

Briefing Note

Our ref 62094/01/PR
Date 13 April 2023
To Westbury-sub-Mendip Parish Council
From Lichfields, on behalf of the Church Commissioners for England

Subject Land south of Roughmoor Lane - Summary of Pre-app Advice

1.0 Context

- 1.1 This note is to explain the current indicative design evolution associated with a housing allocation known as Policy WM1 'Land south of Roughmoor Lane, Westbury-sub-Mendip' in the adopted Local Plan Part 2 which is for residential development, with the requirement for up to 0.1ha of land to be made available for the delivery of a community facility.
- 1.2 A previous pre-application enquiry for the allocated site was made in 2021 and preparation of a planning application had begun on this basis. As part of this process, public consultation events were held in January and March 2022 to obtain feedback from local residents.
- 1.3 Following feedback from the public consultation events, the Church Commissioners for England (CCE) agreed to review the development potential of the disused agricultural building site (to the east of the allocation boundary) in conjunction with the Policy WM1 allocation.
- 1.4 This note provides a summary of recent pre-application advice received from Mendip District Council (MDC) in February 2023 in relation to both the allocated site and farm steading to the east.

2.0 Request for Pre-application Advice

- 2.1 The recent pre-application advice was sought on the principle of submitting an outline planning application for residential development on the allocated site and the south western part of the agricultural building site. Two options for the 'community land' were included, one within the allocated site as per policy requirements, and a second on the eastern part of the agricultural building site. The second option was understood to be one of the Parish's preferred location for the community land following the public consultation events held in 2022 and therefore would be the 'default' position for such land use.
- 2.2 A Section 106 agreement would secure the community land, and the Parish Council would have a defined period (yet to be defined) within which to serve notice on CCE of its intention to proceed with the default position. If the Parish Council is unable to proceed with the default position, the community land within the allocated site would be transferred to the Parish Council instead.

- 2.3 It was proposed that the curtilage listed traditional barns east of the allocated site would be offered to the market as a conversion opportunity, with necessary planning permission being responsibility of the successful bidder.

3.0 Pre-application Feedback

- 3.1 Pre-application feedback was received via a Teams meeting held on 1 February 2023 between CCE, Lichfields and MDC Officers (Development Management, Planning Policy and Conservation), and written feedback received from MDC on 9 February 2023 (amended and re-issued on 13 March 2023).

Teams Meeting

- 3.2 Two key issues were raised by officers at the Teams meeting:
- 1 The principle of exceeding the allocation outside of the village's development limit, and therefore in the 'open countryside', by incorporating the agricultural building site; and,
 - 2 Heritage impact of encroachment of development to the east, in the setting of listed buildings.
- 3.3 It was advised that, based on the potential level of heritage harm, development associated with the allocation should be limited to the allocated site. Replacement of the modern barns with any new development would need to be carefully considered to outweigh any potential harm to the traditional barns and the setting of listed buildings.
- 3.4 CCE raised whether any other parts of the agricultural building site could be more acceptable for the community land, for example south of the traditional barns. Whilst not part of the formal pre-application enquiry, the Conservation Officer advised that, subject to detailed design of the future community facility, this may be considered more acceptable than the location currently shown (eastern part of the agricultural building site). The design, scale, massing and relationship to the traditional barns and other listed building would be key considerations in any future application.
- 3.5 Officers advised that there would be benefits in bringing the traditional barns back into use, and that sensitive conversion for residential or community use could be explored. CCE agreed that a detailed application for their conversion could be twin-tracked with the outline application for the allocated site to ensure the site was holistically considered.
- 3.6 Officers advised that more green, public open space centrally located in the site would be beneficial, as well as strengthened landscaping along the eastern boundary to provide a buffer between the development and nearby heritage assets.
- 3.7 With regards the SuDS pond, officers advised they would like to see some smaller features throughout the scheme. They were not averse to the SuDS pond being located beyond the allocation boundary in principle, albeit they noted that this would need to be justified in the planning balance.

Written Feedback

Principle of Development

- 3.8 Part of the site is subject to an allocation under Policy WM1 of the Local Plan Part 2. The principle of development is acceptable on the allocation site.
- 3.9 The remaining part of the site, the farm steading, is outside of the allocation boundary and the village's development limit as per the adopted Local Plan and is therefore considered open countryside in planning policy terms. The proposed development outside of the allocation, shown on the pre-application masterplan, is unacceptable. It would likely result in heritage harm and would not be supported.
- 3.10 Further information is required regarding the proposals for the curtilage listed barns to determine whether they meet local policy tests.

Design and Impact on Character and Appearance of the Area including Heritage Assets

- 3.11 Encroachment of the development beyond the allocation boundary towards listed buildings and the conservation area raises significant heritage concerns. The development in the setting of the church (on the eastern side of the site) would likely harm the significance of the Grade II* listed building. This harm is considered to be 'less than substantial harm', and at this stage (i.e. without detailed proposals) it is not considered that the public benefits would outweigh this harm.
- 3.12 There are also significant concerns with the residential development as shown – 73 units being considered too high a level, based on the policy. The harm associated with this quantum of development includes limited, not central public open space; limited opportunities for social connections; limited landscaping. Notwithstanding, design and materials should reflect the traditional, rural village location.
- 3.13 The 'Church Mews' housing and community land proposed on the pre-application masterplan are outside of the allocation and are very likely to be detrimental to the setting of listed buildings, therefore harming their significance. It is encouraged to remove the 'Church Mews' housing and reincorporate the community land within the allocation boundary.
- 3.14 Sensitive conversion of the traditional curtilage listed barns would potentially have heritage benefits, and could be considered for residential conversion or for community uses. This would need to be carefully considered and informed by a conservation specialist, and further pre-application discussions are advised.
- 3.15 The site is within an area of high archaeological potential. The Council's Archaeologist confirmed that a geophysical survey in 2021 on adjacent land did not identify any anomalies of archaeological significance, therefore raises no in principle archaeology objections at this time.

- 3.16 Encroachment of the SuDS pond to the field to the south would need to be considered in the planning balance. Although this would likely have a lower impact on the landscape and free up land within the allocation for the delivery of more residential units, there would need to be a compelling case to justify this in the application.

Landscape and Trees

- 3.17 The site is on the edge of the village and close to the edge of the AONB which needs to be assessed in the design. A robust Landscape and Visual Impact Assessment should be included with the application and should inform the design to ensure minimum impact on the landscape. The landscape impact of any external lighting should also be considered through the LVIA and a lighting assessment.
- 3.18 There are no protected trees on site, although the trees and hedgerows contribute to the area's character and have ecological benefits. Detailed design would be expected to include high levels of green space and generous on-site planting to allow the development to integrate into its rural, edge of settlement context. A landscape buffer along the eastern site boundary will be critical to reduce the visual impact of the development.

Impact on Neighbour Amenity

- 3.19 A noise assessment should be included with the application due to the proximity to the recreation ground. If farming operations are to continue, compatibility of uses will also need to be considered.
- 3.20 Subject to a noise assessment, the scale and scope of development proposed, and its distance from existing residential properties, is considered to be acceptable.

Highways, Access and Parking

- 3.21 Confirmation of highway capacity, highway safety, parking, permeability and sustainable and non-car transport alternatives would be expected as part of the planning application. Policy WM1 requires investigations into traffic impacts to demonstrate that the proposal would not post a severe impact on the local road network, as well as pedestrian links to the village core.
- 3.22 With regards pedestrian connectivity, there is an opportunity for a formal link to be made from the site to the former railway (Strawberry Line). Connections to the adjacent play areas to the west would also be critical.

Ecology

- 3.23 The site is within the bat consultation zone, and as a greenfield site is likely to have significant ecological features. Opportunities for biodiversity net gain should be maximised, as required under Policy WM1 and the NPPF. The application should include details of light spill to ensure dark corridors are retained.

Affordable Housing

- 3.24 The proposed figure of 30% affordable housing provision is in line with Policy DP11 'Affordable Housing' of the Local Plan Part 1 and is therefore satisfactory. The layout of affordable housing should be well integrated with open market units and indistinguishable in design.

4.0 Updates to the Masterplan

- 4.1 In response to the comments raised by MDC in its pre-application advice, a number of amendments have been made to the masterplan, including:
- 1 Relocation of the community land option within the agricultural building site to the south of the traditional barns. This approach could offer a visual enhancement to the area through the loss of the modern barns, as well as improving the visual and physical connection of Court House Farm to the wider rural landscape. It could also provide additional land to the east for public open space and/or an area designated for wildlife conservation, and allow for shared car parking between the future community facility and the Church.
 - 2 Removal of the 'Church Mews' housing from the agricultural building site. This reduces the number of homes to 60, of which 18 will be affordable homes in accordance with MDC policy. Both national and local planning policy require development to make efficient use of land, and the scheme presents low density development of less than 25 dwellings per hectare.
 - 3 The traditional barns are proposed for conversion for either residential or community uses. The proposed use of the traditional barns remains flexible, as feedback is required from the Parish Council regarding its preferred location for the community land before the masterplan can be finalised.
 - 4 The red line boundary for the planning application has been amended to include the allocated site only as recommended by MDC.
 - 5 The landscaping has been strengthened with more green, public open space centrally located in the site and additional planting proposed around the SuDS pond and along the eastern boundary.
- 4.2 The updated masterplan was presented to the Parish Council at a meeting on 23 February 2023.
- 4.3 CCE intend to hold another public consultation event to present the amended proposals to the community ahead of submitting the planning application. This is subject to receiving feedback from the Parish Council on its preferred community land location.