

Land West of Fortescue Fields, Norton St Philip, Frome, Somerset



Fig.1 View of the application site from the tower of St Philip & St James Parish Church.

Heritage Report on Planning Application 2023/0640/FUL

kim sankey | architect

architecture | design | interiors

Angel Architecture Ltd | Registered in England no 09113728 | Unit 4 | Herringston Barn | Herringston | Dorchester | DT2 9PU

1.0 Introduction

Angel Architecture Ltd has been commissioned to assess the impact of proposed development on the setting of heritage assets in respect of application reference 2023-0640-FUL. It does not seek to address the other issues relating to planning, landscape character or trees. This report has been prepared by Kim Sankey BA(Hons), DipArch, AADipCons, RIBA on behalf of Norton St Philip Parish Council.

2.0 Heritage Assets & Background

2.1 Norton St Philip is surrounded by farmland on all sides with small fields of pasture and arable land. The approaches are from the A366 west along Church Street/ Bell Hill and north from the B3110 High Street ridge with the main settlement set above the large rectangular green space of Church Mead, the Church and churchyard on the western slope, overlooked by ribbon development on High Street. The 2012 urban development of Fortescue Fields occupies the site of the former poultry factory on the south-east approach to the village.

2.2 The site west of Fortescue Fields is an area of rough grass land enclosed by copses of trees and hedgerows, directly adjacent to Church Mead. It is a key open space between the two original cores of the settlement, an integral part of the character and appearance of the Conservation Area, forming a green corridor between the village and the open countryside.

2.3 There are two fine high status listed buildings in Norton St Philip affected by the proposed development and 12 Grade II listed buildings (excluding the War Memorial and 10 Churchyard monuments) all set within Norton St Philip Conservation Area. One non-designated heritage asset, the Old Vicarage, is on the Somerset Council Local List and is affected by the current planning application (Figures 4 & 6 refer). This building was added to the Local Heritage List on 22 February 2022. The LHL has been compiled by South West Heritage Trust and identifies all the buildings and sites in Somerset that make a positive contribution to its local character and sense of place because of their heritage value. These non-designated heritage assets carry weight under NPPF Para 203. The Montagu Evans Heritage Statement, a report commissioned by the Applicant, makes reference to this same building under 5.133 page 41 Unlisted Positive Buildings.

2.4 In the 2015 appeal on the same site for up to 49 dwellings (reference Appeal B: APP/Q3305/A/14/2224073, 28.04.15) the Inspector considered that whilst there are numerous listed buildings in the locality, the two landmarks of Grade I listed George Inn and Grade II* Parish Church of St Philip and St James are the most significant of those that have intervisibility with the appeal site. (Appeal Para 47).

2.5 The Inspector also noted that the significance of the Conservation Area derives not only from its historic settlement, and its many listed and historic buildings, but also from the abundance of green space both within it, from small residential gardens to the Church/ churchyard and Church Mead and its rural landscape setting (appeal Para 34).

The decision to dismiss the appeal did not hinge on the quantum of development but on the scale of harm (verging on substantial), to the setting of the Conservation Area. The number of dwellings may have been reduced but the intervisibility of the proposals remains.

2.6 Of the two subsequent applications for planning permission, 2019/2962FUL (38 dwellings) was withdrawn on 19.12.19 and the other 2021/2776/OTA (20 dwellings) refused on 08.04.22 for 6 reasons, one heritage related resulting in substantial harm to Norton St Philip Conservation Area and to the setting of the Parish Church and The George Inn.

3.0 Site Context and individual Assets

3.1 The Parish Church dates from C13 (Pevsner) with later additions including the west tower built by Jeffrey Flower in 1640, possibly reusing the stonework from Hinton Priory (N Pevsner – The Buildings of England North Somerset and Bristol). This landmark dominates the approach to the settlement from the west and the views within, Figure 2 refers. The Church tower is a unique vantage point from which the impact of any development within the setting of the Conservation Area can be appreciated, see Figures 1 and 12.

3.2 The village has a dispersed plan form around two nuclei, the earliest centred on the mediaeval Church in the west with the adjacent 1827 St Philip CoE First School, Church Cottage and the Old Vicarage. The Old Vicarage is a non-designated heritage asset and the building and its landscaped garden are positive features on the southern part of the Conservation Area while the garden and paddock of the Old Vicarage form part of the setting of the application site see Figure 5.

The second nucleus is at the highest point in the settlement, the junction of four routes and the site of C14/15 George Inn, one of the most remarkable mediaeval inns in England, built by Hinton Priory as a wool store, and the predominantly C17 buildings along High Street.



Fig.2 Looking west towards St Philip and St James Parish Church across Church Mead and Bell Hill.



Fig.3 The George Inn at the junction with High Street, Bell Hill, Farleigh Road and Bath Road.



Fig.4 The Old Vicarage principal elevation onto Vicarage Lane.



Fig.5 Photomontage of the application site beyond the paddock from the garden of the Old Vicarage.

3.3 The other heritage assets which currently enjoy intervisibility with the application site include Westmead Cottage (C17), Bow Cottage (early C18), 1 High Street (early C18), Roadside (early C18), The White House (1658 and earlier), 4 High Street (mid C17), Bend Cottage (C17), The Malthouse (C17), The School (1827), Boundary Wall, Railings, Gatepiers and Gates to the School, The Cottage (1850,) First World War Memorial (1920), one of 11 monuments in the churchyard. All of the listed buildings are similar in form, orientation and the alignment of roofs of common building materials. This is, however, not an exhaustive list of heritage assets affected.

3.4 In 2015 the Appeal Inspector concluded at Para 52 *‘I am in no doubt that the open undeveloped nature of the appeal site has a positive role in the significance of the Conservation Area, allowing for an appreciation and understanding of the historic evolution of Norton St Philip.’* This is the same site and for this reason, the impact of the proposed (8 dwelling) development on the significance of the Conservation Area is unchanged.

3.5 As mentioned in paragraph 3.2 one of the key characteristics of the Conservation Area is its green space. This is visually important as the setting for the village and the separation between the two distinct character areas. An integral component of the significance of the Area is its views out to open countryside and into the historic core. In this regard the impact of views of the proposed dwellings on the setting of the Conservation Area is key. The following photographs illustrate an anti-clockwise route around Church Mead.



Fig.6 The terrace of the George Inn & the children's play area below looking south-west to the site.



Fig.7 Looking south-east from the junction with footpath Nos FR11/4, FR11/2 and FR11/3 towards the Fortescue Fields development.



Fig.8 Looking south-east and north-east from the junction of footpath Nos FR11/3 and FR11/1.



Fig.9 Looking north-east towards the George and the rear elevations of buildings on High Street.



Fig.10 Looking north towards The George Inn. Footpath FR11/1 emerges in High Street. Extract from Explore Somerset – Rights of Way, key views of the application site are from within Church Mead.

4.0 Montagu Evans' Stakeholder Comments & Assessment of Proposals

4.1 The Applicant relies on a summary of conclusions in the Montague Evans Heritage Statement (MEHS) dated April 2023, a report commissioned by the Applicant and submitted as part of the Planning Application. This section addresses many of the assertions made in the MEHS. Paragraph references are to paragraphs in the MEHS.

On page 7 at para 1.6 the MESH states *‘There are very limited impacts arising on the conservation area as a whole, and if harm is perceived that harm is ‘less than substantial’ and the NPPF would direct the decision maker to consider countervailing public benefits.’*

In 2015 the Inspector stated *‘To be weighed against those benefits is the identified environmental harm, which includes significant harm to the landscape character and appearance of the area, and the harm to the setting and heritage significance of the Conservation Area. In relation to Appeal B the harm would be substantial.’* She went further to state that *‘Even had I found, in relation to Appeal B, that the harm was less than substantial, the outcome in terms of the eventual decision would have been the same. That harm significantly limits the sustainability credentials of the developments proposed.’* (Para 83)

It is worthy of note that no sustainable credentials have been submitted that would demonstrate public benefit, offset any harm or even reduce the scale of this substantial harm. There is a passing reference to Energy Efficiency in the Design & Access Statement on page 22. Although the Planning Statement refers to the Sustainable Design and Construction, there is no bespoke climate change statement which considers orientation to harness renewables, the requirement to achieve net zero operational energy/ carbon, net zero embodied energy, sustainable connectivity, sustainable land use and ecology, and installation of EV charging points.

4.2 In Table 2.1 on page 12 the MEHS states *‘the number of houses proposed has been significantly reduced in response to the Inspector’s comments’*... It is important to state what might seem to be obvious, that the reduction in the number of houses on the application site is not directly proportional to the impact on the setting on the Conservation Area and the harm therefore cannot be incrementally lessened. The very principle of development on this site has yet to be established.

4.3 In Table 2.1 on page 12 the Applicant states that *‘A central open space of 1.1ha has been retained through the site to preserve the link to the countryside and the historic core of the Conservation Area.’* Regardless of how much the density of development has been reduced and how much of the site remains ‘undeveloped’ any number of dwellings would undermine the current visual and psychological contrast between ‘urban’ and rural elements as illustrated by the visualisation at Figure 11, accurately superimposed behind the retained existing tree boundary to the north.



Fig.11 Before and after, visualisation of the 8 proposed dwellings on Fortescue Fields West. The north boundary is not densely treed since the houses can be glimpsed through it, especially in winter.

4.4 In Table 2.1 of the MEHS on page 12 there is a suggestion that the *‘separate phase of development would be more acceptable owing to the different age of materials and arrangement of houses’* (as opposed to the earlier phase) *‘This would ensure that the proposed development was read separately from the historic core.’* The age of materials and layout are irrelevant to the main issue; the scale of substantial harm arising from the development to the significance and setting of the Conservation Area. The proposed infilling of the open space west of Fortescue Fields would result in closing the gap between the two historic cores in the settlement, without which there would be no legibility of its mediaeval origins either within or outside the Conservation Area.

4.5 The views shown in Figures 2, 6 - 11 contribute positively to the landscape character and to the appearance of the Conservation Area and provide a transition between the village and the adjacent open countryside. The loss of views would result in substantial harm to the setting of the Conservation Area, the setting of the Church and The George Inn, also to the setting of the non-designated heritage asset the Old Vicarage. The MEHS claims that *‘the development site in views from Church Mead will remain predominantly rural in nature with uninterrupted views to the landscape beyond.’* (Table 2.1 page 13) which clearly it will not.

4.6 In Table 2.1 page 14 the MEHS claims that the urbanising influence of the proposed development can be offset against a *‘retaining a substantial green corridor’* to the south and west. This is not the case since what remains as green space, is, in reality, less than half the site area and much of this is engineered (with an attenuation tank, tegular paving and resin bound gravel paths) set into heavily remodelled contours altering the topography. Para 6.5 of the Overarching Design Rationale on page 44 suggests that house type W01 has a lower ground floor level which is not evident on the drawing Nos 19126-401 and 402. The text does not correspond with the drawings.

The subsequent paragraph in Table 2.1 page 14 also states *‘The dwellings have been designed to respond to the local vernacular, and have been laid out to minimise the impact on views from the Conservation Area, and assets therein. The retention of the tree boundary to the north of the Site would screen the lower parts of the Proposed*

Development, and the approach to building heights has been developed to respond to the prevailing topography. As such, any intrusion has been minimised as far as possible. The adopted building typology does not fit comfortably into this context. The proposed development does not share the enduring quality of the existing buildings, and fails to respect local distinctiveness as required by DP1. The proposed 8 houses lack the simplicity and modest detailing of dwellings in the historic core.

4.7 The reference in the same paragraph to house types W13-W17 in the Conservation Area is a reference to the previous applications 2019/2976/FUL(38 dwellings) and 2021/2776/OTA (20 dwellings), not to the current application.

4.8 Paras 1.22, 6.10 and 6.47 all refer to proposals for a car park positioned in the north-west corner of the site which is subject to a separate application yet to be submitted and therefore its impact cannot be assessed. This car park will contribute to the urbanisation of the site with an increase in vehicular movements. The scale of impact on the setting of The George Inn depends on its location and appearance.

4.9 Para 6.13 suggests that the design of the proposed development ‘has a village character’. However, it does not share any characteristics with the village, other than the use of similar materials, because the scale, height, mass and orientation is alien to the established pattern and grain of close terraced cottages and leafy cottages identified in the Character Assessment (September 2019), particularly because they are all deliberately different in their design. The appearance of 8 additional dwellings in close proximity to the 2012 Fortescue Fields development at the south-eastern edge of the sloping site is undoubtedly going to have an urban presence which is intrusive.

4.10 Para 6.14 The MEHS asserts that the extension of Fortescue Fields would retain a sense of separation from both the two historic cores but in reality the proposal development represents infilling of the open space between built form and open space, not separation which is what currently exists between The George Inn and the Church ‘precinct’.

4.11 Para 6.17 The MEHS states that green space is to be retained to the south and west of the Site to retain the open character of the space between Church Mead and open countryside. However, the views from the Church tower and Church Mead looking east, south and west are illustrated in Figures 1, 6, and 12 below show very clearly how the open character of the green space will be eroded by development.



Fig.12 Panoramic view towards the rear of The George Inn and gardens of High Street houses with the site in the middle ground and Fortescue Fields on the ridge on the southern approach to the village.

4.12 Para 6.19 The MEHS asserts that the Visual Representations shows that the proposed development is a continuation of the Fortescue Fields development however the visualisation at Figure 11 demonstrates encroachment down the west facing slope into the green open space clearly changing the open view of the countryside.

4.13 Para 6.20 The retained hedgerow and copses of trees along the northern boundary screen and filter the lower section of the site from views within Church Mead but this is seasonal and cannot be relied on to provide mitigation in anything other than the long term. The site is more highly visible from the footpaths into the village in the long and wider ranging views, see Figures 13, 14 and 17. Indeed, the first floors and roofs and chimneys of houses can still be seen above the boundary, even more so at night when the development would become a glowing beacon on the western approach from the Faulkland direction.



Fig.13 Serial vision from the western approach to Norton St Philip on the A366 and footpath No FR11/10 from Wells Road to Vicarage Lane.



Fig.14 In this view from the BA25/47 from Hassage, the steps from Fortescue Fields to Church Mead are seen, the application site a vibrant green between trees with Salisbury Plain in the distance.

4.14 Para 6.26 applies the reasoning in the Bedford case to this application based on the previous application (2021/2776/OTA) which was refused because *'It would result in substantial harm to the setting of the Norton St Philip Conservation Area...'* Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that *'In the exercise, with respect to any buildings or other land in a conservation area, of any (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'*

The statement that 'The legibility of the historic evolution of the village would not be eroded' suggests that the current application would simply maintain the status quo, which clearly it would not.

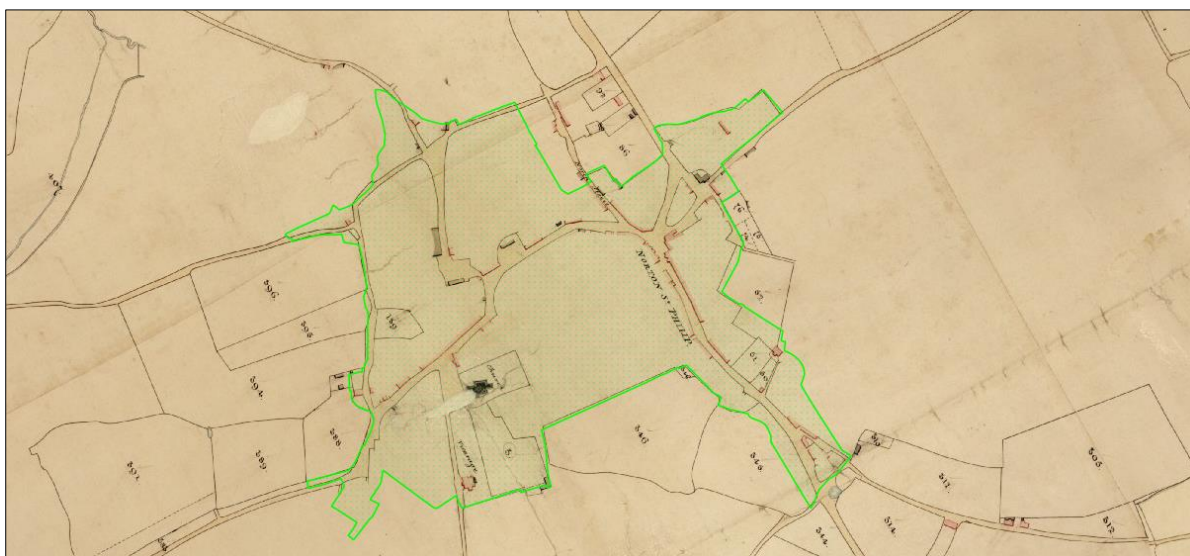


Fig.15 Tithe Map of 1839 - Plot 3 is the Old Vicarage, plot 346 the application site, Conservation Area overlaid © Somerset HER.

Failure to comply with Section 72 in the desirability to preserve or enhance the character or appearance should result in a refusal as the cumulative impact of new development on the southern edge of the settlement results in erosion of the green space which makes a positive contribution to the setting of the Conservation Area and

how it is experienced. Part of the site is within the Conservation Area and the entire site is recorded on the 1839 Tithe Map of Norton St Philip, as Lower Barn Ground, owned by James Fripp Esq, leased by William Pearce, who farmed the 4 acres, 2 rods, 30 perches of pasture (metric 1.9 hectares). Although Plot 346 is a slightly different shape to the current site, it is similar to the 1638 Survey Plan shows the slither of land which occurs within the Conservation Area in a different ownership.

4.15 Para 6.27 The MEHS refers to focused (or framed) views in the Conservation Area Appraisal. However, these views from which the site can be appreciated are not limited. Views from outside the Conservation Area include those from Fortescue Fields of the Church tower and the western ridge see Figure 16. Intervisibility is clearly important in glimpses into and out of the Conservation Area. At 4.2 page 11 of the Appraisal, the author refers to 'Church Mead, which is hidden from much of the rest of the village but is an essential landscape and amenity element. Its southern edge faces open countryside.' The 'sudden views' over the lower slopes and open countryside and 'the Wells Road entry are also significant.' Both are mentioned at 8.3 of the Conservation Area Appraisal.



Fig.16 The Church tower viewed from the application site (part in the Conservation Area), from the gate into the site and within the 2012 development.

4.16 Para 6.29 Any perceived benefit from mitigation provided by a link to Church Mead is insufficient to offset the environmental harm arising from development.

4.17 Para 6.30 The public benefits listed in the Planning Statement are limited to affordable housing, locally employed contractors, a new open space (which is already in existence but will become public) and new footpaths connecting the development to the village and to the existing open space and SUDS basin.

4.18 Para 6.38 The MEHS cites the Appeal Inspector's reason findings on the 2015 application with regard to the setting of the Parish Church. The current application which changes the land use from agricultural to residential will impact the tranquil setting of the Parish Church as it will generate movement, noise, activity and light spill at night, see Figure 17 below.



Fig.17 Visualisation of impact of light spill, grinning through the screening of hedgerows and trees.

4.19 Para 6.42 NSP1 is no longer an allocated site, since the December 2022 High Court Judgment that the Planning Inspector had misinterpreted Mendip District Council's adopted **Local Plan Part 2 strategy**. This had led Mendip District Council into legal error regarding housing allocations which includes site NSP1 (Laverton Triangle and Mackley Lane).

Quite clearly the proposed development is not in accordance with Policies DP1 and DP7 of the Mendip District Council Local Plan because it neither reflects the local character and distinctive sense of place nor is it of a scale, mass, form and layout appropriate to the local context.

5.0 Response to the Design of the Proposed Development

5.1 The MEHS states in Table 2.1 on page 12 'we consider that the proposals would, at most, result in a low order of less than substantial harm. That impact is mitigated by the site layout, architectural design and landscaping proposals.' This section addresses claims which deal with the impact of the proposed design on the established character of the village.

5.2 Woods Hardwick produced the D&A Statement which states at page 21 '*The house designs are varied in size and design but all are a reflection of the unique and varied historic character of the village*'. From the Character Assessment (examined and amended September 2019) and the Conservation Area Appraisal (2007) it is clear that there are no houses in the historic core which are similar to those proposed. Certainly, there are no houses in the Norton St Philip Conservation Area arranged in a cul de sac with a single point of entry and egress. In addition to the Local Plan policies DP1, DP3, DP4 and DP7, The National Design Guide (produced in 2021) by the Ministry of Housing, Communities & Local Government applies to this development.

5.3 Layout

The MEHS states at Para 1.14 'The proposal layout has been devised to retain the open character of the land to the south and west by arranging the new houses in an arc from Fortescue Street...' The Conservation Area Appraisal clearly describes the groups of buildings in informal terraces with ridges parallel to the road line and interspersed with the gable ends of buildings at right angles to this general line. There are no historic precedents for this alternative plan form in Norton St Philip.

5.4 Orientation

The buildings in Norton St Philip are laid out according to the effects of topography and in most cases historic buildings follow the mediaeval street pattern with regular burgage plots to the rear of houses lining each side of High Street centred on The George Inn and forming an almost continuous terrace with the roofs pitched east-west. The loose arrangement of buildings in the Church 'precinct' are all orientated east-west except the Church whose long nave and aisle roofs face north-south. The other three buildings in this group have extensions to perpendicular to their principal frontage. The proposals fails to have regard to the established pattern of development which collectively generates a sense of place and local identity.

5.5 Details

The important contributions of stone tile and pan tiled roofs enlivened with dormer windows, gablets, stone and brick chimneys occur frequently in the Conservation Area on both listed and unlisted properties. The Conservation Area Appraisal makes reference to a variety of window and door types and details, including stone mullioned windows under drip moulds, side-hung metal or painted timber casements, vertically hung sashes, bracketed canopies and gabled porches, planked and panelled doors. Many windows have a plain, flat dressed stone surround. Dormers where they occur are simple and are not especially common. What is proposed indicates a deliberate disregard of the pattern of vernacular building.

The proposed houses incorporate a huge variety of details in each plot and although a family of windows, dormers and porch types are generally seen in groups of new houses, what is proposed is an absence of any coherent style or approach. For example, one house features an amalgam of pitched, hipped, gabled and flat roofed dormers of varying scales under a single clay tile roof with offset stone dressings to windows, a hipped enclosed porch, casement, sash and multi-paned windows.

Existing roofs in Norton St Philip are predominantly pitched, double pile or triple pile with various, lower later perpendicular additions, some pentice roofs. Westmead Cottage and Bow Cottage have very shallow roofs under double Roman tiled and Welsh slate roofs.

The roofs of the proposed development all, with the exception of houses 2 and 3 feature steep 47.5 degree roof pitches regarding of the roof covering and this only increases the visibility with unnecessarily high ridges. The two houses which have a slacker roof pitch of only 40 degrees are 8.65m above ground level as opposed to 9.6m – 11.6m for houses 4 – 8. Presumably the intention for these to become 'lifetime homes' which would allow conversion of the roof spaces to a third storey.

5.6 Chimneys

Chimneys are particularly important aspect of roofscapes, in perspective views and on skylines. The ashlar stone, rubble or brick stacks often run through the apex of a gable. Stacks are set within the floor plan of houses with flues appearing flush with external walls, not projecting outside the house which is a common Devon detail. Almost every house in the historic core has at least one chimney stack, emerging on the ridge or at gable ends, none of them external, with the exception of the Old Vicarage see Fig.18, have a chimney which projects beyond the plan form as those in the proposed development. The chimneys if not operational would appear to be pastiche additions.



Fig.18 The later chimney stack of the Old Vicarage which serves the boiler room, note roofs of slate and double Roman tiles with coped gables and pitched roofs no steeper than 45 degrees.

5.7 Materials

The predominant building material is Doultong stone used for both ashlar and rubble. Forest Marble is a more local rubble stone used combined with ashlar in walling. Roofs include stone tiles, in diminishing courses, of local Forest Marble, split into thin slabs. The George Inn and Parish Church (high status buildings) are two examples. Bridgwater double and triple Roman pantiles are the most common roof covering in the village. Welsh slate appears on C19 buildings and decorative clay plain tiles at Church Cottage both with clay ridges. Gables dormers and gablets are proposed by these are not in stone but render which weathers very badly in comparison. The use of slate clips and reproduction pantiles which occur on Fortescue Fields are not in keeping with identity of Norton St Philip.

5.8 Boundary Treatment

The Character Assessment for Norton St Philip, Farleigh Hungerford and Hassage, (especially commended to others by the Neighbourhood Plan Examiner) on page 17 Figure 7 illustrates the extent of stone walling in the village. These are generally constructed of random or coursed rubble Doultong or Forest Marble stone surmounted by a cock and hen detail not as shown in the boundary treatment by the Applicant. Para 1.14 on Page 4 of the MEHS 'Layout and boundary treatments between properties, to reflect the plot arrangements and relationships between properties elsewhere in the village' which are illustrated as park railings, stone walls with flat copings and conventional timber fence panels see drawing Nos. 19126-401, 19126-416 and 19126-419.

5.9 Parking and Garages

The individual garages between buildings is distinct and separate in character from the established pattern of houses along High Street and those elsewhere in the village. The site plan illustrates an excessive amount of space dedicated to cars, parking and garaging with 4 dwellings having a double garage each and in-plot parking for another two cars. House Nos 1, 2 and 3 have no garaging. The design relies on only parts of garages visible to the public realm to be dressed in stone (drawing Nos 19126-421 and 422). The Technical Site Plan drawing No 19126-4001 indicates the number of vehicles whereas the Proposed Site Plan only shows the garages drawing No 19126-4004.

5.10 The design of a new building typology on the application site is insensitive and incongruous and fails to comply with the requirements of Local Plan policies DP1, DP3, DP4 and DP7 and NPPF Para 200, resulting in substantial harm to the setting of the Conservation Area and assets of the highest significance, the Parish Church and George Inn.

6.0 Norton St Philip Conservation Area - Implications of Potential Change and Vulnerability to Harm

6.1 The most important characteristic (according to both the Character Assessment of Norton St Philip of 2019 and Conservation Area Appraisal of 2007) is the two original cores of settlement with areas of open green spaces in between. Analysis of old maps from 1638 and the Tithe Map (Figure 15), the first edition of the OS Map and aerial maps demonstrates the two nuclei form interspersed with open green space and the historic focus of the Church. The pasture between the clusters contribute to its character and the wider context is emphatically rural. Norton St Philip has a long history founded on agriculture and the wool trade. Open spaces between clusters of buildings have remained, despite changes to the village, specifically residential development on the western (Springfield, Ringwell), northern (Monmouth Paddock), eastern (Upper Farm Close, Longmead Close, Hawksmead Close) and southern (Priory House) fringes of the village.

6.2 Through map regression it is evident that the cohesive group of buildings clustered around the Church remain unchanged along Vicarage Lane apart from the three houses behind the Old Vicarage (outside the Conservation Area). 7 bungalows have been built in Fair Close are set back south of Bell Hill (on the site of sheep fields within the Conservation Area, cannot be seen from Church Mead and the houses in Monmouth Paddock north of Bell Hill are set beyond the historic core. There has been no infill along the terrace of houses on High Street.

6.3 The following aerial photographs at Figures 19 and 20 are superimposed with the outlines of Grade I listed George Inn shown in blue, Grade II* Parish Church in vivid green, all other Grade II heritage assets and the Conservation Area boundary. The similarities between the Tithe Map of 1839 and the relatively undeveloped village in the 1946 photograph is striking, contrasted with the most recent aerial photograph of 2006 which shows the poultry factory on the Fortescue Fields site.



Fig.19 Somerset Historic Environment Record Aerial Map from 1946 (RAF).



Fig.20 Somerset Historic Environment Record Aerial Map from 2006, prior to construction Fortescue Fields, Longmead Close and Hawksmead Close and demolition of the chalet bungalow on the SW corner.

6.4 It is the objective of Norton St Philip Neighbourhood Plan to ensure that any new development is designed to reflect the character of the village sympathetically, in accordance with the parameters set down in Mendip District Council Policies DP1, DP3, DP4 and DP7. The MEHS relies on a building typology which is flawed from the outset, as the indicative elevations do not contain any distinct characteristics which would enhance the surrounding landscape, instead demonstrating a much used and prescriptive design which does not represent the local vernacular, but perpetuates the architectural vocabulary used previously on Fortescue Fields comprising steep pitched roofs and large expanses of rendered surfaces with external chimney stacks. The proposed design would have a negative impact on the significance, identity, and on

the setting of the Conservation Area. There is no precedent for this type of fringe development in Norton St Philip.

6.5 Para 6.34 The MEHS fails to have regard to the close proximity of the Parish Church to the application site, which is only 75m away, whilst The George Inn is 125m at its closest point. Plot No 1 has a proposed ridge level of 110.35m above OS datum which is 1.35m above the height of the car park at the rear of the George Inn. Therefore, the first house on the application site would be highly visible from this vantage point despite the falling land towards the south-west.

7.0 Impacts of Development

7.1 Setting is an established concept that relates to the surroundings in which a place is experienced, its local context, embracing present and past relationships to the adjacent landscape. The definition of the setting of a significant place will normally be guided by the extent to which material change within it could affect (enhance or diminish) the place's significance.

7.2 Development affecting the setting of listed buildings would only normally be acceptable if the proposal would not materially harm the heritage values of those buildings and the long-term consequences of the proposal can be demonstrated to be benign. Neither case applies in this instance. Changes which would harm the heritage values should be unacceptable unless it has been demonstrated that the predicted public benefit decisively outweighs the harm to the heritage values of the Parish Church, The George Inn and the other heritage assets, considering their comparative significance, the negative impact of development on that significance and the benefits to the setting, the wider community or society as a whole.

7.3 While St Philip and St James Church has historical (illustrative), aesthetic, spiritual and communal value, its setting in the landscape also contributes to its significance, and any development would compromise that connection. The rural setting will be diminished by the over domestication of the open green space which makes an extremely important contribution to the character of the village because it allows light, shade, sunshine and shadows into the spaces between the already developed areas. There are real and perceived risks from the proposed development to the setting of all the heritage assets, with large expanses of hardstanding, greater vehicular movements and the creation of a quasi-vernacular, 'contemporary response'.

7.4 The open aspect seen at Figure 21, (that is integral to the two clusters of buildings around the Church and The George Inn linked by Bell Hill) would be eroded by the placement of buildings closing the gap, and the link to open countryside would be lost together with the legibility of the historic settlement pattern. This would result in a failure to comply with the Local Plan Policies DP1 Local Identity and Distinctiveness, DP3 Heritage and Conservation and DP7 Design and Amenity of New Development.

7.5 The suggestion that there is a potential public benefit in delivering 8 houses that purport to respond to the existing settlement pattern of buildings is to say the least,

tenuous. 8 dwellings in the fields would erode the open setting and fail to comply with the provisions of primary legislation Section 72 (1) in the exercise, with respect to any buildings or other land in a Conservation Area (2) special attention shall be paid to the desirability of preserving and enhancing the character or appearance of that area.

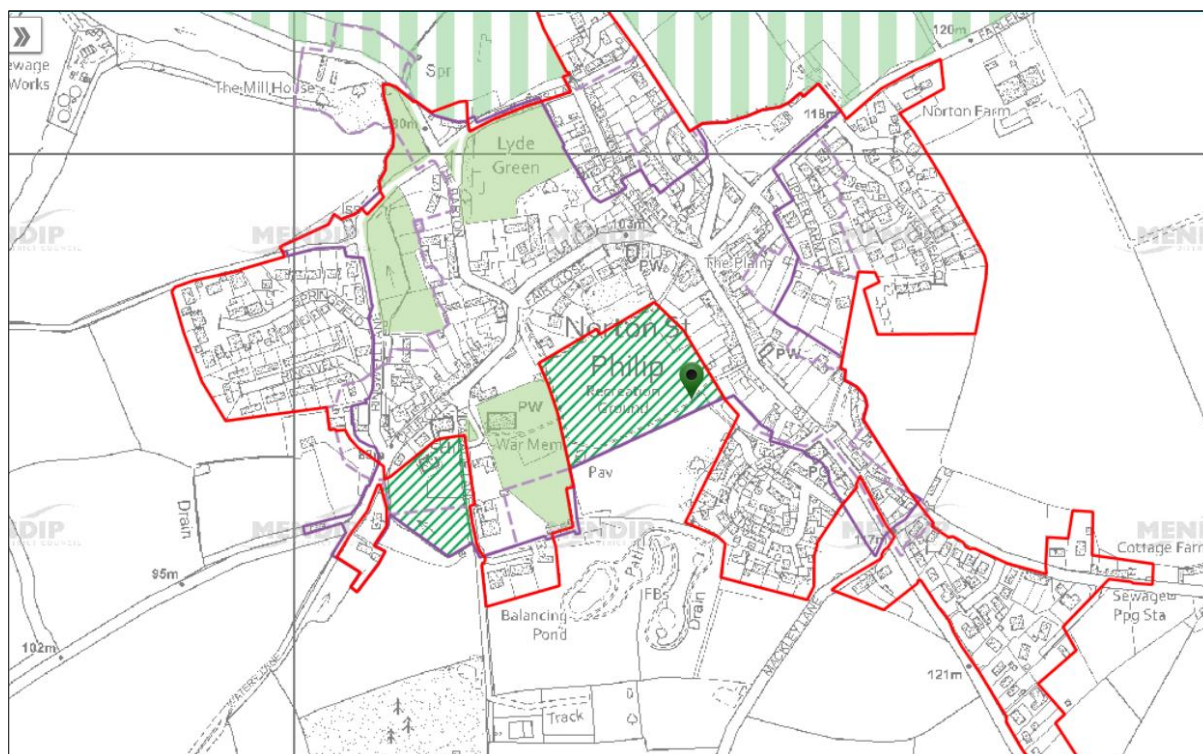


Fig.21 Extract from planvu.co.uk/mdc/ interactive mapping. The protected local green spaces include Church Mead and the school playing field, the churchyard is an open space of local significance.

7.6 The layout of the proposal does not respond to the established pattern of the village and as such fails to comply with Policy DP1 which requires new development to contribute positively to local identity and distinctiveness. There are no references in the Planning Statement to renewable energy regeneration, orientation of buildings, passive solar, buildings orientated to maximise solar gain, or site topography used to reduce the impact of wind and overshadowing of neighbouring properties. The proposed development not only fails to satisfy Policy DP1 but also Norton St Philip Neighbourhood Plan 2019 Policy 4 Promoting Locally-Responsive Good Design and Policy 6 Climate Change, Biodiversity and Low Carbon Development.

7.7 The setting of the Parish Church extends beyond the immediate Conservation Area. It also encompasses the fields beyond and the wider landscape character. The key attributes of setting have not been examined sufficiently thoroughly to conclude that the impact of development would not affect the ability to appreciate the visual dominance and contribution made by the Church together with its tower which is a cherished and protected landmark.

7.8 The Church 'precinct' and application site can be seen in the same viewshed from a range of locations from the public footpaths on the FR11/1, FR11/2, FR11/3, FR11/4, FR11/5 and FR11/10. The application site is seen more readily in views from the Church tower are of unspoilt open pasture (Figure 1 & 10 refers). From these viewpoints it is possible to experience the form of the listed Church building, the other

group of listed buildings, spaces around them and their relationship with the landscape.

7.9 The Conservation Officer refers in her report on previous application (2021/2776/OTA for 20 dwellings) ‘The development would fundamentally change the landscape of the site and the form of the village. It would result in substantial harm to the setting of the Norton St Philip Conservation Area and less than substantial harm to the setting of the listed village Church and The George Inn.’ The current application results in the same loss of important views and scale of harm.

7.10 The application site for 8 dwellings would transform the open aspect of the fields by built form, hard landscaping, vehicle movements and infrastructure to achieve suitable access. The current application is virtually identical, except for the number of dwellings, to the previous scheme which was refused under reason No 2 because *‘it would result in the loss of views to and from the countryside and from Norton St Philip Conservation Area. It would result in substantial harm to the setting of the Norton St Philip Conservation Area and less than substantial harm to the setting of the listed village Church and The George Inn.’* The same reason for refusal applies in this instance.

8.0 Conclusions

8.1 The impact of development within the setting of the Parish Church of St Philip and St James, The George Inn and Norton St Philip Conservation Area result in substantial harm to the setting of the Conservation Area. The MEHS suggests that it *‘would have a congruent appearance’* which it does not. There are no demonstrable public benefits that would outweigh the harm to the rural character, setting of heritage assets and settlement pattern. As a result, the setting of the Conservation Area would be changed irrevocably.

8.2 The rural landscape and open countryside is critical to the setting of the Parish Church and The George Inn. The ‘open aspect’ of the application site is evident from the green open spaces, pasture and footpaths which surround the village and it is acknowledged as part of the open spaces in the Conservation Area, contributing to its rural character. This setting is sensitive to change and the quality of the proposed scale, design, proportions and materials of new buildings falls far short of the high standard routinely expected on the periphery of the historic core. The proposed development fails to respect the values that are inherent in the significance of the Conservation Area.

8.3 The impact of the proposed development on important views across the undeveloped pasture and towards the Grade II listed Church Tower would result in substantial harm to the landscape quality of the area, the setting of the Conservation Area, and the setting of the Grade I George Inn and Grade II* listed Church.

8.4 MEHS fails to provide a clear convincing justification as required by the NPPF Para 200 and Mendip District Council Local Plan Policy DP3 for the impact of development on the setting of the Conservation Area, the two high status heritage assets of the Parish Church and The George Inn, the many heritage assets mentioned

in para 3.3 of this report and important views across the undeveloped green spaces including those of the Church tower.

8.5 The impact on the setting of the Parish Church and The George Inn is not lessened by the reduction in the number of proposed dwellings in the application. The proposed development of 8 houses on the same site with identical constraints to the previous application 2021/2776/OTA should be refused on the same grounds.

Kim Sankey RIBA, Architect and Historic Buildings Consultant 13.06.23