Burrington Parish Council's comments on a planning application for the redevelopment of the Blagdon Water Gardens site, Bath Road, Upper Langford BS40 5DN

The Applications:

The planning application (19/P/1963/FUL) and an accompanying application for listed building consent (19/P/1964/LBC) were submitted on 9th August and validated on 2nd September. Part of the site east of Langford Brook, including the historic garden wall, are in Burrington Parish; most of the site is in Churchill Parish.

The applications propose:

'Demolition of buildings (Use Class A1). Conversion of existing two-storey building to a four-bedroom dwelling (Use Class C3); replacement of existing bungalow (Use Class C3) with a two-storey five-bedroom dwelling; and erection of 8 no. dwellings. Redevelopment of Walled Garden comprising restoration and extension of the existing cottage and heated wall to provide a five-bedroom dwelling and erection of single-storey five-bedroom dwelling. Improvements to existing vehicular access, hard/soft landscape works, and drainage.'

Background:

These proposals for the development of 12 dwellings (including conversions and replacements) follow the refusal on 18th April 2018 of a previous outline planning application (17/P/0999/O) for 28 dwellings, for four reasons which can be summarised as:

1. the site is an unsustainable rural location; there are no community services or facilities accessible without using a car; and development would therefore be contrary to national and local planning policies;

2. 28 dwellings would be an over development of the site because of its scale and prominence, and an extension into previously open and undeveloped land, with significantly adverse visual impacts on the Mendip Hills AONB, contrary to national and local planning policies;

3. the distance from surrounding settlements and services, the absence of public transport or facilities for pedestrians and cyclists, and road conditions on the A368 would discourage travel by modes other than car, contrary to national and local planning policies; and

4. concerns that flood risks had not been addressed adequately in the absence of modelling information in relation to known overland surface water flows, contrary to local planning policies.

Burrington Parish Council objected to the previous application for similar reasons and highlighted in particular concerns about potential impacts on the flooding of Langford Brook upstream in Upper Langford and downstream in Lower Langford. It resolved, if North Somerset Council were minded to grant planning permission:
• To call for measures to improve road safety, especially for pedestrians, in the narrow section of the A368 east of the site, with more advance warning signs, enhanced road markings and a pedestrian footway through the narrow section of the A368, to be secured by planning conditions or planning obligation.

• To call for measures to conserve and enhance the landscape, ecology and heritage assets of the site and its surroundings, including the Grade II-Listed, Georgian kitchen garden and hothouse wall (List Entry Number 1268309) on adjoining land in the applicants’ ownership, and to mitigate any adverse impacts of the proposed development on the landscape, ecology and heritage assets.

• To request that any improvements in services to the site, such as gas, drainage or telecoms (including high speed broadband) that may be achieved by planning obligations should not prejudice the extension of these services eastwards along the A368 and should, if possible, facilitate the extension of improved facilities within the Parish of Burrington.

Discussion:

The current applications are accompanied by much more information than the previous outline application and demonstrate that a significant amount of additional work has been undertaken to respond to the physical opportunities and constraints presented by the application site, including the listed walled garden which is now part of the application site.

Burrington Parish Council has considered whether these new proposals overcome its objections to the previous proposals and North Somerset Council’s reasons for refusal of the outline planning application 17/P/0999/O.

Policy objections to development of the site that are related to its location must remain. There are no local services or facilities within walking distance of the site, or safe routes for pedestrians and cyclists. The narrow width of Bath Road east of the site and the absence of a pavement also pose safety concerns for local residents (who would include residents of the proposed new housing).

The proposals remain contrary to Policies CS14 (distribution of new housing) and CS33 (area policies/settlement strategy) of the North Somerset Core Strategy (January 2017) and Policy SA2 (settlement boundaries) of the Site Allocations Plan (April 2018), as the site is in countryside outside a defined settlement.

North Somerset Council’s first and third reasons for refusal of the previous application still apply. Burrington Parish Council has therefore considered whether the second and fourth reasons for refusal have been resolved and whether there are any other material planning considerations that outweigh the planning policy objections to the proposed development.

The reduced scale of the proposed development at 12 houses rather than 28, including 9 new houses, the conversion of an existing building and the redevelopment of two derelict houses, is a partial response to the second reason for refusal. Landscaping proposals would also soften the visual impact of the proposed development to some extent.

It is relevant to take into account the current condition of the site which is previously-developed (brownfield) land and its generally incongruous and unattractive appearance, including the large area of tarmac surface and large industrial buildings; and the partly
derelict condition of the listed walled garden area, the listed hothouse wall, and the banks and bridges along the brook.

It is also necessary to consider the potential for alternative uses that could take place in accordance with extant planning permissions, including their potential traffic generation. If there is no economic use for the site, it could also become susceptible to unauthorised uses such as airport car parking which North Somerset Council often appears to have difficulty in controlling by its planning enforcement powers.

In relation to the fourth reason for refusal of the previous application, Burrington Parish Council notes that a flood risk assessment and drainage strategy have been submitted in support of the current applications. North Somerset Council will need to be satisfied that the proposed works will fully address and resolve concerns expressed by them and by Burrington Parish Council on the previous application, particularly in relation to surface water flooding upstream and downstream of the application site and problems with highway drainage following heavy rainfall.

There are positive features in the current applications including an innovative design solution to conservation of the listed hothouse wall within a new house, which appears to have the support of North Somerset Council’s Conservation Officer.

There is no evidence that the proposed housing is designed to meet specific local needs and no on-site provision for affordable housing. The policy requirement for one affordable housing unit is to be met off site by a Section 106 financial contribution, but it is not known where. The proposed houses are all large detached houses with floor areas ranging from 1,720 sq ft to 3,460 sq ft, and all but two units are in excess of 2,100 sq ft. (Average floor areas in England are 990 sq ft for all houses and 1,636 sq ft for detached houses.)

Burrington Parish Council also notes observations in the Planning Statement and Transport Statement about highway safety and a 'draft proposal' for improvements in road safety on Bath Road, east of the application site, including new signage and road markings, and a 1.2 to 1.5 m footpath east of the application site over some 102m north of the carriageway through the narrow stretch between high walls, up to 2 Brook Cottages. The applicant has undertaken to negotiate this proposal with North Somerset Council and to test it as part of a Road Safety Audit.

Burrington Parish Council hopes that North Somerset Council will approach the proposal for road safety improvements positively, even if the proposed footpath does not comply with normal standards, as some refuge for pedestrians would be better than none. As part of the Road Safety Audit, we would also encourage North Somerset Council to review the direction of priorities, as eastbound traffic has a longer view of oncoming traffic than westbound traffic and there is therefore a case for making the priority to give way from the east.

**Recommendation:**

Subject to North Somerset Council ensuring that concerns about flood risk and road safety in the vicinity of the application site can be resolved, Burrington Parish Council would not object to these applications as there appear to be some planning advantages to weigh against the policy objections to residential development of this site.