

Re: Planning Consultation for Newlands Bishop Farm

Clerk <clerk@hamptoninarden.org.uk>

Mon 05/06/2023 10:47

To: bwatkinson@solihull.gov.uk <bwatkinson@solihull.gov.uk>

Dear Benn

Please see attached the Parish Council's response:

 [Response 2023 01031 Newlands Bishop Farm Catherine de Barnes.pdf](#)

Many thanks,



Julie Barnes

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From: bwatkinson@solihull.gov.uk <bwatkinson@solihull.gov.uk>

Sent: 17 May 2023 12:48

To: Clerk <clerk@hamptoninarden.org.uk>

Subject: Planning Consultation for Newlands Bishop Farm

An application has been received

for a proposal within your Parish. Please see the details attached

<https://publicaccess.solihull.gov.uk/online-applications/applicationDetails.do?activeTab=summary&keyVal=RUG1KIOEJ5C00>

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For the Attention of Benn Watkinson

PL/2023/01031/PPFL | ERECTION OF A TRIPLE COMBINED TEPEE TENT FOR USE BY ADULTS WITH LEARNING DISABILITIES. | NEWLANDS BISHOP FARM BERRY HALL LANE CATHERINE DE BARNES SOLIHULL B91 2RY

We are writing in response to the above planning application which appears to be a repeat of a previous planning application **PL/2020/02784/PPFL** validated 24 November 2020, but which was withdrawn in September 2022 for reasons unknown.

This application (in common with the previous one) makes no reference to its use as a venue for wedding celebrations/musical events as it is now. It states that the tepee is to be used by adults with learning difficulties but is not specific in how it is to be used. We can assume that it could be used for training of one sort or another.

Before its withdrawal the previous application had been considered by several SMBC areas including Public Protection and think it relevant to quote an extract of text included in their report when they raised an objection at the time: -

"There is no mention of the structure being used for entertainment purposes. Yet the objectors refer to experiencing intrusive noise from events held at the Farm particularly during 2019. Looking at the submitted information I am unclear as to whether the applicant intends to use the structure for musical events and if so, what noise mitigation measures will be implemented to ensure there is no disturbance of the amenity because of intrusive noise from entertainment.

Before we progress, I will need further information including: 1) A weekly itinerary (over a year period) indicating how the applicant intends to use the Structure, including plans for live music, recorded music, TV as well as any other amplified speech and sound. 2) Noise mitigation measures, if the applicant intends the use the structure for the operations described in 1) above. 3) An Itinerary of all past events involving live music, recorded music, TV as well as any other amplified speech and sound. This should include dates, and timings (i.e., when events started and finished)."

We suspect that the tepee mentioned in this latest application is still intended to be used for entertainment purposes and feel that the above comments by Public Protection still would apply to this current application if this were in fact the intention.

Since the tepee was installed, it has featured prominently in NB's marketing for wedding events and celebrations details of which can be viewed on their website <https://newlandsbishopfarmweddings.co.uk>. It is used from Friday to Sunday during the summer months as a venue for these types of events which has given rise to complaints from residents in Catherines Close and Ravenshaw Lane of significant noise nuisance which SMBC is aware of.

The Parish Council supports the aims and the objectives of this organisation but does expect it conduct its business in a considerate and sustainable manner which unfortunately we do not feel they have done so in the past.

The current application states that the current works started 1/7/22 but as the earlier application shows, the tepee was erected and used without planning permission from 2020.

In the 'Existing Use' section of the application form it makes no mention that the tepee is used for entertainment events, wedding celebrations etc but as mentioned above, the website clearly indicates the intention to continue such use which has given residents considerable distress/anxiety during the summer months because of the noise nuisance and anti-social behaviour emanating from those events.

The site is in Green Belt and as such para 149 of the NPPF states "a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

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

The development for consideration in this application does not meet the exception criteria and therefore we would have expected it to have included a document putting forward "Very Special Circumstances" to support its construction in the Green Belt – no such document exists. In fact, the application consists of only 2 documents, the application form and diagram of the site. In view of the previous history, we would have expected to see a planning statement, an assessment of harm as part of the normal Development process, an impact/noise assessment as well as the documenting promoting very special circumstances justifying why it should not be treated as inappropriate development. The planning portal files for the previous application shows SMBC made several responses some with requests for assessments like those we have mentioned. With the application being withdrawn no assessments were lodged against the application so we suspect they were never provided or undertaken.

As a result of past experiences and the fact that the website shows that wedding celebration bookings are actively being encouraged we suspect the tepee will continue to be used as a venue for wedding celebrations and other musical events for which the premises is licenced up to 11pm. An extract of

the home page is quoted here : *We offer exclusive use of the farm and triple hat tipi, from summer 2023, from Friday to Sunday. Set up and decorate Friday ready for your perfect day on Saturday. Choose either a romantic ceremony in the woodland next to a wooden wedding arch, nestled between the trees, or next to the tipi overlooking rolling farmland. While your guests are served a reception drink from the tractor bucket, you'll have ample opportunity for beautiful wedding photos around the farm. Stop by the wood store for a rustic backdrop or nip into the greenhouse where your photographer will capture a beautifully light and airy photo. Outside caterers are welcome and all mains electric and water are supplied. Tables, benches, and chairs are included within the tipis to seat around 120 guests.*

Unfortunately, this leads us to believe we have good reasons to be concerned. Incidentally the wood store referred to in the above text is adjacent to a resident's garden fence. Guests are also encouraged to roam round the site/grounds a situation which often gives rise to noise and anti-social complaints from the neighbouring residents.

There are several possible scenarios that potentially pertain to this application as it stands today which we feel need to be considered and addressed.

- 1) **The Tepee is only to be used as described** – Question: How will it be used. The applicant has already received planning - PL/2022/01785/PPFL for canteen and training room facilities so what training if any, might be conducted in the tepee.? The application makes no reference to it being used as a venue for wedding celebrations although the Website <https://newlandsbishopfarmweddings.co.uk> indicates otherwise.

SMBC action deemed appropriate: The application should be **refused** as inappropriate development – with no very special circumstances being promoted to support its installation. No assessment of harm has been provided which is part of the normal Development Management process and no impacts on Amenity assessment has been undertaken or provided to protect those living and working nearby Policy P14 SLP Dec 2013, If SMBC feel approval is appropriate then use of the tepee should be restricted to Monday to Friday 8.30am -6.00pm and Saturday 8.30am to 1.00pm

- 2) **The tepee will be used as indicated in the application but also as indicated on the website, <https://newlandsbishopfarmweddings.co.uk> as a venue for wedding celebrations and similar music events.**

SMBC action deemed appropriate: The application should be **refused** as inappropriate development in the Green Belt with no “very special circumstances” being put forward in support and no assessments for noise etc being provided. Development would not comply with | Policy P14 SLP Dec 2013. If SMBC feel approval is appropriate, then use of the tepee should be restricted to Monday to Friday 8.30am -6.00pm and Saturday 8.30am to 1.00pm.

- 3) **The tepee will be used as in 1 but the relevant information i.e. (assessments/vsc documents) are subsequently provided and deemed acceptable to allow approval.**

SMBC action deemed appropriate: Any approval should be **conditional** on the tepee **not** being used for weddings celebrations and other such musical events giving rise to noise and behavioural

nuisance and its use restricted to Monday to Friday 8.30am -6.00pm and Saturday 8.30am to 1.00pm

- 4) **The tepee will be used as 2) i.e. but also used at the weekends as a venue for wedding celebrations and similar events, although the planning application does not indicate it will be used for those purposes and the relevant documents eg acceptable VSC ,relevant assessments) are provided and deemed acceptable**

SMBC action deemed appropriate: The application should be **refused** on the grounds it does not comply with Policy P14 (Amenity) Presuming that the very special circumstances put forward are sufficient to outweigh the harm to the openness of the Green Belt. However, if approval is granted the use of the tepee is restricted to Monday to Friday 8.30am -6.00pm and Saturday 8.30am to 1.00pm.

Finally, we would also wish to draw your attention to a meeting that was held on the 22/5 hosted by SMBC and Chaired by Louise Baggott (a copy of the agenda is attached) and attended by Dave Cuthbert -Chair Catherine de Barnes Residents Association, John Ecclestone - Catherine de Barnes Ward Parish Councillor, June Lewis and John Ainsworth both residents of Catherines Close, at which the residents' complaints of noise nuisance and anti-social behaviour relating to events held in the tepee were discussed.