade II* listed building. I was told that Pertemps (standing for permanent and temporary) buys and sells people. It is a large group of companies which has never been out of the Sunday Times top 100 and is a major employer in the UK. It has made a considerable investment in Meriden Hall which was previously derelict. It chose the site as image and presentation are essential to its business model. The appellant now needs to modernise its head office to relieve overcrowding. I was told that it has previously tried to move some staff to another location nearby but the experiment didn't work.
4. The proposal is to redevelop the existing car park into a communication and response centre with offices and meetings rooms to the upper ground level and basement parking. As well as sinking the parking, the scheme would incorporate a low pitched turfed roof, reflective glass and natural cladding materials to significantly reduce its impact. There would be new tree and shrub planting on all sides.

Green Belt

5. The appeal site lies within the West Midlands Green Belt. Paragraph 88 of the National Planning Policy Framework (NPPF) requires that substantial weight should be given to any harm to the Green Belt which, by definition, includes *inappropriate development*, and states that such development should not be approved except in *very special circumstances*. With a limited number of exceptions (paragraph 89), the NPPF regards the construction of new buildings as *inappropriate development* in the Green Belt. *Very special circumstances* will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
6. At the Hearing, the appellant acknowledged that the proposed house would be *inappropriate development* in the Green Belt, as defined by the NPPF. However, with regard to the Solihull Local Plan (LP) adopted in December 2013, it invited a different interpretation. Policy P17 mirrors the NPPF with regard to *inappropriate development*, but adds that, in addition to national policy ... *the reasonable expansion of established businesses into the Green Belt will be allowed where the proposal would make a significant contribution to the local economy or employment ...*. Supporting paragraph 11.6.7 states that the policy is consistent with national Green Belt policy but provides some further guidance for a limited number of exceptions including the reasonable expansion of established businesses where justified, as above. While I accept that there is some tension between this wording and the NPPF, given that LP policy P17 must, as it states, be consistent with national policy, I find that it can only refer to the other exceptions in NPPF paragraph 89 rather than new buildings. The proposal would therefore conflict with LP policy P17.
7. In any event, the appellant put forward the particulars of, and need for, the proposed building as *very special circumstances*. These included: the appellant's operational and business requirements for a new building at this site; why the Hall is unsuitable and no longer fit for purpose; why no other location would be suitable; how it would create jobs elsewhere; that the appellant business is the only way to sustain the listed building; that the business would otherwise be likely to move (with implications for the site); and that through hiding the existing car parking with appropriate landscaping and a turfed roof, the scheme would enhance the appearance of the Green Belt.
8. I acknowledge that the appellant company is unusual in that it is a major employer in the UK, has an unusually strong requirement for a high quality corporate image, and has shown a considerable commitment for the wellbeing of the listed building and its immediate grounds. I saw for myself that the number of people working in the Hall, while not necessarily unusual for many service businesses, is not compatible with the appellant's commitment to its staff. While I agree with the Council that it would be possible for the business to operate without the proposed building, I accept that it would be undesirable for the business and so for the local and wider economy. Taken together, I give substantial weight to these factors.
9. On the other hand, businesses frequently need to expand and there was little evidence that another business would not be interested in occupying and maintaining the building and park to a similar standard without the need for inappropriate development in the Green Belt. While mitigation has been put

forward that could reduce the impact of the new building, a lack of harm cannot contribute to *very special circumstances*.

10. On this issue, I find that substantial weight should be given to both the harm, by definition, to the Green Belt and to the benefits to the business and the local economy as other considerations. However, for *very special circumstances* to exist, the NPPF requires that the former should be *clearly outweighed*. On the evidence before me, my judgement is that the appellant's circumstances are not so unusual as to be *very special* or to reach the high hurdle of *clearly* outweighing the substantial harm by definition. I therefore conclude that the scheme would conflict with the NPPF and with LP policy P17.

Listed building

11. Meriden Hall was mostly built in the early 18th century as a country house but the adjoining wing has 17th century stone mullioned casements. The main façade has a pedimented centre, rusticated quoins and sash windows typical of classical designs of that time. There is some fine surviving detailing to the interior. At the time of listing in 1952 the hall was divided into flats. There was no dispute that the appellant has invested appropriately to repair and convert the house into offices and that it is being well cared for, albeit currently a little overcrowded.
12. To the north lies what remains of a small landscaped park, including a serpentine lake overlooked by the principal façade to the Hall. The appeal site lies to one side of the park, along the boundary to the north west of the Hall and roughly comprises the current car park. The principle vehicular entrance to the Hall and its park runs between the car park and the rest of the park. Close to the south of the Hall lies a caravan park.
13. In my assessment, the special interest, and significance of the listed building extend beyond its fine interiors and elevations to include the extent of the setting which is important to the historic location of the house in its estate at that time. The location of the house was probably influenced by its elevated position relative to what is now the lake and the ownership at that time which included the area to the south. This land was probably once pleasure gardens but is now occupied by the caravan site. At the time it was built, the ownership of the area of land to the north was restricted, and did not include the appeal site, and so it is unlikely that this would have made a significant contribution to the original setting of the house. I am also conscious that this setting has evolved over time and that whether or not a proposal would stand within its setting is partly dependent on the scale of the development proposed. This can include its size relative to the Hall, the estate and the separating distance.
14. Over time, the former pleasure gardens have been lost and the associated ownership has extended to include the area to the north-west now used for parking cars. There is intervisibility between the house and the car park and, despite some screening, they can be seen together in views in front of the house and from the access drive and this would be more pronounced in winter.
15. The proposed building would be relatively large and, subject to conditions, at roughly 6.5m to the ridge it would be quite tall so that it would impinge on the northern setting of the listed building over 100m away. On the other hand, it is outside the immediate parkland and lake surrounds, is well screened and,

despite the need to fell some trees, this could be enhanced. The facing materials would also try to limit its impact. All these could be controlled by conditions, as could the final floor levels and height.

16. In balancing my consideration of the size of the proposed building, its distance away from the Hall, the opportunity for screening and the extent to which this part of its setting contributes to the significance of the Hall, I find that the proposal would harm the setting of the listed building, but that the degree of harm would be quite limited. It would fall well short of substantial harm as defined in the NPPF and so should be weighed against the public benefits of the scheme as required by paragraph 134 to the NPPF.
17. Setting aside the balance with regard to the Green Belt for the purposes of this issue, I find that the public benefits of ongoing care for the listed building and securing significant levels of employment in the area and the wider UK would outweigh the harm to the setting of the listed building. The benefits of the scheme would therefore outweigh any conflict with LP policy P16, which expects development to preserve or enhance heritage assets, which include listed buildings. The Proposals would satisfy the balance to be struck by the NPPF.

Landscaping

18. The proposed building would require a number of trees to be felled on the site and, as above, I have taken this into consideration when assessing the setting of the listed building. In my assessment, no important trees would be affected. With regard to landscaping, the Council was primarily concerned with the effect on the boundary planting and any consequential impact on the landscape outside the site.
19. It was agreed on the site visit along an adjoining footpath that most of the trees in the boundary belt are relatively young, around 10-15 years old, which is consistent with the date of the car park. New landscaping could mean that any of these trees which were harmed could be replaced and so, over a reasonable period of time, there need not be an adverse impact on the appearance of the landscape beyond this boundary. While it is likely that there would always be glimpses of the new building through the trees, this would be no different to that which already occurs elsewhere along the footpath looking towards Meriden.
20. Subject to conditions, I find that there would be no conflict with the NPPF, paragraph 109, which aims to protect and enhance valued landscapes, or with Policy ENV14 of the saved Solihull Unitary Development Plan, which aims to safeguard important trees, hedgerows and woodlands.

Conclusions

21. As above, the scheme would amount to *inappropriate development* in the Green Belt. The potential benefits of the scheme would not *clearly outweigh* the harm to the Green Belt and so *very special circumstances* do not arise. The scheme would be contrary to the NPPF and would conflict with LP policy P17. The lack of harm, on balance, with regard to the other issues does not weigh in its favour. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

David Nicholson

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Gareth Jones
Jeff Scoffham
John Goom
Tim Watts
Susan Wilcox

Tyler Parkes
Hasker Architects
Evesham
President, Pertemps
Pertemps

FOR THE LOCAL PLANNING AUTHORITY:

Lawrence Osborne
Martin Saunders
Deborah Honan

Solihull Metropolitan Borough Council
Solihull Metropolitan Borough Council
Solihull Metropolitan Borough Council

INTERESTED PERSONS:

Alan Taylor Inspector of historic buildings, English Heritage

DOCUMENTS

- 1 Letter of notification of the Hearing
- 2 Statement by Alan Taylor, Inspector of historic buildings, English Heritage
- 3 Site plan identifying trees to be removed
- 4 List description