

PLANNING STATEMENT

The Battleaxes, Wraxall



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Planning Statement
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PLANNING STATEMENT

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- The creation of a ‘work near home’ hub, with reduced out commuting and greater potential to cycle to work.31
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Appendix A.1 Green Belt Very Special Circumstances

1 INTRODUCTION

- 1.1 This planning statement has been prepared on behalf of Studio HIVE Properties Ltd which intends to refurbish and re-develop the application property for an exciting business and community use, bringing the currently vacant, listed building back into sustainable, long-term beneficial use.
- 1.2 This statement supports the application and comprises the following core elements:
- A review of the proposals against the policy context.
 - Establishing the case from a number of perspectives, namely conservation, green belt protection (**Appendix A.1 includes the full Statement on Green Belt Very Special Circumstances**) and socio-economic and community regeneration.
- 1.3 The planning application is supported by existing and proposed plans, but given the multi-faceted nature of the proposal, also a number of 'cases' on market, Green Belt and economic/community and viability considerations as well as other technical considerations such as transport/accessibility and flood risk/drainage. A Statement of Community Involvement sets out the pre-application engagement that has taken place and helped to evolve the proposals.
- 1.4 As such, this statement draws on the detailed content set out in those respective documents and the Design and Access Statement, as opposed to replicating their content. This enables this statement to set out the planning and policy context to the proposal and focus on presenting the case as to how it meets policy, setting out the other material considerations in favour and arriving at a planning balance.

2 THE BUILDING & THE SITE

- 2.1 Both the Design and Access Statement and the Heritage Impact Assessment provide an in-depth context to and analysis of the application building and the site. Below are some of the headline characteristics that are relevant to the proposal.
- 2.2 The property was first entered on the Historic England Statutory List in 1973 with the most recent amendment in 1984. The full listing description, together with historical information establishes the special relationship of William Butterfield a leading and internationally recognised Gothic Revival Architect recognised mainly for ecclesiastical buildings including the Chapel at Tyntesfield and the design and development of Keeble College, Oxford.
- 2.3 The listing description is as follows: *“3/184 The Widdicombe Arms (formerly listed as The Battleaxes Inn 27.4.73 Village temperance inn, estate club house and caretaker’s house, now a public house with integral restaurant and accommodation. Designed 1880-1881, dated 1882, by William Butterfield for Anthony Gibbs of Tyntesfield.”*
- 2.4 What is interesting is that the original use was mixed and integral to the overall operation of the Tyntesfield Estate. Tyntesfield is an internationally significant heritage asset which has undergone extensive renovation and conservation in recent years under the stewardship of the National Trust. The Battleaxes is shown as being a logical extension to the Gibbs Philanthropic activities with Butterfield being commissioned to design the building primarily for the enjoyment of the estate workers by Blanche, William Gibb’s wife.
- 2.5 The listing confirms that the property is made up of a series of interconnected buildings.
- 2.6 The car parking areas, which are extensive and provide the major source of future development potential are not specifically referenced in the listing as providing any inherent value, though obviously they are within the curtilage of the building and any future development or uses must therefore respect and enhance the listed building. The largely tarmac parking areas currently detract from the building and add nothing to its setting.
- 2.7 In terms of overall building and site context, it is clear that:
- The building is an important historic asset that is now long term vacant and in need of a new, viable use, without which it will fall further into decline.
 - The building has performed a strong community role since it was built and there is a clear opportunity for it to do so again by celebrating it through this restoration and a part change of use.

3 THE PROPOSAL

3.1 The description of development is as set out below:

- retention of ancillary bed & breakfast accommodation and part retention of licenced space, change of use of remainder to multi-use business and local community hub (including office and flexible work/collaboration/shop/café space falling within use class E and F(2)), internal re-configuration, internal and external fabric repairs and window refurbishment, refurbishment of boundary walls and out-buildings, hard and soft landscaping, circulation and car and cycle parking, together with rear two-storey extension with rooftop solar PV panels and the provision of modular 'pod' building and residential development at The Battleaxes, Wraxall.

3.2 As set out in the Design and Access Statement, the scheme consists of a change of use (in part), a range of internal and external works to the original building, together with the development of a modular 'pod' building and residential dwellings in the curtilage of the property, as visualised below:



3.3 The vision as set out in the DAS and replicated below summarises the key component parts of the scheme:

01 Executive Summary Our vision

A community hub that brings people together. This historic meeting place was always intended for use by the local community from its early origins in 1882 as a Temperance House for Tjntesfield Estate staff, to a pub and B&B in more recent years.

As local people (as well as architects and developers), we're committed to restoring the building to its former glory.

Breathing new life into the Battleaxes and the historic heart of Wraxall



Placemaking

Our proposals are designed to inject new life into the heart of Wraxall. The Battleaxes will be a place to meet, live, work, pick up groceries, grab a coffee or take part in a local society. We intend to return the Grade 2 Listed building to active use whilst respecting its character and making better use of this historic building.

By creating a multi-purpose development, our vision is to unite local communities as well as bring in new jobs and investment from further afield.

Meet

We're taking the building back to its early roots by providing diverse spaces for people to come together. Our licenced cafe will be managed by a local independent operator, providing the ideal spot for coffee, lunch or a drink on a sunny evening.

Shop

Pick up the essentials at our local shop. Our on-site farm shop will be managed by a local brand and will stock locally produced groceries and more; we hope to offer local farmers and makers a chance to showcase their produce and creations.

Work

We want to actively support flexible working by creating a co-working hub for individuals and small businesses. The local community and businesses can also make use of communal spaces for meetings, clubs and gatherings at our Work Near Home Hub.

A new low carbon office for the Studio Hive team will be a key feature, improving the environmental footprint of the existing building as a whole and enabling us to become part of the new community in the years to come.

Live

Nine, new low-carbon family homes are an essential part of our investment that will, in turn enable us to invest significantly in the extensive restoration, conservation and protection of The Battleaxes as a Grade 2 Listed building. Communal landscaped gardens will provide space for new and existing residents, to enjoy the fresh air and landscaped gardens.

Stay

Maintaining the existing six stylish en-suite bedrooms in the upper part of the main building will make handy bolt-holes for people in the area working or visiting friends and family.

Learn

Our community spaces will make the ideal venue for local clubs and societies such as fitness, art classes and local history. Our vision is to inspire people of all ages to have fun, share knowledge, feel healthier and learn something new.



3.4 Collectively, the proposal seeks to deliver the following:

- the re-use of brownfield land and the re-activation of a focal, vacant building into a thriving multi-use facility.
- long term protection of a Listed Building.
- new high-value job creation.
- post-Covid restructuring and community regeneration through provision of multi-faceted/functional spaces.
- sustainability and climate change resilience.

4 PRE-APPLICATION ADVICE, EIA SCREENING & PLANNING HISTORY

Pre-app Advice

- 4.1 In January 2022, the applicant met with planning and conservation & heritage officers of North Somerset Council on site as part of a formal request for pre-application advice, following which a written summary of the matters arising from the site visit was issued. That set out in summary:
- That Wraxall is a village without a settlement boundary and that any commercial and residential proposals would be in that context.
 - That at the time of writing, the Council could demonstrate a 5 year housing land supply.
 - The context to redevelopment and infilling on previously developed sites, outside settlement limits, in the Green Belt in terms of scale and visual containment parameters and sustainability /accessibility.
 - The need for justification of the loss of the public house use.
 - That the significance of the listed building and its setting will hold substantial weight in any future application.

EIA Screening

- 4.2 On 28th August 2022, the applicant sought a formal screening opinion of North Somerset Council as to whether the proposal would constitute Environmental Impact Assessment development. On the 31st August 2022, the Council confirmed that because the proposed development does not fall within either Schedule 1 or Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and as such, is not within the remit of the Regulations, that a formal screening opinion is therefore NOT required.

Planning History/Nearby Relevant Decisions

- 4.3 The following is relevant planning history on the property and nearby.
- 4.4 In 2017, permission was granted for a number of external works including hard and soft landscaping (reference 17/P/2122/F).
- 4.5 In 2021 an application to change the use of the public house to a single residential dwelling was withdrawn (reference 21/P/0669/FUL). This application engaged the policy test CS27/DM68 regarding the loss of the community facility and the requirement for the applicant to show evidence that the property was unable to be used for its approved use and had been marketed. The application had inadequate information regarding the condition and reasons for the change of use required both from community and heritage perspectives.
- 4.6 A review of planning consents nearby to the application property highlights the grant of prior approval for residential conversion of agricultural buildings to 3 dwellings at Hazel Farm under Class Q, in the Green Belt. This adds further to the grouping of urban development adjacent to the site.

5 POLICY CONTEXT

5.1 This chapter sets out the guiding policy against which the proposal is assessed as follows:

- National Planning Policy Guidance and that specifically relating to Green Belt and Heritage Assets including Listed Buildings.
- Key development plan policies contained within the North Somerset Local Plan.
- The Neighbourhood Plan.
- Other policy and guidance.

5.2 This review focuses on that policy concerned with the principles of the proposal and policy on design and conservation matters are set out accordingly in the accompanying Design and Access Statement and Heritage Statement.

National Planning Policy

5.3 A revised edition of the National Planning Policy Framework (“NPPF”) was published in July 2021. The Framework must be taken into account in the preparation of local and neighbourhood plans and is also a material consideration in planning decisions.

5.4 At paragraph 7, the Framework sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

5.5 c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

5.6 The Framework states that these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework but, is clear that they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

5.7 So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).

5.8 Paragraph 11 sets out a presumption in favour of sustainable development, which is at the heart of the NPPF and is seen as a ‘golden thread’ running through both plan-making and decision-making. For decision-making this means approving development proposals that accord with the development plan without delay.

- 5.9 The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.
- 5.10 In this case, whilst there is a broad set of items considered to be material considerations (re-use of brownfield land, post-Covid restructuring, community regeneration, re-activation of a vacant, focal building, long-term protection of a Listed Building, new high value job creation, sustainability and climate change resilience) which all feed into a consideration of the planning balance, it is acknowledged that the satisfaction of the conservation, viability and green belt policy parameters are at the heart of the planning appraisal of the scheme.
- 5.11 The Framework identifies that the application of the presumption has implications for the way communities engage in neighbourhood planning. Neighbourhood plans should support the delivery of strategic policies contained in local plans or spatial development strategies; and should shape and direct development that is outside of these strategic policies.
- 5.12 In situations where the presumption (at paragraph 11d) applies to applications involving the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided all of the following apply:
- a) the neighbourhood plan became part of the development plan two years or less before the date on which the decision is made;
 - b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement;
 - c) the local planning authority has at least a three year supply of deliverable housing sites (against its five year housing supply requirement, including the appropriate buffer as set out in paragraph 74); and
 - d) the local planning authority's housing delivery was at least 45% of that required over the previous three years.

Building a strong, competitive economy

- 5.13 Paragraph 81 says that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt, and that significant weight should be placed on the need to support economic growth and productivity. A mixed-use development providing opportunities for employment in a rural location and meeting local needs for business is therefore supported in principle by the Framework.
- 5.14 The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. Specific weight is given to both conversion and new build where it supports the rural economy and in particular, where it includes the retention and development of accessible local services and community facilities which include local shops, meeting places and public houses. The proposed café, farm shop and cycle hub fit well with these objectives.

Supporting a prosperous rural economy

- 5.15 Paragraph 84 establishes that planning policies and decisions should enable:
- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
 - b) the development and diversification of agricultural and other land-based rural businesses;

- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

5.16 Paragraph 85 is particularly relevant to the proposal and recommends a pro-active approach to supporting development on sites which are previously developed and where they are well related to existing settlements. It sets out that policies and decisions to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

Making effective use of land

5.17 In respect of making effective use of land, paragraph 119 sets out that policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land. Policies and decisions should:

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;
- c) give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;
- d) promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting space above shops, and building on or above service yards, car parks, lock-ups and railway infrastructure); and
- e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards) and can maintain safe access and egress for occupiers.

Protecting Green Belt land

5.18 The application site is within the Green Belt and Chapter 13 of the Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and

e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

5.19 Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances (VSC) and decision takers should ensure that substantial weight is given to any harm to the Green Belt. VSC will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

5.20 Para 149. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Among the identified exceptions to this, which are of relevance here is:

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

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.

Conserving and enhancing the historic environment

5.21 The Battleaxes is a Grade II Listed Building and in determining applications the Framework sets out at paragraph 194 that applicants must set out the significance of any heritage assets affected, and any contribution made by its setting in order to understand the potential impact of a proposal on their significance. It is clear in the Framework that change must be evidenced based on an assessment of impact on significance, the asset's condition, together with the identification of any the following that the decision maker should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness.

Considering potential impacts

5.22 Paragraph 199 establishes that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

5.23 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

5.24 Of relevance to this scheme, paragraph 206 states that Local Planning Authorities should look for opportunities for new development within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

5.25 Of further relevance to this scheme, paragraph 208 states that Local Planning Authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.

The Development Plan

5.26 The current Development Plan comprises the following of relevance to this proposal:

- Core Strategy
- Sites and Policies Plan (Parts 1 &2)
- Neighbourhood Plan
- Supplementary Planning Guidance

5.27 The Council is in the process of preparing a new plan to take the place of the Core Strategy and Sites and Policies Plan called *Local Plan 2038*.

5.28 Turning firstly to the existing Development Plan, the following are considered to be the core relevant policies to the determination of this proposal: DM12, DM4 (which largely reiterates national policy regarding Listed Buildings), CS27/DM68 relating to community facilities and DM54 employment development on previously developed land in the countryside.

5.29 Policy DM12 deals with redevelopment and infilling on previously developed sites in the Green Belt outside settlement boundaries and establishes a number of tests which determine whether a proposal is inappropriate or not. In respect of infilling, which this proposal includes, the policy parameters are that development should not extend beyond the perimeter of the buildings which make up the bulk of the built up area of the site; should be visually contained and not exceed the scale or height of the existing and should be sustainable in terms of being well related to existing settlements and having safe and convenient pedestrian and cycle access to services, amenities and a bus or rail service.

5.30 Policy CS27 seeks to safeguard existing community facilities from alternative use unless (of relevance to this case) it can be demonstrated that the existing facilities are surplus to requirements. It is against this policy that the principle of the change of use will be assessed. In a similar context, Policy DM68 protects community facilities, subject to criteria being met that include (of relevance to this case) where the partial development of the site will secure the remainder of the site for community use.

5.31 Policy DM54 links with core strategy policies CS20 and CS33 and prioritises the redevelopment of redundant sites and buildings in the countryside for economic and community use subject to a number of criteria being met that include character and appearance of the countryside not being harmed and design considerations such as materials being in keeping, safe access and no adverse highway network impacts as well as no significant adverse impacts on the living conditions of adjoining occupiers. The policy expects redevelopment to bring significant local environmental, economic or social benefits. Retailing should be ancillary to the main use or be under 200m².

5.32 In addition to the above, CS12 is relevant, seeking high quality design and place-making. It sets out that high quality architecture and urban design will be sought from development demonstrating a robust design process to generate solutions that have clearly considered the existing context, and contribute to social, economic and environmental sustainability. As part of a comprehensive place-making strategy new development should function well, supporting sustainable land uses and seek to improve the image of the area. Proposals of all scales will be required to demonstrate sensitivity to the existing local character already established in an area and should take the opportunity to enhance the sense of place and local identity through a well thought out design. Where the existing design characteristics are not considered of a high quality, new development should actively aim to enhance the area through good design. Schemes must be based on a thorough site appraisal. In

particular the following aspects of North Somerset's character should be maintained and enhanced in addition to the heritage aspects identified through Policy CS5.

5.33 Turning to the emerging Plan for 2038, it is still at an early stage in its preparation and therefore carries little weight in the decision-making process. In terms of its direction of travel, the emerging spatial strategy is as follows:

- Priority will be given to locating new residential and mixed-use development in or close to urban areas. These areas will have an existing or proposed wide range of facilities, services and jobs.
- There will be opportunities to encourage active travel. This will focus on locations which are currently, or have the potential to be, well served by public transport.
- Employment opportunities will be encouraged at accessible locations well related to urban areas. These will also be areas where sustainable transport opportunities can be maximised.
- Residential development in areas at risk of flooding will be minimised outside the towns.
- The amount of development at villages and in the countryside will relate to local community needs. For rural areas, development in most villages will be restricted and limited to local opportunities particularly where they address community needs. Small site windfall in the rural areas is expected to be about 900 dwellings. A limited number of allocations at the larger villages could comprise some further 500 dwellings.

5.34 The latest consultation on Draft Preferred Options was followed by an all-member panel meeting in October 2022 from which the following points are relevant to this proposal:

- General agreement that some incursion into the Green Belt was appropriate, although the Panel had no discussion about where or how this might be achieved.
- That ruling out development in the Green Belt entirely would add to pressure for development in other unconstrained areas outside the Green Belt.

The Neighbourhood Plan

5.35 In December 2022, Wraxall and Failand Parish Council published its Draft Neighbourhood Plan 2022-2038 for consultation. Following consultation, the Plan was submitted to North Somerset Council for examination on 9 June 2023. The council must first agree that the Plan meets a number of criteria before it can go forward to examination. This is likely to be made at Executive Committee in September 2023.

5.36 The Plan identifies that it is concerned with protecting and enhancing the existing, important character of Wraxall and Failand, both for existing residents and for future generations. It clarifies that its objectives and policies cannot be used to prevent development taking place, but that The Neighbourhood Plan and its policies are a tool that will help to ensure that any development proposals are shaped and directed to take into account the shared vision and objectives of the community.

5.37 Policy WF1 seeks to safeguard and enhance community facilities and sets out that proposals for development which would hinder access to an identified community facility, or unacceptably detract from its amenity value, will not be supported. The application property is named along with a public house in Failand and other facilities.

5.38 The Plan states that Policy WF1 is a non-strategic Development Plan policy for the specific protection and enhancement of the named facilities. It states that within the community, there is a high level of value attributed to the above local facilities and a need to ensure that the ability to extend and improve existing facilities is not compromised through new development. Facilities providing day-to-day services and focal meeting and events venues are particularly important, because these are few and far between in the context of a very geographically large Parish with dispersed communities. The Neighbourhood Plan vision highlights the need to bring the community

together through the protection and enhancement of services and therefore Policy WF1 is key to delivering upon this.

- 5.39 Policy WF6 whilst focused on the diversification of existing rural businesses sets out to support new ancillary uses including café/restaurant, farm or local produce shops and business start-up units where they are of an appropriate scale and siting and integrate well with the existing built development, character of the site, its accessibility and its biodiversity value and opportunities for enhancement.

Other Relevant Plans and Guidance

North Somerset Economic Plan

- 5.40 The Council has responded to the Covid crisis by reviewing its economic development strategy, the North Somerset Economic Plan 2020/21 is quoted as a background document for the New Local Plan and is the latest and most up to date Council Policy on the economy.
- 5.41 The economic strategy in the Plan seeks to underpin planning policy in the delivery of mixed and sustainable communities with new homes, jobs and infrastructure to facilitate growth, improve wellbeing, reduce carbon emissions and boost local economies.
- 5.42 Allied to the above is the enablement of infrastructure and facilities to benefit flexible and distributed working that reduces the need to travel, by among other things, promoting a range and variety of different workspace options and support for the creative industries sector and the visitor economy.

6 MARKET CONTEXT AND OTHER SUPPORTING CASES

Market context

- 6.1 The main marketing context to this application is provided by Hartnell Taylor Cook (HTC) and included as a separate supporting Marketing Report. Before setting that out, Fleurets who have marketed the property continuously since 2019 have some relevant insights as set out in its market commentary submitted as a stand-alone document. The main relevant points from the Fleurets market commentary are set out below.
- 6.2 Fleuret's first involvement was in 2019, when it assigned the lease of the property to Country Pub Group, completing in August 2019. In August 2020, CPG unfortunately went into administration and the property returned to the landlord.
- 6.3 Fleurets was instructed in October 2020 to market the property on the freeholder's behalf, having negotiated a surrender of the lease with the administrator. In terms of the marketing, they confirm as follows:
- An *All Enquiries* board has been prominently positioned on the site throughout the marketing, on the main road frontage to the property and still remains in place.
 - The marketing details that have been available throughout, which includes both a freehold and letting option. The property has been featured on the website www.fleurets.com throughout the marketing.
 - At the outset of the marketing, prior to full launch, Fleurets made direct approaches to the major pub companies to introduce the opportunity.
 - The details have been circulated to the database of buyers, who have registered to receive such opportunities. In total, the circulation was 6,055 parties. Fleurets received 1,271 requests for further details, in terms of accessing the brochure etc.
 - Fleurets at the time of writing have undertaken fifteen separate viewings at the premises.
- 6.4 To summarise the interest since 2019, in November 2020, Fleurets received an offer in excess of the guide price, from a party considering alternative use, which was accepted. That party subsequently withdrew their offer and marketing re-commenced.
- 6.5 In total Fleurets received four offers for the Battleaxes, prior to agreeing a sale to Studio Hive. Three of the four were for alternative use and one was for a letting, with an option to purchase. That party subsequently withdrew their offer, concluding that for their business to be sustainable, they would need to develop part of the site for alternative use. Fleurets received a further offer significantly below the guide price, after terms/exclusivity had been agreed with Studio Hive.
- 6.6 Turning now to the context/insights of HTC, they set out in their Marketing Report that having analysed the interest received during the disposal process, it indicates that whilst leisure industry users considered the building, none moved beyond the initial viewing stage and no bids were received for this type of use. They consider this to reflect the following:
- Unsustainable scale and size of the building.
 - The ongoing maintenance liability.
 - Limited local and regional demand for pubs of this type in this location.
 - The need for almost all visitors to use a car to access which has become a far more limited market in recent years.

- 6.7 For this reason, they do not anticipate that any viable interest would be received for the existing use and that consequently the building will remain vacant if this approach is pursued meaning that further deterioration of the building is likely, which in turn makes re-use as a public house increasingly unviable.
- 6.8 HTC notes that the first floor accommodation which provides a number of individual bedrooms has fared better over the period that the public house has been open, achieving good occupancy rates. It is anticipated that it will continue to trade well, meaning that the proposal to retain ongoing use of the first floor for Air B&B style accommodation is likely to be successful.
- 6.9 HTC's overall conclusions on the proposal from a market perspective are summarised below:
- The existing use has proved unviable over a number of different occupiers and in differing market conditions, which indicates that the building in its current format is no longer fit for purpose from a commercial perspective. This means that repeated and extended periods of void are likely.
 - The periods of vacancy and inactivity within the building have exacerbated the poor condition of the premises as they currently stand, meaning that significant investment is required in order to bring them back into operational use. In order to move away from this pattern of activity it is important to establish viable uses within the accommodation and generate enough value to trigger the initial phase of refurbishment activity.
 - The proposals incorporate a number of uses within the same footprint including lower ground floor retail (food and beverage), ground floor office use and first floor accommodation use. The building will be owned and managed under a single umbrella and this cohesive ownership will allow for management of the areas co-existing within the building.
 - The proposed office use at ground floor level is supportable in the context of the market activity and creates an exciting opportunity for companies struggling to obtain space for their business growth. The proposals also offer the opportunity to consolidate currently disjointed spaces into usable accommodation that more accurately reflects the current style and configuration of offices demanded by the market.
 - Similarly, the lower ground floor conversion of the accommodation to retail (food and beverage) led uses provides for accommodation which will appeal to the market and should establish a viable long-term use of that part of the building.
 - Retaining the existing first floor use is sensible given the positive experience the previous operator had with these spaces and retains an active and viable commercial use of the first floor of the building.
 - The proposed works to the ground floor of the building provide an opportunity to introduce long term beneficial changes and will deliver a commercial return that will support the refurbishment of the listed building.
 - Overall, we support the proposed change of use to the accommodation into the hybrid format proposed and anticipate that this will provide for a range of uses within the building that provide for long term stability and an ongoing source of income/value that will allow for the continued maintenance of the listed building.

The conservation and heritage case

- 6.10 The Built Heritage Statement that supports the planning application assesses the setting of the application property as well as its significance in detail, before determining the impact of the proposal on both.

- 6.11 With respect to setting, it explains that the immediate setting to The Battleaxes is formed of the adjacent stretch of the Bristol Road and the asset's grounds, with the ancillary buildings therein. These buildings continue the division of the grounds into two plots and help visually to maintain the legibility of this historic division. The grounds are split into a higher and lower terrace, but the only surviving element of the gardens is the central steps with some small trees on the intervening bank. Otherwise, the grounds have been largely set to car parking with tarmac hard surfacing.
- 6.12 The southern boundary to the western plot is well-marked by an overgrown, unmanaged hedge with some trees. The eastern plot's southern boundary is strongly marked by the three-storey Fryth House immediately beyond the boundary.
- 6.13 The immediate setting of the Battleaxes, namely the two historic plots of its grounds, provides a notable contribution to the asset's significance. The extensive hard surfacing with the minimal garden planting and features has reduced the ground's positive contribution to the asset's significance. There is a notable group value between the Battleaxes and the early surviving ancillary buildings, due to their consistent materials and finishing, and the Gothic architectural detailing, particular so for the northern ancillary building, which exhibits a similar architectural quality to the Battleaxes.
- 6.14 The wider setting of the Battleaxes is largely enclosed by the built form in Wraxall to the south, west and north. Consequently, due to the drop of the land to the south and southeast, the wider setting is mainly open sky. However, it also includes the initial open fields on the slope to the valley's side to the east and northeast. At a greater distance this is visually terminated by the wooded upper slopes. While there is no visual intervisibility with any landscape feature or building, the Tyntesfield estate forms part of the asset's wider setting. This is due to the strong historical association and former combined ownership between the estate and the asset. The Battleaxes was originally part of the estate and was developed by Tyntesfield's owner. This association endured well into the twentieth century.
- 6.15 In summarising significance, the Statement sets out that The Battleaxes is a designated heritage asset of high (national) significance reflected by its statutory designation at Grade II. The asset's significance is principally derived from the architectural, aesthetic and historic special interest of the two buildings' fabric and form, which largely survive in their original form, most particularly externally but also to a degree internally.
- 6.16 The asset's special interest remains readily legible from within its immediate setting, most notably the buildings' Gothic architectural detailing, the use of materials and the eclectic and asymmetrical planning of the buildings' multiple elements, but also in many parts internally. The latter is principally so where there is fenestration, which mainly survives in original forms, and in the hall where the Gothic-styled roof woodwork of the central bay remains legible. However, it is internally where the effects of remodelling and removal of some walls, particularly on the upper ground floor, has caused a degree of masking and some confusion to the internal legibility of the asset's special architectural, aesthetic and historic interest. This is also the case in the hall with the enclosure of the 'attic' which masks four bays of the roof woodwork and the large Gothic-styled window on the western elevation.
- 6.17 A further strong contributor to the asset's significance is its historical association with the very notable nineteenth-century architect William Butterfield. Further contribution is gained by the historical association and origins with the Tyntesfield estate. There is group value with the ancillary buildings in the grounds and the early extension of the former caretaker's house to the west and southwest which, though flat-roofed, maintains some of the Gothic styling and material use of the original buildings.
- 6.18 The grounds, as the asset's immediate setting, due to its degraded character offers a secondary level of contribution to the asset's significance. The wider setting, which is largely peripheral to the asset also provides only a secondary level of contribution to the asset's significance.
- 6.19 Following the appraisal of existing significance, the Heritage Statement then turns to the assessment of the proposal. In doing so, it finds that:

- The repair and refurbishment of the listed building, including the improvement of access, the opening up of some of the historic building (such as the large Gothic window at the west end of the hall and improvement to the central southern elevation extension); the improvement of the public realm; the reinstatement of the garden on the upper terrace; the rationalisation of parking; the significant reduction of hard standing; and the refurbishment of the ancillary historic buildings will deliver a moderate enhancement to the significance of the listed building directly and via its immediate setting.
- These elements of the proposed scheme will also deliver a greater legibility of the listed building's architectural, aesthetic and historic special interests.
- The proposed subdivisions to parts of the upper ground floor of the listed building will deliver a neutral impact to the significance of the listed building.
- The proposed improvements to the u-value of the listed building's fenestration will deliver a neutral impact to the significance of the listed building.

6.20 The proposed two-storey office extension to the southern, garden elevation will be a contemporary, predominantly glass addition to the listed building. In terms of height its flat roof will sit below the eaves level of the hall. It is carefully positioned in the current recess between the kitchen wing/caretaker's house and the southern projection of the public house. It will be attached only to the southern elevation and cover a currently slightly confused section of the southern elevation that includes some not wholly sympathetic additions and remodelling to the original buildings. The roof will include an array of photovoltaic panels.

6.21 While the extension will introduce new built form to this part of the listed building, its scale and materials are largely appropriate to the context and is placed in the most appropriate position. As such its development will cause a less than substantial level of harm to the significance of the listed building. This will be specifically a negligible level of harm within the spectrum of less than substantial harm. Its development will not cause a meaningful restriction of the legibility of the asset's historic, aesthetic and architectural special interest.

6.22 The introduction of new built form to parts of the grounds, the immediate setting to the listed building will cause some indirect harm to the significance of the asset. The three units to be developed in the eastern plot are in the position of previous ancillary buildings. Only the terrace of six units represents a wholly new development of built form, being in an area that historically formed the lower part of the garden and latterly (over the last 50 years or so) an area of hard standing for car parking.

6.23 The proposed residential terrace does not screen any current views of the listed building from the south and southwest. Any potential views are already screened by the boundary vegetation and the existing housing off The Grove. The proposed residential terrace also does not screen any notable views from the listed building towards the south and southwest. As such, the development of this proposed residential terrace would not have an impact on the legibility of the listed building's historic, aesthetic and architectural special interest.

6.24 The proposed residential terrace will, however, introduce built form to a part of the asset's immediate setting where there is currently no built form. It will bring built form closer to the listed building. This impact will result in a less than substantial level of harm to the significance of the listed building. This will specifically be a low/moderate level of harm within the spectrum of less than substantial harm.

6.25 In concluding on heritage impact, the Statement sets out that the proposed development will cause both enhancement and harm to the significance of the listed building. Some of these impacts (both enhancements and harm) will be direct to the fabric of the asset and others will be impacts delivered via development in the asset's immediate setting. As an aggregate, the proposed development scheme will deliver a less than substantial harm to the significance (the historic, aesthetic and architectural special interest) of the Grade II listed Battleaxes. This is specifically concluded to be negligible within the spectrum of less than substantial harm, therefore at the lowest end of that spectrum.

The financial case (costs/condition survey/viability gap)

- 6.26 The financial case has been informed by the findings of a building survey, the marketing & viability review and the built heritage assessment.
- 6.27 The series of financial viability appraisals submitted in support of the proposals are set out in the Economic and Viability Statement.
- 6.28 The above statement sets out that in terms of the building survey, it identifies a need for certain immediate repairs and provision for the future replacement and implementation of a comprehensive planned preventative maintenance strategy to maintain the integrity of both the external and internal elements of the building. The building has suffered to date from a general lack of repair and maintenance (over a 20 year period) critically in respect of the envelope including the roof, and windows and doors.
- 6.29 In addition to immediate actions, for the building to be made fit for purpose and fit for the future, the building survey identifies that other repair/overhaul measures will be required soon. These include, but are not limited to, a complete overhaul of the building services systems; electrics, plumbing and heating system. For example, heating is currently provided by gas fired boilers supplied by two large LPG cylinders. With the ongoing changes to Part L of the Building Regulations it is likely that these will need to be replaced in the relatively near future by a renewable source such as a centralised heat pump system.
- 6.30 Both the marketing and built heritage cases are already summarised herein, but together with the building survey findings, the economic and viability statement arrives at the following set of appraisals that present a financial assessment of several different options for development of the existing building and its surrounding hardstanding areas. The options modelled range from refurbishment of the existing building and retaining the existing use, as one large public house, through to the planning application proposals for the refurbishment and redevelopment of the existing building into a multi-use business and community hub, including a modern office extension to the rear, and development of 9 new dwellings in the grounds.
- 6.31 The full list of options modelled is as follows:
- Refurbishment of the existing building and retain existing use as one large public house.
 - Refurbishment and redevelopment of the existing building into a multi-use business and community hub. (Base Appraisal).
 - Refurbishment and redevelopment of the existing building into a multi-use business and community hub including a modern office extension to the rear. (Base Appraisal + extension).
 - Refurbishment and redevelopment of the existing building into a multi-use business and community hub and the sale of 9 housing plots for development. (Land sale Appraisal).
 - Refurbishment and redevelopment of the existing building into a multi-use business and community hub including a modern office extension to the rear and the sale of 9 housing plots for development. (Land sale Appraisal + extension).
 - Refurbishment and redevelopment of the existing building into a multi-use business and community hub, development of a new office building a terrace of 6 new dwellings in the grounds. (Large office appraisal).
 - Refurbishment and redevelopment of the existing building into a multi-use business and community hub and development of 9 new dwellings in the grounds. (Full site Appraisal).

- Refurbishment and redevelopment of the existing building into a multi-use business and community hub, including a modern office extension to the rear, and development of 9 new dwellings in the grounds. (Full site Appraisal + extension) – (Planning Application Proposals).

- 6.32 The optioneering and appraisal findings demonstrate that the refurbishment of the existing building and retention of its existing use as a public house is financially unviable due to the extra-ordinary costs which will not be recouped with any form of licenced premises leasehold arrangement. The grounds (if not redeveloped as proposed) require extensive work which will never be able to be supported by the public house as a stand-alone entity.
- 6.33 The planning application proposals for the refurbishment and redevelopment of the existing building into a multi-use business and community hub, including a modern office extension to the rear and development of 9 new dwellings in the grounds is concluded to be the most viable option and demonstrates the case for it being the optimum viable use from a heritage perspective.
- 6.34 The development of 9 new dwellings in the grounds is required to bridge the viability gap for the refurbishment and redevelopment of the existing building and site. The landscape-led solution is unviable without the introduction of the new homes to support the level of investment required.

The housing need case

- 6.35 The proposal provides for the development of 9 market dwellings in the grounds of the existing building.
- 6.36 The case for that development is based on the demonstrable viability gap as set out in the section above.
- 6.37 The land can be considered brownfield given it is within the curtilage of the property and has had buildings on parts of it in the past, some of which remain.
- 6.38 Turning to the need for the homes, the latest position on 5 year housing land supply in North Somerset is set out in the Five Year Housing Land Supply Initial Findings Statement April 2021. The information set out covers the period April 2021 – March 2026.
- 6.39 Against the requirement to provide a 5 year supply of housing, the latest published statement shows that the Council cannot demonstrate a 5 year supply – being able to demonstrate a deliverable supply of 7,762 units for the period April 2021 – March 2026, which equates to 4.8 years supply against the current requirement, calculated using the current local housing need figure and applying a 20% buffer.
- 6.40 Until publication of the most recent results, the Council was required by central government to prescribe a 20% buffer to improve the prospect of achieving the planned supply, as there had been significant under delivery of housing. This is no longer the case. North Somerset has no longer demonstrated significant under delivery of housing in terms of the NPPF, on the basis of the most recent Housing Delivery Test results standing at 89% of the requirement.
- 6.41 Whilst the above points to North Somerset Council now being able to demonstrate a supply in excess of 5 years, two recent appeal decisions would indicate otherwise, namely Appeal Ref: APP/D0121/W/21/3285624 Land at Farleigh Farm and 54 and 56 Farleigh Road, Backwell, BS48 3PD and Appeal Ref: APP/D0121/W/21/3286677 Rectory Farm, Chescombe Road, Yatton, Bristol BS49 4EU. Both were decided in June 2022.
- 6.42 In each of the above cases, the Inspectors concluded that whilst there had been positive improvement in housing delivery, there was a significant shortfall.
- 6.43 In the Backwell case, the Inspector concluded a supply equating to 3.5 years and in the Yatton case, 3.2 years. In both cases therefore it was deemed that the Council could not demonstrate a five year housing land supply and that the extent of the shortfall was significant.

- 6.44 In each case, the Inspector set out that NPPF paragraph 11d), and footnote 8, establish that in situations where the LPA cannot demonstrate a 5 year supply of deliverable housing sites, the policies which are most important for determining the application are out of date. This engages the so-called 'tilted balance' in decision-making.
- 6.45 In engaging the tilted balance, the appeals, considered Policies CS14 (along with CS32 which does not apply in this case) to be most important policies for the purpose of determination. In the absence of a 5 year supply, CS14's strict hierarchy to the distribution of housing cannot be afforded full weight.
- 6.46 As such, the case for the inclusion of residential development in this proposal is intrinsically linked to the viability of the preservation of the Listed Building and the creation of the core set of uses envisaged as part of the redevelopment and the benefits in the round in terms of re-use of previously developed land. The viability and heritage cases summarised above are clearly supportive and next, we explore the other core consideration of Green Belt very special circumstances. Below we summarise that case, which is included in full at **Appendix A.1**.

Very Special Circumstances Summary

- 6.47 The saving and long-term protection of a heritage asset plays a significant role in establishing 'very special circumstances' as does the degree to which the proposals support the retention and development of local community facilities.
- 6.48 As a starting point, Paragraph 149 of the Framework identifies a number of exceptions to the presumption that the construction of new buildings in the Green Belt is inappropriate development and sub-section (g) on whether or not VSC evidence is required. Development may not be inappropriate where 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.
- 6.49 In the above context, we set out the full VSC case at **Appendix A.1**.
- 6.50 Whilst the full supporting case explores matters beyond the curtilage of the application site and the context of Wraxall as a settlement in the Green Belt, the focus first and foremost is the application site and the contention that the Battleaxes site does not fulfil a current Green Belt function.

Site-Specific Green Belt Appraisal Summary

- 6.51 The site is closely contained by the Bristol Road and adjoins a residential estate off The Grove including a block of three storey flats (Fryth House) which dominates the area and significantly detracts from the stated purpose of maintaining the openness of the Green Belt.
- 6.52 We do not consider that collectively the area fulfils a Green Belt function containing as it does a high-density residential estate, including two, three storey blocks of residential accommodation together with the three-storey application property and its associated extensive car parking and ancillary accommodation.
- 6.53 In terms of landscape and character, the site does not fall within any statutory designations. The site falls within the national character area NCA 118 - Bristol, Avon Valley and Ridges. The assessment of the local character area, when seen as a part of an addition to an existing residential area, with some man-made influences following the B3130, a medium and small-scale land cover and field pattern, the local character is assessed as having medium sensitivity to this form of development.

- 6.54 During the construction stage, with the suburban feel and existing settlement density defining the landscape at site, it is assessed to be subject to a medium magnitude of change, due to the partial loss of or alteration to one or more key elements or features, and the introduction of elements that would be prominent but may not be considered to be substantially uncharacteristic when set within the attributes of the receiving landscape. Consequently, the significance of landscape effect for the construction of the proposal is assessed to be moderate. This assessment of landscape effect is classified as 'not significant'.
- 6.55 At the operational stage, it has been assessed that any discernible loss of key landscape elements would be negligible and the introduction of elements that may be prominent but not uncharacteristic will occur and the subsequent landscape effects are considered not significant in planning terms. In terms of the residual significance of landscape effects, the extension of residential development to this part of Wraxall together with introduction of landscape management objectives, the overall magnitude of landscape character impact is assessed as still being small, since the development would have only a loss or alteration to one of more key landscape elements but may not be considered to be substantially uncharacteristic when set against the attributes of this receiving landscape. Assessed against a landscape character that has been determined to have a medium sensitivity, and a magnitude of change assessed as small, the significance of effect will remain as minor.
- 6.56 Turning to visual effects, all viewpoints have been specifically chosen to represent certain views from sensitive receptors, where some potential for significant impact can be anticipated. Viewpoints chosen include footpaths, residential settings and roads. With the introduction of construction activities, given that the scheme would occur over a relatively short period of time, it would result in perceptible changes to the existing view, and would appear as a small element in the wider landscape that may be missed by the observer or receptor. This would result in a small magnitude of change.
- 6.57 The sensitivity of the large majority of visual receptors in closest proximity to the proposed construction activities can be classified as high (users of PRoW and residents). Consequently, with a high receptor sensitivity set against a small magnitude of visual change, the temporary visual effect during the construction period would, as a worst case, result in a significance of effect that can be assessed as moderate ('not significant'). At the operational stage, the visual impact assessment has indicated a positive picture regarding the significance of effects upon visual receptors when the proposal and ancillary works are considered as a stand-alone development. In particular, it is noted that the extent of existing visual barriers around the perimeter of the proposed site created by the topographical gestures and existing settlement form, positively assist in minimising potential views of the proposed development from most sensitive locations beyond the site boundaries.
- 6.58 The viewpoint assessment has identified significant visual effects at just four locations out of twenty-eight; viewpoints 20,22,23,25, none of which are further than 250m. For the rest of the receptors the assessment has found that mostly to the north and west of the site the site and propose development is unseen, where some parts of the development could be evident, such views are glimpsed and would not have significant visual effects, whilst to the south and north-east some views may have perceptible change but not have significant visual effect either.
- 6.59 With heights of structures up to 9m, their relationship to the sloped site and mitigation planting to reinforce existing site boundary vegetation will provide strong visual barriers or relief to the development. This will reduce the potential for significant effect at some points closest to the site boundaries, such as viewpoint 20 and 24. As a result there are only two viewpoints that are considered to have 'significant' residual effects in planning terms.

Strategic Green Belt Appraisal Summary

- 6.60 In turning to the more strategic, it is clear from the VSC appraisal, that The Grove is a high-density area within the wider settlement of Wraxall and having undertaken more in-depth analysis of openness we have concluded that the village of Wraxall consists of two distinct and largely independent settlement forms:

Area 1 Wraxall Village Centre

- 6.61 The historic village centre consists of All Saints Church, the school and older housing set in extensive plots including The Rectory and Wraxall Court. This is a very traditional rural village setting with extensive views between buildings providing a high degree of openness. Situated in a break in the escarpment with Wraxall Hill running up the hillside, it displays both spatial and visual openness and fulfils a green belt function.

Area 2 The Grove (including The Battleaxes)

- 6.62 Situated to the southeast along and mainly to the south of the B3130, The Grove/Battleaxes area comprises a 1950/60s high density housing development including two large three storey blocks of flats (Fryth House and Northampton House) set alongside The Battleaxes, itself an extensive property with curtilage out-buildings and car parking. This highly developed and incongruous urban form is set tightly into the slopes of the escarpment with the retaining walls of the B3130 further containing the settlement and preventing open views to the north.
- 6.63 This area does not meet the tests of openness and does not fulfil a Green Belt function. We estimate this area is approximately 4hectares and supports some 76 households, resulting in a development density of 18.5 placing it second to only Easton in Gordano /Pill in terms of development density.
- 6.64 As such The Grove constitutes one of the most densely populated settlement areas in the Green Belt within North Somerset.
- 6.65 The VSC case set out at **Appendix A.1** concludes that from both a site-specific and strategic perspective, the Battleaxes and its curtilage fails to meet the tests of openness and does not fulfil a Green Belt function.
- 6.66 As noted above, the case for very special circumstances must be viewed in light of the status of the land concerned and the degree of harm caused.
- 6.67 The harm caused to openness is not significant, indeed it is considered minor due to the site's visual containment and context.
- 6.68 The very special circumstances that are listed in this section demonstrate a clear need for the development on the site, which outweigh the limited harm identified. The circumstances relevant to this case are:

A) The need to secure the long-term commercial viability of the Listed Building by the provision of a mixed-use scheme involving extensive refurbishment, extension and new build development.

- 6.69 The financial model contained within the Viability Statement demonstrates that the value associated with the income of the building as a single entity public house is significantly less than the total costs that will be incurred to bring it back in to a reasonable state of repair and this generates a significant financial loss overall. The viability of refurbishing and operating the existing building as a new multi-use business and community hub without the new build dwellings still generates a significant loss although it is a better overall position than maintaining the existing use.
- 6.70 The Viability Statement concludes that the development of 9 new dwellings is required to bridge the viability gap for the refurbishment and redevelopment of the existing building and site, the landscape led solution is not viable without the introduction of the new homes to support the level of investment required for the repair and refurbishment and ensure the sustainable future of the listed building.
- 6.71 It concludes that the scheme is the most viable option and demonstrates the case for it being the optimum viable use from a heritage perspective.

B) The substantial socio-economic benefits of the proposals to support the economy of North Somerset 'providing local job opportunities and securing Councils Plans to deliver economic recovery post the Pandemic.

- 6.72 The Economic and Community Statement establishes that:
- 6.73 The proposals constitute a tangible statement of business investment and confidence in North Somerset by a leading regional Development Business and Architectural Practice – providing a showcase for sustainable development and design and consolidating the businesses' focus on the long-term regeneration of the district.
- 6.74 The proposed investment by Studio Hive and Architecture for Studio Hive would result in a significant qualitative and quantitative improvement in development, placemaking and Architectural design expertise within the District's Creative Sector - a recognised priority sector for recovery and support post-Pandemic.
- 6.75 The mixed-use scheme will transform a currently redundant site hosting an economically unviable former Public House with no current or future employment potential into a vibrant site supporting 28 direct FTE jobs with a wide range of employment opportunities and flexible working arrangements. We estimate job creation will rise from 28 to 40 within three years of the site becoming fully functional.
- 6.76 The Proposed Development will make a significant contribution to the local and regional economy during the construction phase by supporting 109 FTE direct jobs, 201 FTE indirect and induced jobs, and by generating a total of around £10.65 million direct, indirect and induced economic output (GVA) per annum.
- 6.77 The cumulative growth supported by the scheme will make a tangible contribution to economic growth within the district.
- 6.78 The proposed Business Hub will provide a new accessible and flexible hot desking and supported workspace enabling local people to work locally in accordance with the Council's policies to improve the range and location of supported workspaces across the district.
- 6.79 The proposed farm shop and licensed café alongside the retention and development of a boutique B&B will directly support the Visitor Economy Action Plan priority contained within the North Somerset Economic Plan to improve the diversity and quality of visitor accommodation and facilities within the district.
- 6.80 The proposals complement and strengthen the wider Tyntesfield offer, developing further the role of heritage in defining North Somerset's visitor offer. Dialogue with the National Trust is positive, ongoing, and constructive.
- 6.81 The proposals meet Government and Local Planning Policy requirements to support appropriate rural employment opportunities and diversification.

C) The degree to which the proposals provide community benefits to the local community of Wraxall and contribute to the wider enjoyment and understanding of the wider Tyntesfield Estate.

- 6.82 The Economic and Community Statement establishes that:
- 6.83 The proposals support the inclusion of the Battleaxes site within the Wraxall and Failand Neighbourhood Plan as a location which can provide an important community function. The proposals accord with the requirements of Policy WF1 of the Neighbourhood Plan by safeguarding and enhancing the facility as part of a mixed redevelopment scheme with significant levels of community use and access.

- 6.84 The scheme will secure a sustainable future for the former Public House, enabling the site to provide a much greater range of community facilities and activities than those previously supported.
- 6.85 The building has the potential to host a wide range of community-based activities, including the use of meeting rooms for local counselling and access to voluntary services. The flexible operation of the café also provides the opportunity for more informal meeting spaces.
- 6.86 The Farm Shop provides local access to convenience and artisan products and, together with the Craft facility, will provide a new local retail offer.
- 6.87 Subject to further dialogue with the appropriate organisations, the scheme has the potential to significantly improve the quality of and access to community facilities, advice and support in Wraxall.

D) The degree to which the proposals add to the cultural offer of North Somerset by providing a centre for architectural design and development and multiuse meeting and activities in the main building.

- 6.88 The Economic and Community Statement confirms that the proposals would directly support the Council's stated priority within the Creative Industries Support Plan to attract new creative enterprises: encourage the market to develop sector-appropriate workspace, promote existing assets, ensure the placemaking potential of a thriving creative sector is realised and that North Somerset is well positioned to attract investment in creative workspace and innovation.
- 6.89 The proposals directly address the lack of registered Architectural practice with five or more employees within North Somerset which is a major weakness in the district's business profile and if not addressed will frustrate the Council's ambitions to directly influence the sustainable growth of the Creative sector of which Architecture is a key component.

E) Housing delivery including helping the authority to meet the prescribed requirement to evidence a five year land supply.

- 6.90 Refer to the housing need case set out earlier in this chapter which explores the matter of a five year land supply.

F) The degree to which the proposals support sustainable development.

- 6.92 The reuse of this key brownfield site and Listed Building makes an important contribution to supporting sustainable development within the District.
- 6.93 The Design and Access Statement outlines the strong sustainability credentials of the new build.
- 6.94 A review of existing staff place of residence shows how The Battleaxes would provide a far more sustainable workplace location for the existing Studio Hive workforce with reduced out commuting, (54% to 0%).

Conclusions on Green Belt and Very Special Circumstances

- 6.95 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended), determination of a planning application must be made in accordance with the Development Plan unless material considerations indicate otherwise.
- 6.96 Being in accordance with the Development Plan requires having regard for the Plan as a whole. The VSC assessment has set out the key elements and impacts (both positive and negative) of the development and their compliance with the policies relating to the green belt.

- 6.97 With respect to the applications proposals for the provision of new build, the proposed development is in green belt, and as such is 'inappropriate development' and, therefore, is harmful by definition (NPPF paragraph 143).
- 6.98 As such, "very special circumstances" must be demonstrated, whereby harm to green belt, and any other harm, is outweighed by other considerations (NPPF paragraph 144).
- 6.99 As has been demonstrated through this assessment, the overall harm to the green belt by the proposed development is limited. It is considered that the site does not serve any green belt purposes and, therefore, does not need to be kept permanently open for green belt reasons.
- 6.100 The new build elements of the proposed development would, by virtue of being development of existing hard standings, cause a degree of harm to the openness of the green belt in this location. However, given the relatively enclosed nature and the visual containment of the site, the harm caused is considered to be minimal.
- 6.101 The Council has identified that the existing policy approach to the identification of villages in the green belt is outdated, inconsistent and lacking clarity.
- 6.102 Nevertheless, the harm to green belt must be given substantial weight in accordance with the NPPF paragraph 144, and very special circumstances are only deemed to exist if the harm, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 6.103 Whilst this assessment finds that the scheme is not compliant with current Development Plan green belt policy it goes on to make the case that the site should be inset from the green belt where the development would be compliant.
- 6.104 Even if it were not "inset" then it is our view that the development as proposed would not fundamentally undermine any of the stated purposes of green belt designation. Where there is a degree of policy conflict, it is clearly outweighed by very substantial material considerations.
- 6.105 The following key conclusions are drawn:
- The site has been examined in line with the stated purposes of the green belt and does not perform any of these purposes.
 - In light of the above context and given that the site is visually contained, there is limited harm to green belt from the proposed development.
 - The site falls within a defined area of built development which should be inset from the green belt.
 - The development scheme as a package is critical to delivering enabling finance and continued uses to secure the long-term commercial viability of the Listed Building.
 - The scheme will secure the future heritage role of the site including its unique historical context with the Tyntesfiled Estate.
 - The scheme delivers significant economic benefits in accordance with the Council's stated priorities for economic recovery, including the relocation of new enterprise into the District in the form of a unique mixed-use development and employment/knowledge hub, based on architecture and design.
 - The proposed investment by Studio Hive and Architecture for Studio Hive would result in a significant qualitative and quantitative improvement in development, placemaking and architectural design expertise within the District's Creative Sector - a recognised priority sector for recovery and support post-Pandemic.

- The scheme has a significant role to play in to meeting the community needs of Wraxall as expressed in the community consultation undertaken in preparing the scheme and outlined in the Neighbourhood Plan.
- The development will contribute to meeting the Council's housing requirements.
- The reuse of this key brownfield site and Listed Building makes an important contribution to supporting sustainable development within the District.

6.106 Overall, it is considered that the very special circumstances delivered by the scheme overwhelmingly outweigh the limited harm to green belt and any other harm from the proposals.

6.107 It is considered that the harm to green belt by reason of inappropriateness and the effect on openness, plus the other non-green belt harm, is outweighed by the considerable planning benefits of the development proposals. We, therefore, conclude that very special circumstances clearly exist to justify inappropriate development in the green belt in accordance with the NPPF.

7 POLICY RESPONSE & OTHER MATERIAL CONSIDERATIONS

7.1 The multi-faceted cases summarised in this statement, covering conservation and heritage, Green Belt development and the market context are assessed in this chapter against the policy and strategy framework.

7.2 Relevant other material considerations are also set out before arriving at a planning balance and conclusion at the end of this statement.

7.3 It is clear from the policy framework that the following are core principles:

- That the change of use needs to be justified, based on market evidence.
- That the application property being a Listed Building should be protected from significant harm as should its setting.
- That any curtilage development at the application site has to be justified both by an acceptable heritage impact on the setting of the Listed Building and that very special circumstances exist given the Green Belt context and a presumption against development.
- That there are demonstrable community benefits arising from the proposal.

The Change of Use

7.4 As the insights from HTC and Fleurets and its report of the marketing activity since 2019, it is clear that the property has been widely marketed and that exercise delivered a large amount of interest and 15 viewings, but no offers that led to a transaction for the property in its current use.

7.5 The additional market input from HTC supports the Fleurets position of a lack of market interest as a public house and as such, it is considered that when tested against the community facility policies CS27 and DM 68 the loss of the Public House to other uses is acceptable. The core of this assumption is that in the absence of a willing buyer, there is via this proposal, a viable re-use of the building that in a community context will facilitate the opportunity of a community-focussed set of activities that will also provide for a licensed premises.

7.6 On the basis of the marketing evidence and the above, it is considered that there is not a requirement to make alternative provision off-site as a community meeting place that is licensed will effectively be retained. Not just that, but additional meeting space and potential for provision for additional community-based activities such as village shopping facilities are considered to be significant in adding value to the proposals in the round, as well as supporting the principle of the change of use as set out in the application.

Extension to Existing Building and Curtilage Residential Development

Extension

7.7 The proposed extension, as set out in the accompanying plans and Design and Access Statement is as shown on the proposed elevation below, set within a natural void and is 'lightweight' in design through the extensive use of glazing and enables the building complex to still be 'read'.



Residential Curtilage Development



- 7.8 The proposed residential enabling development is contrary to the tests in DM12, however, at **Appendix A.1** to this statement, it is set out that “very special circumstances” do exist in this case to overcome the normal presumption against development.
- 7.9 Policy DM54 confirms that the redevelopment of previously developed land is supported in principle, and this has been weighed as set out in the supporting cases against conflict with green belt policy and the other policy considerations such as accessibility, design, visual impact, and the safeguarding of the setting of the listed building itself.
- 7.10 Clearly, the residential element of the site could make a small but important contribution to windfall housing delivery on a previously developed site within the countryside, without fundamental harm to the purpose of the green belt or harm to the listed building.

Other Matters

Drainage

- 7.11 The supporting drainage strategy establishes that in terms of flood risk, the property and site are in flood risk zone 1, an area with a low probability of flooding. It also establishes that the site is not in an area with critical drainage problems as notified by the Environment Agency and is not identified as being at increased flood risk in future by the local authority's strategic flood risk assessment.
- 7.12 The strategy highlights that the site is not at risk from other sources of flooding (such as surface water or reservoirs).

- 7.13 The strategy sets out a drainage strategy and maintenance plan both for foul and surface water and demonstrates that the site can be appropriately drained through connections to existing networks.

Ecology/Trees

- 7.14 A Preliminary Ecological Appraisal and Preliminary Roost Assessment have been prepared in support of the application, based on surveys in August 2022.
- 7.15 The key findings were that the site itself is not subject to any designations, nor are there any within 2km and as such, no direct impacts to any designated sites will occur as a result of the proposed development. However, due to the proximity of the site (10km) to North Somerset and Mendip Bat SAC and the nature of the proposed development, it was found that it could result in the destruction of bat roosts within the site.
- 7.16 During the preliminary survey, three buildings were inspected. The main building (Building 1) was found to have several gaps on the tiles and wall and feeding remains were found throughout the building, including within the stairwell to the ground floor and was assessed as providing a high potential. The outbuilding (Building 2) had several slipped tiles and feeding remains and a small cluster of droppings, so was confirmed as a bat roost. Finally, the garage (Building 3) was assessed as providing a moderate potential due to some slipped and missing tiles on the roof.
- 7.17 Given the above and in line with the Bat Conservation Trust (2016) guidelines, three emergence surveys were carried out in August and September 2022 and reported on in October 2022.
- 7.18 During the emergence surveys a single common pipistrelle (*Pipistrellus pipistrellus*), a single soprano pipistrelle (*Pipistrellus pygmaeus*), and a lesser horseshoe (*Rhinolophus hipposideros*) bat day roosts were identified on the southern aspect of Building 1. No bats were seen emerging or entering Buildings 2 or 3.
- 7.19 The activity on site was generally low and limited to the line of trees present on the southern end of B1 only with low numbers of common pipistrelle and serotine bat (*Eptesicus serotinus*) foraging.
- 7.20 The report of surveys concluded that as the proposals include repairs to the roof of Building A, a Bat Mitigation Class Licence (BMCL) will be required to permit the above actions. The works would result in the temporary destruction of day roosts for common pipistrelle and lesser horseshoe bats. Outline mitigation and enhancement recommendations have been made in order to ensure that opportunities are available for protected species following the completion of the development, and that the ecological value of the site is enhanced in the long-term.
- 7.21 An arboricultural survey carried out in December 2022, supports the planning application and presents a tree survey, constraints plan and impact assessment. The survey establishes that all the surveyed Ash trees are infected by Ash dieback disease (*Hymenoscyphus fraxineus*). This was evident in the few remaining leaves in the canopies of the trees and the leaf litter around the base of the trees.
- 7.22 Twelve trees and one group of trees were surveyed. Of the trees surveyed no trees were categorized A, one tree was categorized B, three trees were categorized U and the remaining trees and group of trees were categorized C.
- 7.23 All on-site trees are to be removed under the proposals and the survey found that there are no trees outside of the site boundary which are impacted by the proposed development.
- 7.24 It is proposed to mitigate for the loss of these trees by the implementation of a landscaping scheme including replacement trees and shrubs to enhance the landscape and visual amenity of the site. The details and specification for the proposed landscaping will be agreed as part of the determination of the planning application.

Noise

- 7.25 A Noise Impact Assessment supports the planning application and finds that that the noise impact on future occupants at the proposed development and the noise impact generated by it on other existing properties can be controlled to an acceptable level based on recommendations it sets out. Those recommendations include:
- 7.26 Noise levels in external amenity areas to dwellings should be within the recommended range of 50 – 55 dB LAeq,16hr.
- 7.27 It is recommended that a 2.5m high close-boarded fence (with beech hedge planting on the road side) is installed around the amenity area of the house in the eastern corner of the site, which is closest to Bristol Road.
- 7.28 Regarding external noise ingress, internal ambient noise level (IANL) targets vary depending upon the room type (residential, travellers' accommodation or non-residential), and external noise levels vary significantly from relatively high on the northernmost elevations of the existing building, to relatively low and able to meet IANL targets with open windows on the southernmost elevations.
- 7.29 In general, most dwellings will meet IANL targets with closed windows and glazing with a low to moderate level of acoustic performance. This does not mean that windows should be sealed shut as noise levels are not excessively high – but does mean that an alternative ventilation system should be used which can meet IANL targets whilst providing adequate background ventilation when the windows are closed. Glazing and ventilators (unless mechanically ventilated) must meet the minimum sound reduction indices set out in Section 5 of the report.
- 7.30 Similar sound reduction indices are provided for the B&B accommodation and for non-residential areas, i.e., offices, workspace, farm shop. In short, as noise levels are relatively high on the northern elevations of the existing building overlooking Bristol Road, and as existing windows are single glazing, it may be necessary to either install secondary glazing behind the existing single glazed windows (with the benefit of retaining the external appearance given the listed building status), or replace with acoustic (i.e. thick laminated glass) double glazing, to reduce the level of external noise ingress. On the other hand, existing windows are likely to be fine without requiring upgrading on south facing elevations where they are well sheltered from the road.
- 7.31 With respect to the noise impact from potential plant on surrounding properties, the Assessment sets out that noise from potential mechanical plant associated with the proposed development has been assessed in accordance with BS 4142:2014, setting a rating level limit of 21 dB LAeq,15mins at night (23:00 – 07:00) and 22 dB LAeq,1hr during the day (07:00 – 23:00). This rating level limit should not be exceeded at 1m outside of nearby residential windows and is based on the level being below/at most equal to the minimum background sound level.
- 7.32 However, it may be necessary to later revise these targets depending on the operational hours of the plant. For example, if an office air conditioning system only runs between 08:00 and 18:00, then the daytime rating level below will be too onerous given that a level of 22 dB likely occurs late in the evening when no traffic passes, given that a minimum value of 31 dB LA90,5min was measured between these hours during the survey.
- 7.33 Whilst the exact details of the plant have not been developed at this stage, it is anticipated that this target can be achieved providing the developer follows the recommendations. It is recognised that this aspect is likely to be conditioned with the requirement for a further assessment to demonstrate that the rating level targets will be achieved once the project reaches the technical design stage.

Transport

- 7.34 The Transport Statement establishes that the application site is well served by public transport via access to the X9 bus service that connects Nailsea to Bristol. This route also allows for connection to the X7 which serves Nailsea and Backwell Train Station, which in turn provides access to all GWR services (via Bristol Temple Meads in a northbound direction). This is a regular

bus service generally running at 30 minute intervals (hourly after 2011) from 0711 to 0011 Monday to Friday and a very similar service Saturday, Sunday and Public Holidays.

- 7.35 With bus stops immediately outside the site, with shelters and raised kerbing the Transport Statement concludes that this site is extremely well located to promote travel by bus.
- 7.36 With respect to road safety, the Statement concludes that a review of the accident data shows no blackspots or highway deficiencies.
- 7.37 Turning to the assessment of compliance in terms of access and parking, the Statement concludes that parking for all modes is policy compliant, as is the access to the site.
- 7.38 The assessment of trip generation highlights that the proposal will have a negligible impact on the local highway network.
- 7.39 The core of the redevelopment proposal is to create a 'work near home' hub and as set out in the Economic and Community Statement, a review of the existing staff place of residence shows how Wraxall would provide a far more sustainable workplace for the existing Studio Hive Development team workforce, with reduced out commuting and greater potential to cycle to work.

8 THE PLANNING BALANCE & CONCLUSIONS

- 8.1 The principle of the development of the application property as set out, is in part, contra policy per se as the site is located in the Green Belt and any new development outside of the existing footprint may be viewed by the LPA as inappropriate development.
- 8.2 The application addresses the above policy compliance head on by setting out the necessary evidence to substantiate a “very special circumstance”.
- 8.3 However, this is a scheme that has a number of core cases to its foundation as summarised herein that build up the planning balance in a series of layers. They deal with the saving of an otherwise at risk heritage asset from continued vacancy and decay, which also has community regeneration and benefit at its heart.
- 8.4 As established previously herein, the proposals support the 3 pillars of sustainable development as summarised below:

The economic case

- New jobs created and GDP raised.
- Rural diversification via new local employment and introduction of creative industries, alongside retention of visitor accommodation role of the property.
- Flexible local working opportunities via hub/hot desking.

The community case

- Retention of licensed bar, but with the added farm shop/café/restaurant activity.
- Provision of community meeting and conference rooms.

The sustainability case

- Reuse of brownfield land and an existing, long term vacant building.
- New build interventions with high environmental performance credentials.
- Tangible place-making benefits from building restoration together with external improvements to public realm and landscaping.
- The creation of a ‘work near home’ hub, with reduced out commuting and greater potential to cycle to work.
- Facilitating cycling activity via a potential hub.

- 8.5 In summary, the key circumstances in the balancing of this case are:

- The need to secure the long-term commercial viability of the Listed Building and in doing so, introduce a number of sensitive and complimentary uses/activities that make the sum of the parts of the viability case multi-legged and therefore resilient to the market or other externalities/stresses.
- Re-activating the clear role that this building/site has played historically as a community hub. In doing so, the proposal will secure the future heritage role of the site, including re-interpreting and connecting its unique historical context with the Tyntesfield Estate, thereby increasing the understanding accordingly of its historic context and the fit that the proposal has

with that. This is a case of re-imagining the past and providing an appropriate, continued purpose for this valued asset.

- The proposals provide clear and multi-faceted benefits to the local community of Wraxall and the relocation of the Studio Hive business, together with the wider socio-economic benefits of the proposals are considered to have the potential to play an important role in supporting the rural economy of North Somerset. This will be a catalyser to local job opportunities and help to deliver economic recovery post the Pandemic.
- The proposals which go beyond the preservation of the building itself, add to the cultural offer of North Somerset by providing a centre for architectural design and development, together with multi-use space for work, meetings and activities in a true 'hub' environment.
- The housing delivery will add to the continuing performance in North Somerset to add to the supply via this windfall opportunity, that is fundamental to the viability of the proposal in the round and is respectful to the listed building.
- Aside from the core cases, it has been demonstrated that in terms of other matters that are considerations in the acceptability of a proposal in planning terms, namely ecology, transport, flood risk/drainage and noise that the scheme has been assessed positively. Where impacts have been identified, they can be duly mitigated.
- Finally, the proposals can, when taken together as an integrated package of interventions, support the 3 pillars of sustainable development – social, economic and environmental.

8.6 Taken together and on balance, it is contended that the application sets out a credible argument for the scheme to be supported as an exceptional case and circumstance.

Appendix A.1 Green Belt Very Special Circumstances

Green Belt Assessment and the Case for Very Special Circumstance

The Battleaxes, Wraxall



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1. INTRODUCTION

The site is located within (and predates) the designation of the Bristol and Bath Green Belt which was established in the mid 1950s. The new build elements of the proposal are classified in the National Planning Policy Framework (NPPF) as inappropriate development in the green belt. (NPPF Paragraph 145).

As such development on green belt land should not be approved except in very special circumstances (NPPF Paragraph 143).

This report examines the Green Belt matters associated with this proposal and puts forward the case of why special circumstances exist including:

- The Battleaxes and the designation of The Bristol and Bath Green Belt
- Overview of existing green belt policy at national and local levels
- Green belt openness and the status of villages
- Assessment of the site in fulfilling green belt purposes
- Assessment on the impact of the development on the openness of the green belt
- Degree of compliance with policy DM12 and conclusion on green belt harm
- The case for very special circumstances; and
- Planning Balance and Overall Conclusions

2. THE BATTLEAXES AND THE DESIGNATION OF THE BRISTOL AND BATH GREEN BELT

The Bristol and Bath Green Belt was broadly established in the mid-1950s through the Gloucestershire, Somerset and Wiltshire County Development Plans. The majority of the Bristol and Bath Green Belt fell within the Somerset authority area and the Green Belt designation was locally adopted in 1957 and then given Ministerial approval in 1966. (Extract from North Somerset Local Plan 2038 North Somerset Green Belt Assessment April 2021)

According to its Listed Building status The Battleaxes was designed 1880-1881 by William Butterfield for Anthony Gibbs of Tynesfield and dated 1882. As such it predates the designation of the Bristol and Bath Green Belt by over eighty years and has been a significant landmark structure in Wraxall for a hundred and forty years.

Evidence provided in the historical section of the Access and Design Statement shows that the site has evolved over the years with evidence of numerous out-buildings and structures the majority of which were removed to provide hard standings for car parking associated with the buildings more recent use.

Ironically the setting of the site saw the greatest change post green belt designation with the approval in the 1960s of a high density local authority housing development – The Grove. This included two large three storey blocks of flats (Fryth House and Northampton House) which were constructed immediately along the southern boundary of the site, irreparably harming the openness of the green belt.

It is our view that in accordance with this chronology that The Battleaxes site should be considered as a previously developed site within the green belt and safeguarding the Listed Building landmark for the long term should weigh heavily in the balance of considering an exceptional circumstance.

3. EXISTING GREEN BELT POLICY

National policy (NPPF, Chapter 13) sets the strategic context for development in Green Belt and the Government's approach to Green Belts and their importance. Paragraph 133 states:

"The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence."

It goes on to define the core purposes of Green Belt, through paragraph 134, which are:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

When considering the review of Green Belt boundaries, the NPPF at paragraph 138, advises:

"When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policymaking authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport."

For development in existing Green Belt land, the NPPF is clear that the construction of new buildings is inappropriate in Green Belt (Paragraph 145) with very few exceptions:

"Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances" (Paragraph 143).

Paragraph 144 goes on to state that,

"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to 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 resulting from the proposal, is clearly outweighed by other considerations."

Paragraph 136 notes, that when considering alterations to a Green Belt boundary, this should only occur *"where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period"*. Albeit in defining such boundaries, paragraph 139 is clear, that plans should *"not include land which it is unnecessary to keep permanently open"* and also, should *"be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period"* and should ensure that boundaries are clearly defined, *"using physical features that are readily recognisable and likely to be permanent"*.

Paragraph 144 of the NPPF provides specific guidance on how existing villages in the green belt should be treated and states:

'If it is necessary to restrict development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included in the Green Belt. If, however, the character of the village needs to be protected for other reasons, other means should be used, such as conservation area or normal development management policies, and the village should be excluded from the Green Belt.'

Extant development plan policy in North Somerset (policy CS6) follows the national policy approach in respect of development within the Green Belt and repeats the five stated aims of Green belt policy.

The key green belt policy context is contained in Policy CS6 of the Adopted North Somerset Core Strategy and Policy DM12 of the Sites and Policies Plan

North Somerset Council **Core Strategy** January 2017

Living within environmental limits

CS6: North Somerset's Green Belt

Within North Somerset the boundaries of the Bristol – Bath Green Belt will remain unchanged during the plan period.

Further amendments to the Green Belt at Bristol Airport will only be considered once long-term development needs have been identified and exceptional circumstances demonstrated.

This policy contributes towards achieving Priority Objective 7.

DM12

Policy DM12**Redevelopment and infilling on previously developed sites in the Green Belt outside settlement boundaries**

On previously developed sites (as defined in the NPPF) outside the settlement boundary limited infilling or partial or complete redevelopment is not inappropriate provided it would not have a greater impact on the openness of the Green Belt and the purposes of including land within it. Redevelopment should:

- not extend beyond the perimeter of the buildings which make up the bulk of the built up area of the site; and

Infilling should:

- not extend beyond the perimeter of the buildings which make up the bulk of the built up area of the site; and
- should be visually contained within the site and should not exceed the scale or height of the existing buildings; and
- be sustainable in terms of being well related to existing settlements, and having safe and convenient pedestrian and cycle access to services, amenities and a bus or rail service.

Partial or complete redevelopment proposals should:

- not extend beyond the footprint of the existing buildings unless the proposal by virtue of its height or location on the site would have an equal or lesser impact on the Green Belt than the existing buildings; and
- result in environmental improvements on rundown or derelict sites; and
- be sustainable in terms of being well related to existing settlements, and having safe and convenient pedestrian and cycle access to services, amenities and a bus or rail service.

Appropriate facilities for outdoor sports and recreation

New buildings and facilities associated with sport and recreation provision in the Green Belt should be:

- directly related and subsidiary to the main outdoor use;
- be of a scale and size proportionate to the sporting or recreational use;

The latest review of the green belt in North Somerset was undertaken as part of the preparation of the new Local Plan and is contained within a freestanding report entitled **North Somerset Local Plan 2038 North Somerset Green Belt Assessment April 2021**

Building on work undertaken as part of the Joint Spatial Plan the assessment it states:

“5.2 Twenty-four cells are identified in North Somerset. They provide manageable areas for analysis and presentation of results. Cells have been renumbered but generally reflect that used in the JSP assessment with some cells amended to correspond with the North Somerset administrative boundary. “

The application site falls within cell 16 Wraxall, Failand, the Tyntesfield Estate to the west of Long Ashton and is identified as directly performing purposes 2,3, and 5 as well as assisting in preserving the setting of Tyntesfield House and the country estate.

16 (71 JSP) Wraxall, Failand, the Tyntesfield	-	✓ Helps prevent the merger of Nailsea, Long Ashton and Bristol	✓ This land safeguards the countryside from encroachment.	- (The Green Belt assists in preserving the setting of	✓	This area forms part of the steep sided ridge in the vicinity of Wraxhall and Failand and includes the Tyntesfield estate (National Trust). The area is primarily
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Cell No. (JSP cell no) Name	1. To check the unrestricted sprawl of large built-up areas	2 To prevent neighbouring towns merging into one another	3. To assist in safeguarding the countryside from encroachment	4. To preserve the setting and special character of historic towns	5. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land	Description and Commentary
Estate to the west of Long Ashton			There is also significant recreational and agricultural use	Tyntesfield House and the country estate.)		open and undeveloped, with heavily wooded areas, agricultural land and open recreation uses. The Green Belt in this cell directly serves purposes 2, 3 and 5

Whilst little weight can be given to the emerging Local Plan it goes on to identify the need to make a significant number of amendments to the green belt in particular the need to be consistent with the identification of villages within the green belt.

“26. As part of the North Somerset Green Belt Review villages have been assessed to determine whether changes need to be made regarding whether a settlement is excluded or washed over by the Green Belt. The reasons for this are threefold: -

- Guidance in the National Planning Policy Framework (NPPF). Paragraph 144 sets out that this should be based on ‘the important contribution which the open character of the village makes to the openness of the Green Belt’. There is also a need to clarify how ‘limited infilling in villages’ NPPF paragraph 149 will be interpreted in the new plan.
- The new plan revises the approach to the settlement hierarchy.
- Inconsistency and uncertainty in the current approach.”

North Somerset Local Plan 2038 Green Belt Review Part 2 Villages in the Green Belt January 2022

The assessment of villages in the green belt has informed the new policies LP6 and LP8

Policy LP6:

Settlement boundaries

Settlement boundaries for towns and villages are defined on the Policies Map and set out in Schedule 5 of this plan. New development within the settlement boundaries must accord with the relevant policies of the plan.

The extension of residential curtilages, including the extension into the countryside of the curtilage of a dwelling located within a settlement boundary, will be permitted provided that it would not harm the character of the surrounding area or the living conditions of adjoining occupiers.

Settlements with boundaries that are located in the Green Belt are inset from the Green Belt and Green Belt policies do not apply within the settlement boundary. These are also listed in Schedule 5.

Justification

Settlement boundaries identify the areas at the towns and villages within which specific local plan policies will apply, particularly in relation to housing development. All settlement boundaries have been reviewed as part of the local plan and new boundaries identified for several settlements.

Locational Policy LP8:

Extent of the Green Belt

The boundaries of the North Somerset Green Belt are defined on the Policies Map. The following changes to the existing Green Belt are proposed:

5. The following villages within the Green Belt will be inset from the Green Belt.

- Abbots Leigh
- Clapton-in-Gordano
- Cleeve
- Dundry
- Failand
- Flax Bourton
- Felton
- Leigh Woods
- Portbury
- Redhill
- Tickenham
- Weston-in-Gordano
- Winford

Justification

The North Somerset Green Belt is highly valued by local residents and is an effective planning tool in preventing the urban sprawl of Bristol and shaping the pattern of development in North Somerset. It keeps land permanently open, prevents towns and villages merging together and protects the countryside.

Villages have been assessed to determine whether changes need to be made regarding whether a settlement is excluded or washed over by the Green Belt. This is based on the openness of the village and 'the important contribution which the open character of the village makes to the openness of the Green Belt' (NPPF paragraph 144).

A joint Green Belt and settlement boundary will define the extent of these villages. Adjustments will be made to existing settlement boundaries, where applicable, to correct inconsistencies and anomalies and ensure the robustness of the boundary.

Boundaries at villages are not being adjusted to include new green field development sites, this is incompatible with the spatial strategy. Development inside boundaries will be permitted in accordance with the other policies in this plan.

4. GREEN BELT OPENNESS AND THE STATUS OF VILLAGES

It is evident from the Local Plan Review that for the green belt to endure beyond the plan period significant amendments to the currently adopted policy is required in the identification and consistency of policy approach to villages in the green belt. This includes taking village settlements such as Failand out of the green belt when applying the test of openness to the role the settlement plays to the wider openness of the green belt in accordance with Para 133 and 144 of the NPPF.

This establishes an important principle in that the Authority considers that the wider purpose of the green belt can be met whilst excluding from the green belt settlements which do not contribute to the wider strategic test of openness. It also acknowledges that the adopted plan policies for settlements in the Green Belt is outdated, inconsistent and lacking clarity.

We have directly engaged with the consultation on the emerging Local Plan and have submitted detailed evidence of why the application site and wider area known as The Grove should be included in the list of settlements inset from the green belt in accordance with Para 144 of the NPPF.

We do not consider that collectively the area fulfils a green belt function containing as it does a high-density former Council estate including two three storey blocks of residential accommodation together with a three-storey former public house/ hotel together with extensive car parking and ancillary accommodation.

Our representation which is appended to this statement examines the assessment of settlements contained within the Supplementary Document: Green Belt Review Part 2 Villages in the Green Belt January 2022 and identifies that it is anomalous to include such a high-density settlement area within the green belt when it does not fulfil any of the stated green belt purposes.

As such it should be given a specific settlement boundary and included within the list of villages contained within section 5 of policy LP8 to be inset from the green belt in accordance with the plans strategic green belt policy SP7.

Appendix 1 of the report identifies Wraxall as a high-density settlement (9th out of 21) indicating that as a starting point it ought to be given serious consideration as to whether it should be removed from the green belt. This is particularly the case when significantly less dense settlements such as Clapton in Gordano and Redhill are recommended to be taken out of the green belt.

Having undertaken more in-depth analysis of openness we have concluded that the village of Wraxall consists of two distinct and largely independent settlement forms:

Area 1 Wraxall Village Centre

The historic village centre consists of All Saints Church, the school and older housing set in extensive plots including The Rectory and Wraxall Court. This is a very traditional rural village setting with extensive views between buildings providing a high degree of openness. Situated in a break in the escarpment with Wraxall Hill running up the hillside, it displays both spatial and visual openness and fulfils a green belt function.

Area 2 The Grove (including The Battleaxes)

Situated to the southeast along and mainly to the south of the B3130, The Grove/Battleaxes area comprises a 1950/60's high density former local authority housing development including two large three storey blocks of flats (Fryth House and Northampton House) set alongside The Battleaxes a Grade 2 listed currently vacant and extensive former Public House/Hotel with out-buildings and car parking. This highly developed and incongruous urban form is set tightly into the slopes of the escarpment with the retaining walls of the B3130 further containing the settlement and preventing open views to the north.

This area does not meet the tests of openness and does not fulfil a green belt function.

We estimate that Area 2 is approximately 4.1 hectares and supports 76 households resulting in a development density of 18.5 placing it second to only Easton in Gordano /Pill in terms of development density. As such The Grove constitutes one of the most densely populated settlement areas in the green belt within North Somerset (2nd out of 21) and specific reasons should be given as to why this area is not being removed from the green belt as part of the Local Plan review

The photographic overview contained within our representation shows the visual impact of the large imposing buildings including Fryth House comprising twelve flats on the three storeys and Northampton House again three storeys with seven flats. These are very urban structures which dominate the area and are unsympathetically situated alongside the imposing Battleaxes listed complex and a more traditional housing estate.

From examination of the Land Charge 1 to 7 (inclusive) Northampton House, Wraxall, 1-3, 5 to 12 (inclusive) Fryth House, Wraxall (Freehold) Title number: ST246240 the two large and imposing three storey residential blocks were constructed in the period 1964 to 1966 as a result of a purchase of land by Long Ashton Rural District Council from the 3rd Baron of Wraxall. The properties freehold is currently retained by Alliance Homes following the LSVT of North Somersets housing stock in 2006 As a result of the Right to Buy several of the flats have subsequently been purchased on long term leases to the occupiers.

Whatever the justification for the choice of site the provision of the blocks of flats has irreparably changed the openness of the green belt and resulted in a dense urban form which is unique in an otherwise largely open landscape.

Whilst there are more open views to the south, the built-up area of Area 2 is clearly defined providing a stark contrast to the more open countryside that extends south and west towards Nailsea. To the north the B3103 is cut into the side of the escarpment closing off more distant views towards the Tyntsfield Estate -this contrasts with the more open setting of the village centre. As such there is clear physical and visual separation of The Grove from the remainder of the village and the wider green belt.

Unfortunately, the assessment of openness contained within Appendix 2 of the report fails to adequately distinguish between the two settlement areas which we believe results in the adverse impact of The Grove on the green belt to be overlooked and/ or underestimated.

The Grove area is by far the most populated and extensively urbanised part of the village and although it is recognised as being the cause of the overall high density of development in the report it does not appear to receive any specific reference or examination of openness which is surprising considering the two widely different settlement forms that make up the village. The Grove cannot be described as forming part of a linear development and is not typically open in character.

In contrast to this other village assessments in the report identify and contain recommendations to include or exclude parts of their settlements. Examples include the exclusion of the church and school buildings in Portbury, the inclusion of Long Cross, Felton and Farleigh Green at Flax Bourton. It would appear that these settlements have received a more analytical examination of openness than Wraxall.

Put simply we feel the assessment has overlooked the significance of The Grove within the overall appraisal of the village as a whole which results in the continuing inconsistency of The Grove being included within the green belt when it does not perform a green belt function.

We note that the report does not define a minimum size of built form that is required in order to justify taking a settlement out of the green belt and has not made a judgement on volume of activity as referenced in national guidance. In our case the visual impact of three storey flatted accommodation is of particular significance as the effects of urbanisation extend proportionally much wider than with less bulky forms of development. It is a clearly defined area of urban development which significantly detracts from the openness and value of the green belt.

In terms of number of households, we estimate this to be approximately 76 placing it at similar scale in household numbers to Redhill which is being proposed to be taken out of the green belt for the first time since the green belt was designated and arguably is far less prominent.

Unlike Redhill the Grove includes land which is both urbanised and underutilised. Failure to remove the settlement area from the green belt will significantly restrict the ability of Wraxall to attract the reuse and redevelopment of existing land and property within the village including the opportunity to create a new community-based village hub, with employment, cultural provision, and housing.

It could frustrate the development of commercially viable proposals to develop and re-use properties such as The Battleaxes which is an important Grade 11 listed building, and which will require enabling development to secure its long-term future.

Our representation concludes:

For the reasons stated above we consider that it is inconsistent with the plans review of settlements not to inset The Grove from the green belt.

We request that the status of Wraxall and in particular The Grove be reviewed and inset from the green belt. The inset would contribute to maintaining the wider operation of the green belt in the long term whilst enabling other of the plan's objectives including community, rural employment and housing needs to be met in the local area.

Our request is that:

- a) The LPA acknowledges that The Grove as defined in this representation is a largely self-contained and independent settlement form from the wider village of Wraxall and due to its unique urbanised form and character does not fulfil a green belt function.*
- b) The LPA define a settlement boundary for Area 2 The Grove in accordance with Policy LP6*
- c) The Grove be included within the list of settlements to be inset from the green belt under section 5 of Policy LP8 and in accordance with the strategic policy for green belt contained in Policy SP7*

5. ASSESSMENT OF THE SITE IN FULFILLING THE STATED PURPOSES OF THE GREEN BELT

Whether or not the case is accepted that the site should be subject to the emerging local plan policies relating to villages inset within the green belt, we have examined the site in accordance with the stated purposes of the green belt aims alongside the assessment of the strategic role of this part of the green belt as identified in cell 16 of the North Somerset Local Plan 2038 North Somerset Green Belt Assessment April 2021.

Purpose 1: to check the unrestricted sprawl of large built-up areas.

Being distant from any large built up area the 2021 Green Belt Assessment acknowledges that this is not a relevant purpose of the green belt in this locality.

Purpose 2: to prevent neighbouring towns merging into one another.

Whilst the application constitutes inappropriate development the wider purpose of ensuring Nailsea, Long Ashton and Bristol are prevented from merging would remain intact. Like the Failand Triangle, The Grove constitutes a highly self-contained and distinctly urban form in otherwise open countryside.

The clear definition of the existing built-up area including the application site alongside the containment to further development to the north delineated by the B3103 provides a clear and defensible boundary.

The application site and its setting does not contribute to this purpose.

Purpose 3: to assist in safeguarding the countryside from encroachment.

The site contains a large former public house, residential accommodation, and significant hard standings for car parking. It can accommodate significant levels of activity associated with its former function as a Public House, event location and hotel.

Having been built in 1882 it predates the designation of the Green Belt by some eighty years and constitutes previously developed land and as such does not in itself assist in safeguarding the surrounding countryside from encroachment. The clear definition of the existing built-up area including the application site alongside the containment to further development to the north delineated by the B3103 provides a clear and defensible boundary.

The application site and its setting does not contribute to this purpose.

Purpose 4: to preserve the setting and special character of historic towns.

The Cell as a whole is identified as supporting Tyntesfield House and Estate as opposed to the stated purpose outlined in NPPF of preserving the setting and character of historic towns. It should be noted that the application provides support for the listed building to rediscover its role within the wider Tyntesfield offer.

Purpose 5: to assist in urban regeneration.

As an existing previously developed site supporting a public house and extensive accommodation it already has a commercial role to play in the wider north somerset economy and as such does not fulfil the purpose of suppressing development which would otherwise support the regeneration of urban areas elsewhere.

6. ASSESSMENT OF THE IMPACT OF THE DEVELOPMENT ON THE OPENNESS OF THE GREEN BELT

The analysis of the Green Belt purposes serves to highlight that the application site does not perform a role in terms of its contribution to the five purposes of the Green Belt. Notwithstanding this, it is accepted that the proposed development is “inappropriate” in planning policy terms thus having a degree of harm and will, given the nature of the Site which includes areas currently of hardstanding, have a degree of impact on the openness of the green belt.

In respect of the impact on visual openness, the Battleaxes site is largely surrounded on three sides by built urban form and the B3103 to the north which cuts into the bank of rising land completes the sense of enclosure. The majority of the site itself is covered with built development and in this sense, development here would not impact on the visual openness to the same degree as a previously undeveloped site.

Weight must be given to the fact that the built development that has taken place on site largely pre-dates the introduction of the Green Belt. This was then followed by the development of The Grove including the building of Northampton and Fryth House by the then Rural District Council in the 1960's which fundamentally degraded the open character of the area and continues to detract both from the Listed Building and wider area,

In contrast to these developments new build within the application proposals is driven by the need to secure an otherwise unviable development and deliver a long term commercially sustainable mixed use scheme.

As outlined in the Viability Assessment, the extent of new build is directly driven by the need to secure development viability which in turn is driven by the need to adequately fund and maintain the Listed Building. As a result, the impact on openness due to development here is considered to be limited and mitigated due to the Site's visual containment and the design of the parameters for the proposals.

As a result, it is considered that only minor harm would be caused given the setting and surrounding context; the ability of the surrounding green belt land to continue to serve its purposes and retain a high degree of openness; and given the careful design siting and nature of the development proposals.

Further to the impact on openness, it is also necessary to consider the impact of 'other harm. Other harm could include landscape and visual impact – these matters are separate from openness and consider whether visual amenity is harmed. These matters are considered further in the Planning Statement.

7. DEGREE OF COMPLIANCE WITH POLICY DM12 AND CONCLUSION ON GREEN BELT HARM

We consider the site to be a previously developed site in the green belt as such redevelopment is not considered inappropriate provided it meets the specific tests of Policy DM12 which largely reflects Para 149(b) of the NPPF regarding the presumption against development outside of the existing built-up areas of the site.

Clearly the new build elements of the scheme are not compliant with the operation of Policy DM12 as confirmed in the Pre-Application Advice. As such the development as a whole is inappropriate and contrary to both national and local green belt policies.

However, the site does not serve any of the five purposes for including land in Green Belt and as such there is little to no harm to Green Belt purposes. The Authority has itself acknowledged that the existing adopted Plan policies for development in villages settlements in the Green Belt is outdated, inconsistent and lacking clarity.

We believe this is particularly the case of land at The Grove which ought to be taken out of the green belt alongside a number of other settlements through the Local Plan Review

The new build element of the proposals however by failing to comply with Policy DM2 does however represent 'inappropriate development' and by definition this causes a degree of harm.

In accordance with the NPPF, paragraph 144, this harm must be given substantial weight unless the harm is clearly outweighed by other considerations. However, in the context of this site, the significance of the harm to openness must be considered to be minimal in light of the sites current failure to perform the functions of Green Belt.

Despite only finding limited harm, "very special circumstances" justifying development must still be demonstrated. It is considered that very special circumstances do exist in this case and clearly outweigh the limited harm to the Green Belt that has been identified. The very special circumstances case is set out in the following paragraphs.

8. THE CASE FOR VERY SPECIAL CIRCUMSTANCES

As noted above, the case for very special circumstances must be viewed in light of the status of the land concerned and the degree of harm caused.

The harm caused to openness is not significant, indeed it is considered minor due to the site's visual containment and context.

The very special circumstances that are listed in this section demonstrate a clear need for the development on the site which outweigh the limited harm identified. The circumstances relevant to this case are:

A) The need to secure the long-term commercial viability of the Listed Building by the provision of a mixed-use scheme involving extensive refurbishment, extension and new build development.

The financial model contained within the Viability Statement demonstrates that the value associated with the income of the building as a single entity public house is significantly less than the total costs that will be incurred to bring it back in to a reasonable state of repair and this generates a significant financial loss overall. The viability of refurbishing and operating the existing building as a new multi-use business and community hub without the new build dwellings still generates a significant loss although it is a better overall position than maintaining the existing use.

The Viability Statement concludes that the development of 9 new dwellings is required to bridge the viability gap for the refurbishment and redevelopment of the existing building and site, the landscape led solution is not viable without the introduction of the new homes to support the level of investment required for the repair and refurbishment and ensure the sustainable future of the listed building.

It concludes that the scheme is the most viable option and demonstrates the case for it being the optimum viable use from a heritage perspective.

B) The substantial socio-economic benefits of the proposals to support the economy of North Somerset 'providing local job opportunities and securing Councils Plans to deliver economic recovery post the Pandemic.

The Economic and Community Statement establishes that:

- the proposals constitute a tangible statement of business investment and confidence in North Somerset by a leading regional Development Business and Architectural Practice – providing a showcase for sustainable development and design and consolidating the businesses' focus on the long-term regeneration of the district.
- The proposed investment by Studio Hive and Architecture for Studio Hive would result in a significant qualitative and quantitative improvement in development, placemaking and Architectural design expertise within the District's Creative Sector - a recognised priority sector for recovery and support post-Pandemic.
- The mixed-use scheme will transform a currently redundant site hosting an economically unviable former Public House with no current or future employment potential into a vibrant site supporting 28 direct FTE jobs with a wide range of employment opportunities and flexible working arrangements. We estimate job creation will rise from 28 to 40 within three years of the site becoming fully functional.
- The Proposed Development will make a significant contribution to the local and regional economy during the construction phase by supporting 109 FTE direct jobs, 201 FTE indirect and induced jobs, and by generating a total of around £10.65 million direct, indirect and induced economic output (GVA) per annum.
- The cumulative growth supported by the scheme will make a tangible contribution to economic growth within the district.

- The proposed Business Hub will provide a new accessible and flexible hot desking and supported workspace enabling local people to work locally in accordance with the Council's policies to improve the range and location of supported workspaces across the district.
- The proposed farm shop and licensed café alongside the retention and development of a boutique B&B will directly support the Visitor Economy Action Plan priority contained within the North Somerset Economic Plan to improve the diversity and quality of visitor accommodation and facilities within the district.
- The proposals complement and strengthen the wider Tynesfield offer, developing further the role of heritage in defining North Somerset's visitor offer. Dialogue with the National Trust is positive, ongoing, and constructive.
- The proposals meet Government and Local Planning Policy requirements to support appropriate rural employment opportunities and diversification.

C) The degree to which the proposals provide community benefits to the local community of Wraxall and contribute to the wider enjoyment and understanding of the wider Tynesfield Estate.

The Economic and Community Statement establishes that:

- The proposals support the inclusion of the Battleaxes site within the Wraxall and Failand Neighbourhood Plan as a location which can provide an important community function. The proposals accord with the requirements of Policy WF1 of the Neighbourhood Plan by safeguarding and enhancing the facility as part of a mixed redevelopment scheme with significant levels of community use and access.
- The scheme will secure a sustainable future for the former Public House, enabling the site to provide a much greater range of community facilities and activities than those previously supported.
- The building has the potential to host a wide range of community-based activities, including the use of meeting rooms for local counselling and access to voluntary services. The flexible operation of the café also provides the opportunity for more informal meeting spaces.
- The Farm Shop provides local access to convenience and artisan products and, together with the Craft facility, will provide a new local retail offer.
- Subject to further dialogue with the appropriate organisations, the scheme has the potential to significantly improve the quality of and access to community facilities, advice and support in Wraxall.

D) The degree to which the proposals add to the cultural offer of North Somerset by providing a centre for architectural design and development and multiuse meeting and activities in the main building.

The Economic and Community Statement confirms that the proposals would directly support the Council's stated priority within the Creative Industries Support Plan to attract new creative enterprises: encourage the market to develop sector-appropriate workspace, promote existing assets, ensure the placemaking potential of a thriving creative sector is realised and that North Somerset is well positioned to attract investment in creative workspace and innovation.

The proposals directly address the lack of registered Architectural practice with five or more employees within North Somerset which is a major weakness in the district's business profile and if not addressed will frustrate the Council's ambitions to directly influence the sustainable growth of the Creative sector of which Architecture is a key component.

E) Housing delivery including helping the authority to meet the prescribed requirement to evidence a five year land supply.

Turning to the need for the homes, the latest position on 5 year housing land supply in North Somerset is set out in the Five Year Housing Land Supply Initial Findings Statement April 2021. The information set out covers the period April 2021 – March 2026.

Against the requirement to provide a 5 year supply of housing, the latest published statement shows that the Council cannot demonstrate a 5 year supply – being able to demonstrate a deliverable supply of 7,762 units for the period April 2021 – March 2026, which equates to 4.8 years supply against the current requirement, calculated using the current local housing need figure and applying a 20% buffer.

Until publication of the most recent results, the Council was required by central government to prescribe a 20% buffer to improve the prospect of achieving the planned supply, as there had been significant under delivery of housing. This is no longer the case. North Somerset has no longer demonstrated significant under delivery of housing in terms of the NPPF, on the basis of the most recent Housing Delivery Test results standing at 89% of the requirement.

Whilst the above points to North Somerset Council now being able to demonstrate a supply in excess of 5 years, two recent appeal decisions would indicate otherwise, namely Appeal Ref: APP/D0121/W/21/3285624 Land at Farleigh Farm and 54 and 56 Farleigh Road, Backwell, BS48 3PD and Appeal Ref: APP/D0121/W/21/3286677 Rectory Farm, Chescombe Road, Yatton, Bristol BS49 4EU. Both were decided in June 2022.

In each of the above cases, the Inspectors concluded that whilst there had been positive improvement in housing delivery, there was a significant shortfall.

In the Backwell case, the Inspector concluded a supply equating to 3.5 years and in the Yatton case, 3.2 years. In both cases therefore it was deemed that the Council could not demonstrate a five year housing land supply and that the extent of the shortfall was significant.

In each case, the Inspector set out that NPPF paragraph 11d), and footnote 8, establish that in situations where the LPA cannot demonstrate a 5 year supply of deliverable housing sites, the policies which are most important for determining the application are out of date. This engages the so-called 'tilted balance' in decision-making.

In engaging the tilted balance, the appeals, considered Policies CS14 (along with CS32 which does not apply in this case) to be most important policies for the purpose of determination. In the absence of a 5 year supply, CS14's strict hierarchy to the distribution of housing cannot be afforded full weight.

As such, the case for the inclusion of residential development in this proposal is intrinsically linked to the viability of the preservation of the Listed Building and the creation of the core set of uses envisaged as part of the redevelopment and the benefits in the round in terms of re-use of previously developed land.

F) The degree to which the proposals support sustainable development

The reuse of this key brownfield site and Listed Building makes an important contribution to supporting sustainable development within the District.

The Design and Access Statement outlines the strong sustainability credentials of the new build.

A review of existing staff place of residence shows how The Battleaxes would provide a far more sustainable workplace location for the existing Studio Hive workforce with reduced out commuting, (54% to 0%) .

9. CONCLUSIONS ON GREEN BELT AND VERY SPECIAL CIRCUMSTANCES

In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended), determination of a planning application must be made in accordance with the Development Plan unless material considerations indicate otherwise.

Being in accordance with the Development Plan requires having regard for the Plan as a whole. This statement has set out the key elements and impacts (both positive and negative) of the development and their compliance with the policies relating to the green belt.

With respect to the applications proposals for the provision of new build, the proposed development is in green belt, and as such is 'inappropriate development' and, therefore, is harmful by definition (NPPF paragraph 143).

As such, "very special circumstances" must be demonstrated, whereby harm to green belt, and any other harm, is outweighed by other considerations (NPPF paragraph 144).

As has been demonstrated through this statement, the overall harm to the green belt by the proposed development is limited. It is considered that the site does not serve any green belt purposes and, therefore, does not need to be kept permanently open for green belt reasons.

The new build elements of the proposed development would, by virtue of being development of existing hard standings, cause a degree of harm to the openness of the green belt in this location. However, given the relatively enclosed nature and the visual containment of the site, the harm caused is considered to be minimal.

The Authority has identified that the existing policy approach to the identification of villages in the green belt is outdated, inconsistent and lacking clarity.

Nevertheless, the harm to green belt must be given substantial weight in accordance with the NPPF, paragraph 144, and very special circumstances are only deemed to exist if the harm, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Whilst this statement finds that the scheme is not compliant with current Development Plan green belt policy it goes on to make the case that the site should be inset from the green belt where the development would be compliant.

Even if it were not "inset" then it is our view that the development as proposed would not fundamentally undermine any of the stated purposes of green belt designation. Where there is a degree of policy conflict it is clearly outweighed by very substantial material considerations.

The following key conclusions are drawn:

- The site has been examined in line with the stated purposes of the green belt and does not perform any of these purposes.
- In light of the above context and given that the site is visually contained there is limited harm to green belt from the proposed development.
- The site falls within a defined area of built development which should be inset from the green belt
- The development scheme as a package is critical to delivering enabling finance and continued uses to secure the long-term commercial viability of the Listed Building.
- The scheme will secure the future heritage role of the site including its unique historical context with the Tyntesfield Estate
- The scheme delivers significant economic benefits in accordance with the Council's stated priorities for economic recovery including the relocation of new enterprise into the district in the form of a unique mixed-use development and employment/knowledge hub based on architecture and design.

- The proposed investment by Studio Hive and Architecture for Studio Hive would result in a significant qualitative and quantitative improvement in development, placemaking and Architectural design expertise within the District's Creative Sector - a recognised priority sector for recovery and support post-Pandemic
- The scheme has a significant role to play in to meeting the community needs of Wraxall as expressed in the community consultation undertaken in preparing the scheme and outlined in the Neighbourhood Plan.
- The development will contribute to meeting the Council's housing requirements.
- The reuse of this key brownfield site and Listed Building makes an important contribution to supporting sustainable development within the District.

Overall, it is considered that the very special circumstances delivered by the scheme overwhelmingly outweigh the limited harm to green belt and any other harm from the proposals.

It is considered that the harm to green belt by reason of inappropriateness and the effect on openness, plus the other non-green belt harm, is outweighed by the considerable planning benefits of the development proposals. We, therefore, conclude that very special circumstances clearly exist to justify inappropriate development in the green belt in accordance with the NPPF.

This planning application should, therefore, be approved, subject to planning conditions and S106 obligations.

APPENDIX ONE – LOCAL PLAN REPRESENTATION

NORTH SOMERSET LOCAL PLAN 2038 CONSULTATION DRAFT Preferred Options

Representation by Turner Planning and Design on behalf of Studio Hive for The Grove, Wraxall to be given a defined settlement boundary in accordance with Policy LP6 and be included within Schedule 5 (villages within the Green Belt) to be inset from the Green Belt in accordance with Policy LP8 and SP7

Policy LP6:

Settlement boundaries

Settlement boundaries for towns and villages are defined on the Policies Map and set out in Schedule 5 of this plan. New development within the settlement boundaries must accord with the relevant policies of the plan.

The extension of residential curtilages, including the extension into the countryside of the curtilage of a dwelling located within a settlement boundary, will be permitted provided that it would not harm the character of the surrounding area or the living conditions of adjoining occupiers.

Settlements with boundaries that are located in the Green Belt are inset from the Green Belt and Green Belt policies do not apply within the settlement boundary. These are also listed in Schedule 5.

Justification

Settlement boundaries identify the areas at the towns and villages within which specific local plan policies will apply, particularly in relation to housing development. All settlement boundaries have been reviewed as part of the local plan and new boundaries identified for several settlements.

We welcome the Plans objective to review settlement boundaries and in particular the opportunity to have greater clarity and consistency to where development is promoted and where it will be resisted.

We support the need to review the settlement boundaries and status of villages and small settlements in the Plan area particularly where this removes previous anomalies regarding land with development potential being excluded from a defined settlement.

In accordance with NPPF paragraph 144. our representation requests that Wraxall (in part) be included within Schedule 5 of Policy LP8 following a detailed assessment of the openness of the village and the contribution which the open character of the village makes to the openness of the green belt

Locational Policy LP8:**Extent of the Green Belt**

The boundaries of the North Somerset Green Belt are defined on the Policies Map. The following changes to the existing Green Belt are proposed:

5. The following villages within the Green Belt will be inset from the Green Belt.

- Abbots Leigh
- Clapton-in-Gordano
- Cleeve
- Dundry
- Failand
- Flax Bourton
- Felton
- Leigh Woods
- Portbury
- Redhill
- Tickenham
- Weston-in-Gordano
- Winford

Justification

The North Somerset Green Belt is highly valued by local residents and is an effective planning tool in preventing the urban sprawl of Bristol and shaping the pattern of development in North Somerset. It keeps land permanently open, prevents towns and villages merging together and protects the countryside.

Villages have been assessed to determine whether changes need to be made regarding whether a settlement is excluded or washed over by the Green Belt. This is based on the openness of the village and 'the important contribution which the open character of the village makes to the openness of the Green Belt' (NPPF paragraph 144).

A joint Green Belt and settlement boundary will define the extent of these villages. Adjustments will be made to existing settlement boundaries, where applicable, to correct inconsistencies and anomalies and ensure the robustness of the boundary.

Boundaries at villages are not being adjusted to include new green field development sites, this is incompatible with the spatial strategy. Development inside boundaries will be permitted in accordance with the other policies in this plan.

We have recently commenced pre-application dialogue regarding future development at Wraxall and in particular land at The Battleaxes. This has led us to examine the green belt status of the site and wider setting including The Grove which includes high density former local authority housing development.

We do not consider that collectively the area fulfils a green belt function containing as it does a high-density former Council estate including two three storey blocks of residential accommodation together with a three-storey former public house/ hotel together with extensive car parking and ancillary accommodation.

Our representation examines the assessment of settlements contained within the Supplementary Document: Green Belt Review Part 2 Villages in the Green Belt January 2022 and identifies that it is anomalous to include such a high-density settlement area within the green belt when it does not fulfil any of the stated green belt purposes.

As such it should be given a specific settlement boundary and included within the list of villages contained within section 5 of policy LP8 to be inset from the green belt in accordance with the plans strategic green belt policy SP7.

1. Density

North Somerset Local Plan 2038
Green Belt Review Part 2
Villages in the Green Belt
January 2022

34. In assessing the open character of the villages account is taken of how built-up the village is. Appendix 1 compares housing density in the villages, and ranks the villages based on these findings. Whilst the results of this provide a starting point for making an assessment, other characteristics also need to be considered.

Appendix 1

Housing Density in Green Belt settlements			
Settlement	Area (ha)	Number of households#	Density
Easton-in-Gordano/Pill *	99.59	1968	19.76
Portbury**	12.58	232	18.44
Long Ashton*	131.21	2228	16.98
Cleeve*	17.55	289	16.47
Felton*	16.32	241	14.77
Winford*	19.05	275	14.44
Failand**	27.48	323	11.75
Dundry*	12.78	147	11.50
Wraxall	8.11	91	11.22
Weston-in-Gordano**	10.12	111	10.97
Flax Bourton*	16.65	179	10.75
Leigh Woods**	26.56	280	10.54
Farleigh Hospital (Flax Bourton)***	7.41	76	10.26
Clapton-in-Gordano**	7.72	78	10.10
Redhill**	8.8	71	8.07
Tickenham**	20.48	163	7.96
Abbots Leigh**	24.62	192	7.80
Butcombe	7.19	52	7.23
Barrow Gurney	6.69	39	5.83
Regil	8.13	41	5.04
Walton-in-Gordano	6.9	34	4.93
# Based on council tax records within settlement March 2019			
* - Site Allocations Plan Settlement Boundary			
** - Settlement Boundary in NSRLP			
*** Boundary drawn around built up extent of development			
Elsewhere Sustainability Study Boundaries have been used			

Appendix 1 identifies Wraxall as a high-density settlement (9th out of 21) indicating that as a starting point it ought to be given serious consideration as to whether it should be removed from the green belt. This is particularly the case when significantly less dense settlements such as Clapton in Gordano and Redhill are recommended to be taken out of the green belt.

Having undertaken more in-depth analysis of openness we have concluded that the village of Wraxall consists of two distinct and largely independent settlement forms:

Area 1 Wraxall Village Centre

The historic village centre consists of All Saints Church, the school and older housing set in extensive plots including The Rectory and Wraxall Court. This is a very traditional rural village setting with extensive views between buildings providing a high degree of openness. Situated in a break in the escarpment with Wraxall Hill running up the hillside, it displays both spatial and visual openness and fulfils a green belt function.

Area 2 The Grove (including The Battleaxes)

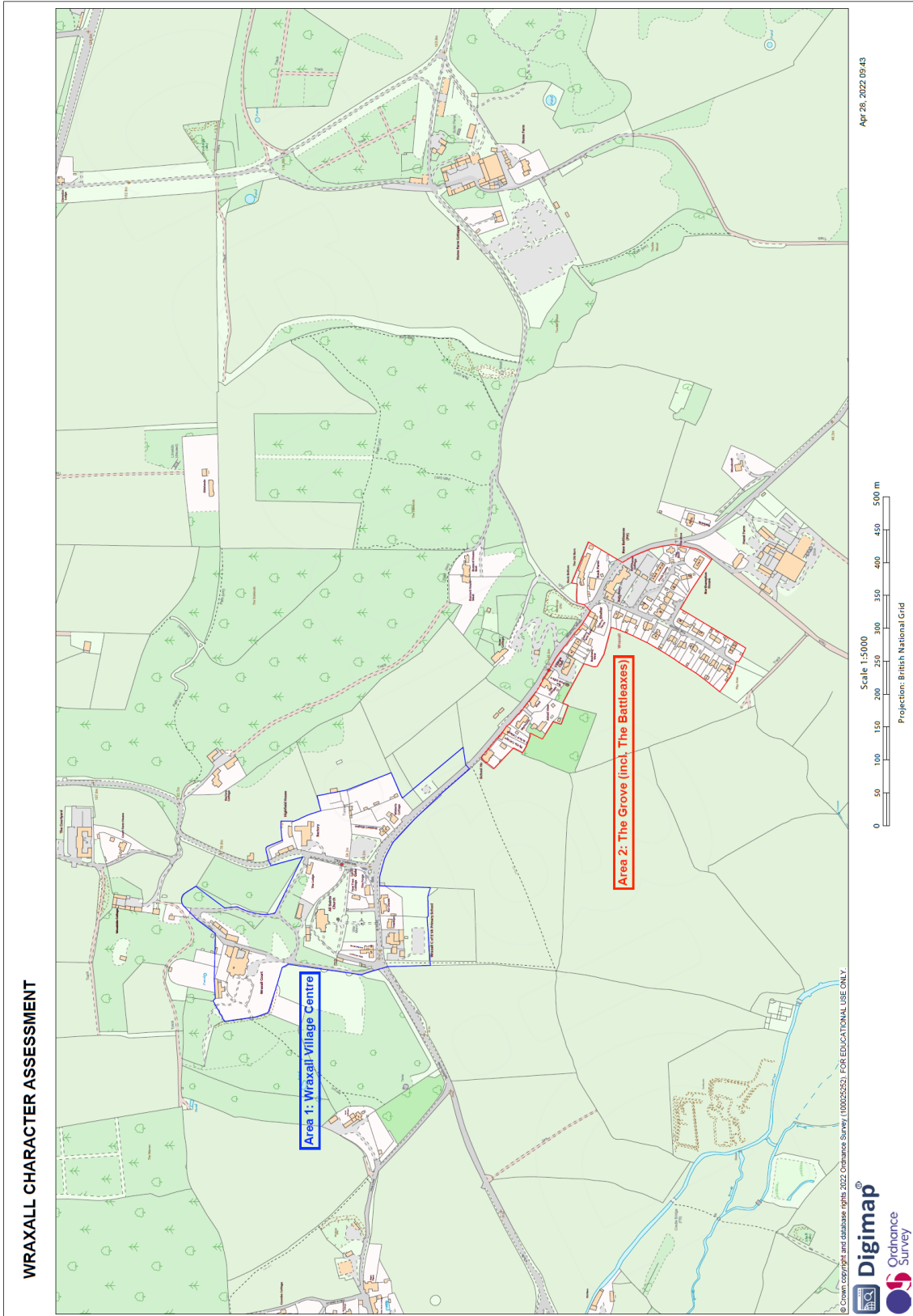
Situated to the southeast along and mainly to the south of the B3130, The Grove/Battleaxes area comprises a 1950/60's high density former local authority housing development including two large three storey blocks of flats (Fryth House and Northampton House) set alongside The Battleaxes a Grade 2 listed currently vacant and extensive former Public House/Hotel with out-buildings and car parking. This highly developed and incongruous urban form is set tightly into the slopes of the escarpment with the retaining walls of the B3130 further containing the settlement and preventing open views to the north.

This area does not meet the tests of openness and does not fulfil a green belt function.

These are shown on the attached plans accepting that we were not privy to the precise boundaries utilised by the authority for their assessment.

We estimate that Area 2 is approximately 4.1 hectares and supports 76 households resulting in a development density of 18.5 placing it second to only Easton in Gordano /Pill in terms of development density.

As such The Grove constitutes one of the most densely populated settlement areas in the green belt within North Somerset (2nd out of 21) and specific reasons should be given as to why this area is not being removed from the green belt as part of the Local Plan review.



Apr 28, 2022 09:43

2. Settlement form and openness

35. The number of buildings and the size and distribution of development can all impact on the open character of the village. **Smaller properties may create a greater sense of openness than larger or taller more imposing buildings.** Similarly, how properties are distributed will impact on openness. Some villages may have an even distribution, whilst others with similar density may have tight clusters with spaces between. The types of spaces between buildings are important, enclosed private gardens, even if extensive, will create a less open character than villages with more public open space such as village greens and recreation areas or where farmland penetrates into the village. These physical attributes are central to assessing openness and contribute visually to the overall impression of openness.

The following photographic overview shows the visual impact of the large imposing buildings including Fryth House comprising twelve flats on the three storeys and Northampton House again three storeys with seven flats. These are very urban structures which dominate the area and are unsympathetically situated alongside the imposing Battleaxes listed complex and a more traditional housing estate.







36. In assessing whether the openness of the village makes an important contribution to the openness of the Green Belt the general open character of the Green Belt needs to be considered. This will include the **amount of built form and the distinction between ‘the village’ and the surrounding Green Belt area. An understanding of the landform and whether the topography contributes to a sense of openness may be relevant** as may the amount and distribution of woodland. **Important views to and from the village and the visual amenity enjoyed by current users may also have a bearing on the overall impression of openness.**

Whilst there are more open views to the south, the built-up area of Area 2 is clearly defined providing a stark contrast to the more open countryside that extends south and west towards Nailsea. To the north the B3103 is cut into the side of the escarpment closing off more distant views towards the Tyntsfield Estate -this contrasts with the more open setting of the village centre. As such there is clear physical and visual separation of The Grove from the remainder of the village and the wider green belt.

3. Recommendation not to inset Wraxall from the green belt.

Appendix 2

Assessment of openness of Green Belt settlements

Wraxall (Gross building density 11.22, current status - Green Belt)

Wraxall is a small historic village located around the B3130 along the Failand ridge. Scattered residential properties are focussed around the church and school which is open in character. Cottages and houses randomly front the on the B3130 to the west of the Battle Axe Public House. The comparatively high density of the settlement is due to a group of mainly ex-local authority semi-detached houses, bungalows and flats at The Grove. Tyntesfield Park and Wraxall Court dominate the surrounding open countryside. The village is typically open in character and this contributes to the open nature of the surrounding countryside with views of the open countryside to the south and wooded ridge to the north.

Recommendation: Not inset from the Green Belt.

The linear form creates an impression of continuous development even though gaps through the built form secure views of the landscape beyond.

Unfortunately, the assessment of openness contained within Appendix 2 of the report fails to adequately distinguish between the two settlement areas which we believe results in the adverse impact of The Grove on the green belt to be overlooked and/ or underestimated.

The Grove area is by far the most populated and extensively urbanised part of the village and although it is recognised as being the cause of the overall high density of development in the report it does not appear to receive any specific reference or examination of openness which is surprising considering the two widely different settlement forms that make up the village. The Grove cannot be described as forming part of a linear development and is not typically open in character.

In contrast to this other village assessments in the report identify and contain recommendations to include or exclude parts of their settlements. Examples include the exclusion of the church and school

buildings in Portbury, the inclusion of Long Cross, Felton and Farleigh Green at Flax Bourton. It would appear that these settlements have received a more analytical examination of openness than Wraxall.

Put simply we feel the assessment has overlooked the significance of The Grove within the overall appraisal of the village as a whole which results in the continuing inconsistency of The Grove being included within the green belt when it does not perform a green belt function.

We note that the report does not define a minimum size of built form that is required in order to justify taking a settlement out of the green belt and has not made a judgement on volume of activity as referenced in national guidance. In our case the visual impact of three storey flatted accommodation is of particular significance as the effects of urbanisation extend proportionally much wider than with less bulky forms of development. It is a clearly defined area of urban development which significantly detracts from the openness and value of the green belt.

In terms of number of households, we estimate this to be approximately 76 placing it at similar scale in household numbers to Redhill which is being proposed to be taken out of the green belt for the first time since the green belt was designated and arguably is far less prominent.

Unlike Redhill the Grove includes land which is both urbanised and underutilised. Failure to remove the settlement area from the green belt will significantly restrict the ability of Wraxall to attract the reuse and redevelopment of existing land and property within the village including the opportunity to create a new community-based village hub, with employment, cultural provision, and housing.

It could frustrate the development of commercially viable proposals to develop and re-use properties such as The Battleaxes which is an important Grade 11 listed building, and which will require enabling development to secure its long-term future.

4. Conclusion

For the reasons stated above we consider that it is inconsistent with the plans review of settlements not to inset The Grove from the green belt.

We request that the status of Wraxall and in particular The Grove be reviewed and inset from the green belt. The inset would contribute to maintaining the wider operation of the green belt in the long term whilst enabling other of the plan's objectives including community, rural employment and housing needs to be met in the local area.

Our request is that:

- a) The LPA acknowledges that The Grove as defined in this representation is a largely self-contained and independent settlement form from the wider village of Wraxall and due to its unique urbanised form and character does not fulfil a green belt function.
- b) The LPA define a settlement boundary for Area 2 The Grove in accordance with Policy LP6
- c) The Grove be included within the list of settlements to be inset from the green belt under section 5 of Policy LP8 and in accordance with the strategic policy for green belt contained in Policy SP7

APPENDIX TWO – LAND REGISTRY SEARCHES

Land Registry search 1 to 7 (inclusive) Northampton House, Wraxall, 1-3, 5 to 12 (inclusive) Fryth House, Wraxall (Freehold)

1 to 7 (inclusive) Northampton House, Wraxall, 1-3, 5 to 12 (inclusive)

Fryth House, Wraxall (Freehold)

Title number: ST246240

Registered owners NSAH (ALLIANCE HOMES) LIMITED

40 Martingale Way, Portishead, Somerset BS20 7AW,

trading as Alliance Homes

Conveyance of the land in this title dated 20 January 1964 made between (1) The Right Honourable George Richard Lawley Baron Wraxall (Vendor) and (2) The Rural District Council of Long Ashton (Council)

Conveyance of the land tinted blue on the title plan dated 6 April 1966 made between (1) The Rural District Council Of Long Ashton (Council) and (2) The South Western Electricity Board (Board) :-
 "TOGETHER with the full right and liberty for the Board by their servants agents contractors and workmen in common with the Council and all other persons similarly entitled to pass and repass with or without vehicles at all times and for all purposes and in particular to convey plant machinery apparatus and materials over and along the road or way known or to be known as (hereinafter called "the Estate Road" until such time as the Estate Road is taken over by the Local Highway Authority for

the time being as a public maintainable highway

A Transfer of the land in this title and other land dated 6 February 2006 made between (1) North Somerset District Council (Transferor) and (2) North Somerset Housing Limited (Transferee)

2006-06-06

Such dwellinghouses as are listed below are the subject of a preserved right to buy, entered on the 6 June 2006 in favour of qualifying persons within the meaning of Part V of the Housing Act 1985 as it applies by virtue of regulations under section 171c of that Act. Item No. Description of Qualifying Dwellinghouses
 1 1 Fryth House, The Grove 2 2 Fryth House, The Grove 3 3 Fryth House, The Grove
 5 5 Fryth House, The Grove 6 6 Fryth House, The Grove
 7 7 Fryth House, The Grove 8 10 Fryth House, The Grove 9 11 Fryth House, The Grove 10 12 Fryth House, The Grove 11 1 Northampton House, The Grove 12 6 Northampton House, The Grove 13 7 Northampton House, The Grove