



Appeal Decision

Site visit made on 21 February 2022

by James Blackwell LLB (Hons) PgDip

an Inspector appointed by the Secretary of State

Decision date: 28th March 2022

Appeal Ref: APP/P0119/W/21/3285957

Land adjoining Court Lane, Wick, Bristol BS30 5RB

- 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 Alison Udall against the decision of South Gloucestershire Council.
 - The application Ref P21/00302/F, dated 19 January 2021, was refused by notice dated 4 October 2021.
 - The development proposed is a new manège within field used for keeping horses.
-

Decision

1. The appeal is allowed and planning permission is granted for a new manège within field used for keeping horses at Land adjoining Court Lane, Wick, Bristol BS30 5RB in accordance with the terms of the application, Ref P21/00302/F, dated 19 January 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved drawings: 201201_P_01 (Location Plan); and 201201_P_02 (Manège Layout and Block Plan).
 - 3) Prior to any external lighting being installed, details shall be first submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
 - 4) The manège hereby approved shall not be used for any business use nor for any other commercial purpose at any time.

Preliminary Matters

2. The proposed development would be located within the Bristol and Bath Green Belt. It is common ground that the proposed development would comprise an engineering operation which would not harm the openness of the Green Belt. On this basis, the proposal would not be inappropriate development in the Green Belt. There is no compelling reason before me to disagree.

Main Issue

3. The main issue is the effect of the proposal on the setting of Wick Court, a grade I listed building.

Reasons

4. The appeal site comprises part of a large field, situated south of the village of Wick. It sits adjacent to Court Lane, a narrow country lane serving a collection of scattered properties, both residential and commercial in nature. Notwithstanding these, the immediate area is predominantly rural in nature, with open green fields surrounding much of the site.
5. Wick Court lies just north-east of the appeal site. It comprises a 2½ storey country house, thought to have been built c. 1665 by a local Bristol merchant. It is arranged in a symmetrical U-plan, and is constructed of a rendered limestone rubble, with a double Roman tiled roof, stone ridge and gable stacks. As the property has only been subject to minor alterations over the years, much of its significance derives from its architectural, archaeological, and historical value, as it remains a well-preserved example of a Restoration Period country house. The house benefits from extensive gardens and is largely surrounded by agricultural or rural land, which creates a sense of space and openness around its perimeter, that also contributes positively to its setting and wider significance.
6. The appeal site is separated from the grounds to Wick Court by a tall stone wall, which runs along its north-eastern perimeter. The remainder of the field is enclosed by further walling and/or mature trees and hedgerow, which means it is largely obscured from public view. As a result, the proposal would not have any meaningful impact on how Wick Court is experienced from public vantage points around the site. Nonetheless, there is some limited intervisibility between the appeal site and the south-western flank wall of Wick Court, owing to the projection of the house above the boundary wall. It is this intervisibility which could theoretically impact on its setting.
7. Whilst the appeal site predominantly comprises open grassland, the field in which it is located has previously been granted planning permission¹ for the keeping of horses. Irrespective of whether this consent has been properly implemented, a stables and tack room are currently under construction within the field, which attest to this equestrian use. Consequently, any potential effect of the development on the setting of Wick Court needs to be assessed in this context.
8. The proposed manège would comprise a 60m x 20m area of area sand fibre and mix at ground level, which would be surrounded by a low timber board edging. No other built development is proposed. As a result, the development would be very low level, broadly unobtrusive and would still retain the openness of the field. As such, it would still manage to preserve the distinct sense of space around Wick Court.
9. Moreover, given that the manège would reflect the equestrian use of the wider field, it would appear in-keeping, both visually and functionally, with the prevailing character of its surroundings. Even where there would be glimpsed views of the development from the flank elevation of Wick Court, I am satisfied that it would assimilate properly with the rural character of the wider landscape, without appearing incongruous nor detracting from its setting.

¹ Planning permission PK12/1734/F dated 12 September 2012 (2012 Permission)

10. For these reasons, I am satisfied that the development would not harm the setting of Wick Court. It would be consistent with Policy CS9 of the Council's Core Strategy (2006 – 2027)² and Policy PSP17 of the Council's Policies, Sites and Places Plan (adopted 2017)³, both of which seek to ensure new development conserves, and where appropriate enhances, any affected heritage assets and their settings. The development would also be consistent with the overarching heritage objectives of the Framework (2021), which places great emphasis on the protection of historic environment.

Other Matters

11. As the appeal site is located next to a number of listed buildings/structures, in line my statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have had special regard to the desirability of preserving these buildings/structures and their settings.
12. As well as Wick Court itself, these structures/buildings include the garden walls surrounding Wick Court, together with a separate summer house and gate piers. Given the clear spatial, visual and functional relationship between these buildings/structures and Wick Court, I consider that the effect of the development on their setting would be comparable to the effect on Wick Court. In line with my conclusions above, I am therefore satisfied that the development would not harm the setting of any these other listed entities.
13. In terms of local concern regarding the development, the appeal site would remain Green Belt land irrespective of whether the development is permitted, which means Green Belt policies and protections would still have to be applied to any future development proposals. Concerns relating to any breach of conditions relating to the 2012 Permission would be enforcement issues for the Council, and go beyond the scope of this appeal. The same is true of any noise concerns.

Conditions

14. I have included a condition restricting any external lighting (temporary or otherwise) from being installed at the site without express permission from the Local Planning Authority. This will ensure any impact of the development on wildlife and/or neighbouring amenity is adequately mitigated.
15. I have also included a condition which restricts the site from being used for any business or commercial purpose, which will ensure the intensity of its use is sufficiently regulated. In turn, this will ensure the development does not lead to any adverse highway impact.
16. I do not consider that a landscaping scheme is necessary in this instance, as the mature boundary treatments in and around the site already provide adequate screening.

² South Gloucestershire Local Plan, Core Strategy (2006 – 2027)

³ South Gloucestershire Local Plan, Policies, Sites and Places Plan (adopted 2017)

Conclusion

17. For the reasons given above, and having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal should be allowed.

James Blackwell

INSPECTOR