
Appeal Decision

Site visit made on 15 June 2021

by J P Longmuir BA (Hons) DipUD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 July 2021

Appeal Ref: APP/D0121/W/21/3271354

The Star Inn, Clevedon Road, Tickenham, BS21 6SE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant permission in principle.
 - The appeal is made by Mr Stean Williams against the decision of North Somerset Council.
 - The application Ref 20/P/3068/PIP, dated 7 December 2020, was refused by notice dated 23 February 2021.
 - The development proposed is the erection of minimum/maximum of 7 dwellings following the demolition of Star Inn.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The proposal is for permission in principle. Planning Practice Guidance (PPG)1 advises that this is an alternative way of obtaining planning permission for housing-led development. The permission in principle consent route has 2 stages: the first stage (or permission in principle stage) establishes whether a site is suitable in-principle and the second ('technical details consent') stage is when the detailed development proposals are assessed. A full planning permission is only secured when both of these stages have been passed. This appeal relates to the first of these 2 stages.
3. The scope of the considerations for permission in principle is limited to location, land use and the amount of development permitted. All other matters are considered as part of a subsequent Technical Details Consent application if permission in principle is granted. I have determined the appeal accordingly.
4. A drawing has been submitted showing a possible layout, this is considered as indicative only.

Main Issue

5. The main issue is whether the site is suitable for residential development, having regard to its location, the proposed land use and the amount of development. These need to be considered in relation to the openness of the Bristol-Bath Green Belt, the effect of the proposal on the character and appearance of the area, whether the occupants of the dwellings would have non private car access to facilities, the loss of a community facility and the loss of a non-designated heritage asset.

Reasons

Green Belt

6. Tickenham is a small village with buildings dispersed amongst fields. The Star Inn lies on its busy through road between Nailsea and Clevedon. The site is prominent from the road and particularly so from a short but steep rise in the road to the east: the hills and woods to the rear are very evident.
7. The site is within the Bristol-Bath Green Belt. Paragraph 133 of the National Planning Policy Framework (the Framework) confirms one of the essential characteristics of Green Belts are their openness.
8. Paragraph 145 of the Framework regards the construction of new buildings as inappropriate in the Green Belt. Criterion (g) makes an exception for limited infilling or the partial or complete redevelopment of previously developed land. Annex 2, Glossary, of the Framework provides a definition of previously developed land to which the site accords.
9. Criterion (g) of paragraph 145 of the Framework only permits limited infilling or redevelopment when there is no greater impact on the openness of the Green Belt. The current buildings are large but are fairly compact so that a substantial part of the site, particularly to the west side, is open car parking. Consequently, the proposed 7 dwellings, their access road and the turning area would be likely to be spread over a wider area. This would increase the presence of physical structures and, would visibly curtail the openness across the width and depth of the site.
10. Whilst I acknowledge the development could be one and half storey dwellings and their courtyard form, however the loss of openness would be perceived from the elevated position from the Nailsea direction and its impact across the site would be apparent. I note the supplied appeal case from Hertfordshire, whilst that Inspector makes comments on that proposal's dispersed nature, it involved a reduction in footprint.
11. I therefore conclude that the proposal would be inappropriate development and would spoil the openness of the Green Belt.
12. Policy CS6 of the North Somerset Council Core Strategy (CS) affirms the Green Belt, whilst policy DM12 of North Somerset Council Development Management Policies Sites and Policies Plan Part 1 (DMP) prevents inappropriate development within the Green Belt unless very special circumstances exist. It does support the extension or replacement of an existing building within the existing curtilage if not disproportionate over and above the size of the original building. An extension will not normally be regarded as disproportionate if it does not exceed 50% of the gross floor area. The impact on openness is also highlighted as a consideration.
13. The proposal would be in conflict with the above policies.

Character and appearance of the area

14. The site is notable for the way the gabled building addresses the village road and the backdrop of hills and woods beyond; it forms a landmark, but its scale is subservient to the surrounding landscape. The Landscape Character Assessment SPG notes the strong character of the area, the backdrop of the

limestone hills and the tendency for settlements to be on the southern base of ridges.

15. The proposal would lead to a wider spread of development which would spoil the open character of the site and detract from the backdrop of hills. The spread of buildings would also lack the succinct landmark offered by the current building and its gables. Additionally, the proposal would spread domestic paraphernalia around the site which would appear intrusive in the countryside.
16. I noted the nearby former garden centre site on my site visit for which re-development has been granted. However, that site and proposal does not have the same prominence and landscape setting implications.
17. I therefore conclude that the proposal would harm the character and appearance of the area.
18. Policies CS5 and CS12 of the CS seek to protect the distinctive landscape quality and ensure development is sensitive to the context. Similarly, Policies DM10 and DM32 of the DMP also seek to protect landscape, ensure sense of place and the siting of development is acceptable. The SPG provides a detailed synopsis of character. The proposal would be in conflict with the above policies and guidance.

Whether the occupants would be car dependent for everyday services

19. The proposed dwellings would be outside any settlement boundary and the nearest facilities would be in Nailsea, which the appellant's statement notes at 1.3km away. Additionally, there is a primary school 650m away and secondary at 1.6km. However, the connecting road lacks a continuous roadside footpath, is unlit and is narrow with bends, particularly in the immediate vicinity of the appeal site. Walking would be unsafe. I note the suggestion of alternative rights of way, but such routes would be only practical in the dry and during daylight hours so would be of very limited non recreational use.
20. I observed on my site visit that the road is busy which would also discourage cycling. Whilst the nearby Church Road would be more conducive, one would have to get to it, so cycling would not be likely to be widespread. The bus services are better than most rural areas and the bus stops are nearby. However, they would be unlikely to be wholly convenient to access the range of necessary everyday services and facilities.
21. I therefore conclude that the occupants of the proposal would be at least partially dependent upon car use for everyday needs.
22. CS Policies CS1, CS13, CS14 and CS33 seek to reduce carbon emissions, locate homes within or abutting settlements, and resist development outside named villages. Policy SA2 of the Sites and Policies Plan Part 2, Site Allocation Plan similarly seeks to locate development within settlement boundaries. The proposal would be in conflict with the above policies. However, Policy CS13 sets the scale of new housing and I find no conflict.
23. Paragraph 79 of the Framework states decisions should avoid the development of isolated homes in the countryside unless particular circumstances apply. Such circumstances are similar to those in the above policy. However, the houses would not be within a settlement with facilities, rather the occupants of

the houses would have some dependency on car transport. Accordingly, the proposal would contravene paragraph 8 of the Framework, which includes the need for accessible services and adaption to climate change, under an environmental objective.

The use as a community facility

24. The premises have a lawful use as mixed use restaurant/public house. The decision notice refers to the loss of a community facility. However, as I have found above the roads in the vicinity of the appeal site are unsafe for walking and the village is very small and dispersed. Consequently, the use of the pub would be likely to be car orientated.
25. I note that the Inn has not been listed as an asset of community value. It is likely to be valued as contributing to the identity and the perception of the significance of the village, but its actual use by the small local community would be likely to be very limited.
26. I therefore conclude that the loss would be harmful, but this impact would be very limited.
27. Policy DM69 of the DMP highlights the need to locate community facilities in sustainable locations. This is more aimed at new facilities and I find that the proposal's conflict would be very limited.

Loss of non-designated heritage asset

28. The building has been identified as a non-designated heritage asset. The Historic England Conservation Principles, Policies and Guidance 2008 advises on the components of significance: evidential, historical, aesthetic, and communal.
29. The Inn pre-dates the 1903 maps of the area and the mock Tudor front elevation is visually striking. To the rear and sides are functional and undistinguished offshoots, which are even more recent as evident from the Council's statement.
30. The Council have made reference to the history of a pub on the site, but it is not particularly old, suggesting its founding and use are of limited significance. I note the mention of the Stone-edge-batch historic settlement, but it is not clear how this relates to the existing building.
31. Accordingly, I conclude that the proposal would be harmful, but I would ascribe this only limited weight as its interest chiefly derives from the appearance of the front elevation.
32. Policy DM7 of the DMP requires consideration of non-designated heritage assets and their setting. Paragraph 197 of the Framework requires that the significance of the non-designated heritage asset is taken into account and a balanced judgement is required. The proposal would be in conflict with these policies.

Other matter

33. I note the submission of a bat survey which indicates the absence of bats from the buildings.

Planning balance

34. Both sides agree that the Council is not meeting its housing land supply requirements. Paragraph 11(d) of the Framework applies.
35. The proposal would have economic and social benefits in the construction process. The new dwellings would also make a contribution towards housing land supply and 7 would be significant.
36. However, the proposal contravenes paragraphs 8, 124, 127 and 130 of the Framework which seek to safeguard the character of the area and locate development in areas accessible to facilities. The land supply shortfall questions the development plan housing policies, but the general thrust of policies CS1, CS13, CS14, CS33 and SA2, which require protection of the character of the area and the countryside and locating development within accessible settlements, is still an appropriate strategy. Similarly, albeit more limitedly, the value of the non-designated heritage asset and community facility in policies DM7 and DM69 respect paragraphs 197 and 92 of the Framework.
37. In any event, footnote 6 to paragraph 11 states that Green Belts are a protected area and should be balanced accordingly. I have found that the proposal would be inappropriate development that would be harmful to the Green Belt by definition and it would harm the openness of the Green Belt. The Framework requires that substantial weight should be given to any harm to the Green Belt. I have also attached significant weight to the harm to the character and appearance of the area. For the reasons given, the weight of the other considerations does not clearly outweigh the Green Belt harm and any other harm. Consequently, the very special circumstances necessary to justify the development do not exist.
38. In overall balance, I therefore conclude that the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

Conclusion

39. I therefore conclude that the appeal should be dismissed.

John Longmuir

INSPECTOR