

# **NORTON ST PHILIP NEIGHBOURHOOD PLAN**

## **SUBMISSION PLAN**

### **REGULATION 16 CONSULTATION**

#### **REPRESENTATIONS**

**ON BEHALF OF**

#### **BELL HILL GARAGE**



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LPA Ref: -

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Date of Issue: April 2019



## SECTION 1

## REPRESENTATIONS FORM PART ONE

# Norton St Philip Neighbourhood Plan Representation Response Form

For Office Use  
Only  
Date Received

- All representations should be made on a form of this type.
- There are guidance notes on page 2 to help you complete the form.
- Representations must be received by 5pm on 12<sup>th</sup> April 2019

You can photocopy this form, download copies from [mendip.gov.uk/neighbourhoodplanning](http://mendip.gov.uk/neighbourhoodplanning) or collect additional hard copies from the Council Access Point, Frome Library, Justice Lane, Frome BA11 1BE or the Council Offices, Cannards Grave Road, Shepton Mallet BA4 5BT.

For further information or advice, please contact the Planning Policy Team by email: [planningpolicy@mendip.gov.uk](mailto:planningpolicy@mendip.gov.uk) or telephone: (0300) 303 8588.

## PART ONE – YOUR DETAILS AND GUIDANCE NOTES

Contact Details	
<p><b>Name:</b> Mr T Bowditch</p> <p><b>Organisation:</b> Bell Hill Garage (if applicable)</p> <p><b>Address:</b> c/o Agent</p> <p>_____</p> <p><b>Postcode:</b> _____</p> <p><b>Email:</b> _____</p> <p><b>Tel:</b> _____</p>	<p><i>If you have appointed somebody to act as your agent, please give their contact details. All correspondence will be sent to the agent:</i></p> <p><b>Agent Name:</b> Dr Thomas S Roche</p> <p><b>Company Name:</b> Roche Associates Ltd</p> <p><b>Address:</b> _____</p> <p>_____</p> <p><b>Postcode:</b> _____</p> <p><b>Email:</b> _____</p> <p><b>Tel:</b> _____</p>
<p><b>Signature:</b> T S Roche</p>	<p><b>Date:</b> 10 April 2019</p>

Please note that representations should be attributable to named individuals or organisations at a postal address. Any representation received will be published on the Council's Website, including your name.

Future Progress of the Neighbourhood Plan for Norton St Philip	
<p>✓</p>	<p>Please indicate if you wish to be notified about progress of the Neighbourhood Plan, including when the District Council makes a decision about 'making' the plan (under Regulation 19), by ticking here. <b>We will contact you by e-mail only unless you instruct otherwise.</b></p>



## SECTION 2

## REPRESENTATIONS FORM PARTS TWO

## PART TWO – YOUR COMMENTS

*Please use a separate form for each section or policy you wish to comment on*

[illegible]

**Completed forms should be returned:**

- **By post to:** Planning Policy, Mendip District Council, Cannards Grave Road, Shepton Mallet, Somerset, BA4 5BT
- **By e-mail to:** [planningpolicy@mendip.gov.uk](mailto:planningpolicy@mendip.gov.uk)
- **By hand to:** the Council Offices in Shepton Mallet (address above) or the Council Access Point in Frome, the Library, Justice Lane, Frome BA11 1BE

**Representations must be received by no later than Friday 12th April 2019**  
**Representations received after this date will not be considered**

## PART TWO – YOUR COMMENTS

*Please use a separate form for each section or policy you wish to comment on*

[illegible]

**Completed forms should be returned:**

- **By post to:** Planning Policy, Mendip District Council, Cannards Grave Road, Shepton Mallet, Somerset, BA4 5BT
- **By e-mail to:** [planningpolicy@mendip.gov.uk](mailto:planningpolicy@mendip.gov.uk)
- **By hand to:** the Council Offices in Shepton Mallet (address above) or the Council Access Point in Frome, the Library, Justice Lane, Frome BA11 1BE

**Representations must be received by no later than Friday 12th April 2019**  
**Representations received after this date will not be considered**



## SECTION 3

## REASONS FOR REPRESENTATIONS





# **NORTON ST PHILIP NEIGHBOURHOOD PLAN**

## **SUBMISSION PLAN (FEBRUARY 2019)**

### **Regulation 16 Consultation**

#### **Representations by Bell Hill Garage**

April 2019

**ROCKE  
ASSOCIATES**

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The representations below set out the response of Bell Hill Garage (BHG) to the provisions of the Norton St Philip Neighbourhood Plan Submission Plan (February 2019) (NSPNP).

## PLAN PROVISIONS

Policy 2  
Paragraphs 9.2-9.6  
Appendix 1

Bell Hill Garage Development Site  
Bell Hill Garage  
Bell Hill Garage Development Brief

## COMMENT

BHG supports the identification of the Bell Hill Garage site as an opportunity site for redevelopment for residential purposes. As has previously been acknowledged in the Conservation Area Appraisal:

*The garage on Bell Hill is one obvious intrusion into the historic townscape, introducing a large, blocky structure and breaking the continuity of building frontages. ... Any future redevelopment of these large sites must pay due regard to the sensitive nature of their setting and the character of the wider conservation area. ...*<sup>1</sup>

The benefits of redeveloping the site for residential purposes have been further acknowledged in the planning permissions that have been granted, and which are documented in the 'planning history' section of Appendix 1 to the NSPNP. It is germane that none of those schemes of redevelopment for which planning permission was granted has ever been implemented.

The failure of the permitted schemes to deliver the regeneration of the site is pathological. First, the site gives rise to considerable abnormal costs of redevelopment in terms of site reclamation (demolition of existing buildings, remediation of contamination etc). In addition, the site is extremely constrained in terms of both area and configuration, with access to development on the northern section involving a long length of access road to serve limited development. The design/conservation requirements for any scheme of redevelopment to repair the gap in the Bell Hill frontage impose further constraints. On its own, it has proven impossible to achieve a viable scheme of redevelopment. The site owners have engaged in discussions with several reputable and experienced developers, but none has been able to take a scheme forward.

<sup>1</sup> Mendip District Council, Norton St Philip Conservation Area Appraisal, October 2007, para. 7.26

The aspiration in the NSPNP for a scheme comprising predominantly 2 and 3 bedroom properties is, quite simply, naïve. It is likely to further diminish any prospect of achieving a viable scheme of redevelopment.

Policy 2 is unsupported by any viability assessment. There is therefore no evidence to contest the market evidence that is reflected in the planning history of the site that, on its own, a viable scheme of redevelopment is unlikely to be achieved on the site identified in Appendix 1 to Policy 2.

Given the constraints and abnormal costs of redeveloping the site, the only prospect of achieving a viable scheme of redevelopment is to incorporate land to the north comprising the Old Orchard which was included in the application that was refused planning permission in October 2013. As set out in representations on behalf of Bell Hill Garage to the Mendip District Local Plan: Part II<sup>2</sup>, the potential of that site for housing development has been acknowledged in a previous SHLAA, and was accepted by Development Management Officers at a time when Mendip District Council was unable to demonstrate a five year supply of deliverable housing land.

The NPPF requirement is for plans to be prepared positively, ‘in a way that is aspirational but deliverable’<sup>3</sup>. Policy 2 does not currently satisfy this requirement. The changes set out below are necessary to achieve conformity with the NPPF. Absent those changes, the policy serves little purpose given that it is unrealistic, and as a brownfield site within the settlement limits, there is no objection in principle to its redevelopment for residential purposes as a windfall site, as the planning history confirms.

## REQUIRED CHANGES

The following changes should be considered:

- Remove all references to ‘a mix of predominantly 2 and 3 bedroom houses’ which is not supported by viability assessment.
- Include in the allocation land to the north between the northern boundary of the current allocation and Chevers Lane, as identified on the Plan at Annex 2 to these representations.

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<sup>2</sup> Copy included at Annex 1 to these representations

<sup>3</sup> NPPF, para. 16

## PLAN PROVISIONS

Policy 5  
Paragraphs 12.1-12.4  
Figure 5  
Appendix 3

Local Green Space  
Local Green Spaces  
Local Green Space Designations  
Local Green Spaces

## OBJECTION

First, and foremost, by including the Local Green Space (LGS) designations that are foreshadowed in the emerging MDLP Part II, the NSPNP is in conflict with the NPPF, which is clear that Plans should:

*... serve a clear purpose, avoiding unnecessary duplication of policies that apply to a particular area (including policies in this Framework, where relevant).<sup>4</sup>*

The repetition of the LGS designations in the NSPNP neither serves a clear purpose, nor does it avoid unnecessary duplication of policies that apply to a particular area. The inclusion of LGS designations in the MDLP Part II is not in *prima facie* conflict with the NPPF, which provides for policies to address non-strategic matters to be included in either local or neighbourhood plans. Given that they are included in the MDLP Part II, they should not be repeated in the NSPLP, and to do so is both unnecessary duplication and fails to serve a clear purpose.

It is correctly acknowledged in the NSPNP that both Local Plans and Neighbourhood Plans can designate LGS. However, the conclusion drawn from this that the designations should be repeated in the NSPNP for consistency, is incorrect. Any designations in the MDLP Part II should not be repeated in the NSPNP, although the latter can propose additional designations if they can be justified against the relevant criteria. The NSPNP indicates that no additional designations can be justified<sup>5</sup>. It should therefore not include any policy provisions relating to LGS.

There is good reason why the NPPF cautions against such unnecessary duplication, which is grounded in the plan-making process. In particular, since both Local Plans and Neighbourhood Plans are subject to independent examination there is a risk of the respective examiners reaching different conclusions in

<sup>4</sup> NPPF, para. 16(f)  
<sup>5</sup> NSPLP, para. 12.3

relation to the same matters, which would put the respective plans in conflict with each other. In the current instance the MDLP Examination Inspector is specifically considering the matter of whether the allocation of LGS' within the plan area is justified and in accordance with Part 1 Policy DP16 (Open Space and Green Infrastructure) and also with national policy. If he concludes that it is not, and requires that the plan be amended to remove the designations, then the NSPNP would be in potential conflict with not only the strategic policies of the Part 1 Plan, but also the Part II Plan and national policy.

In the alternative, there are duly made objections to the specific LGS designations in the Part 2 Plan, for reasons that are outlined below. If the Examination Inspector finds in favour of the objectors, then there is again potential conflict between plan documents since the NSPNP would be inconsistent with the Part II MDLP which has been subject to examination and amendment in the light thereof.

In the light of the provisions of the NPPF there is no reason in principle why LGS designations should not be included in the Part II MDLP, and subject to examination as part of that plan. This being the case, and considering that the MDLP Part II is now subject to the examination, the current designations will be subject to independent scrutiny through that process. As such, they should be removed from the NSPNP. The only locus for LGS designations in the NSPNP is therefore additional to those currently included in the Part II MDLP, if it is considered additional such designations can be justified, which it is incumbent on the plan-making body to demonstrate with clear evidence. However, the NSPNP indicates that no other areas justify designation. As it stands, by including provisions that do not serve a clear purpose and duplicate unnecessarily policies that apply to a particular area, the NSPNP is in conflict with the NPPF. As such, it is unsound.

Notwithstanding, and without prejudice to, the foregoing, for reasons set out in response to consultation on the Part II MDLP, the LGS designations for NSP are unsound since they are inconsistent with national policy, not properly justified, and not positively prepared. A copy of the representations is included at Annex 1, and the full case against the designations in general, and the one relating to The Great Orchard in particular, is set out therein. The issues are summarised below.

## General Issues relating to the LGS Designations in the NSP

- Cumulatively, they result in designation of extensive tracts of land contrary to the clear advice in the NPPF<sup>6</sup>.
- They are incorrectly used as an ‘anti-development’ tool, to protect undeveloped areas within the settlement limits, rather than specifically to protect areas that are demonstrably special to the local community and that hold particular significance.
- As such, they are inconsistent with the local planning of sustainable development, and will conflict with, rather than compliment, investment in homes, jobs and other essential services that are vital to sustaining rural settlements and communities. In this respect they are unlikely to be capable of enduring beyond the end of the plan period.

## Particular Issues relating to LGSNSP003 (Great Orchard)

This designation is a clear example of an attempt to utilise LGS as an anti-development tool rather than to protect an area that is demonstrably special to the local community. Until the planning application<sup>7</sup> was submitted this unkempt, backland paddock to which there is no public access attracted little public attention. The focus of attention through a planning application prompted unsuccessful attempts to resist its development through designation as a heritage asset (Historic Battlefield), which failed. Its designation as LGS is the latest attempt to resist development on the site for reasons that are not justified against the purposes of the designation. Assessed against the relevant criteria:

- **Beauty:** the site has no intrinsic beauty. It is an unkempt paddock that is enclosed on two sides by roadside walls that preclude views into/across it, and by private development that backs onto it on the other two sides. It is significant that the Conservation Area Appraisal makes scant reference to the site, reflecting its lack of contribution to the significance of the designation. Those seeking its protection refer to ‘distant’ views, without providing clear and robust evidence of the viewpoints of relevance, the key receptors, and the contribution and its value that the site makes to those views. As such, the ‘beauty’ of the site is not supported by the evidence base.

<sup>6</sup> NPPF, para. 100(c)

<sup>7</sup> Ref: 2013/2217 cited in Appendix 1 to the NSPNP, p.43

- **Historic Significance:** the site has no historic significance. An attempt to secure its designation as an Historic Battlefield failed<sup>8</sup>.
- **Recreational Value:** the site has no (formal or informal) public access, and no footpaths through it. As such, it has no recreational value. The proposals for its development would have changed this through the delivery of a village green at the heart of the development together with other informal public spaces and routes through the site. Those community benefits have not been secured given the refusal of planning permission.
- **Tranquility:** the context for the site is a commercial garage (to the south), public highway (to the west and east), and the elevated/open rear gardens of residential properties together with a commercial unit (to the east). The site therefore does not have the character of a tranquil space, and even if it did, it is not accessible to the community to appreciate it.
- **Richness of Wildlife:** the ecological assessment that accompanied the application for development of the site confirmed that the site is not rich in biodiversity, a finding that the Council did not contest. There is no evidence that indicates to the contrary.

The reasons for refusal of planning permission for development of the site did not raise any issues that support the designation of the site as LGS. Whilst the view was taken that there would be harm to the character of the Conservation Area, that is not a matter that militates in favour of the designation of the site. It simply serves to illustrate the point set out in representations to the MDLP Part II that there are sufficient safeguards in place for protecting any contribution that the site might make to the character of the village. It is a clearly stated principle in the evidence base to the MDLP Part II that the LGS designation is “... **only intended for sites which are not already protected through other means**”<sup>9</sup>.

Whilst the relevant (NPPF) criteria that can justify designation of LGS are acknowledged in the NSPNP<sup>10</sup>, the plan then fails to justify the designation of The Great Orchard on the basis of them. The justification for the designation relies almost entirely on consultee comments relating to particular proposals for the development of the site in 2013. Those responses relate to the contribution of the site to its wider context. That is a wholly inappropriate basis for designation of the site as LGS.

<sup>8</sup> See English Heritage Assessment dated 28 November 2013 at Annex 2 to the representations on behalf of Bell Hill Garage to the MDLP Part II Submission Plan – copy included at Annex 1 to these representations

<sup>9</sup> LGS Background Paper, para. 1.12, emphasis added

<sup>10</sup> NSPNP, para. 12.1

The only appropriate justification for designation of a site as LGS is on the basis of its intrinsic qualities and compelling evidence that those attributes make it both ‘demonstrably special’ and that it holds a ‘particular local significance’. The onus of persuasion is therefore set as a very high bar, and correctly so given the degree of development restraint (akin to that of Green Belt policy) which prevails consequent upon designation. Given that the level of subsequent restraint is akin to Green Belt, the designations should properly only be justified on the basis of exceptional circumstances. There is no credible and convincing evidence underwriting the parameters of ‘specialness’ and ‘local significance’ on the basis of which LGS designation is justified, in relation to The Great Orchard. The exceptional circumstances justifying designation are therefore not met, and it is arguable whether any of the other designations currently proposed in NSP achieve the very high bar that is necessary.

## REQUIRED CHANGES

Amend the NSPNP as follows:

- Deletion of Policy 5, Figure 5 and Appendix 3 from the Plan given that the LGS’ are designated in the MDLP Part II and therefore their inclusion in the NSPNP would be in conflict with the NPPF requirement for plans to serve a clear purpose and to avoid unnecessary duplication.
- If LGS designations are appropriately included in the NSPNP without conflicting with the NPPF requirements for plan-making, deletion of LGSNSP003 (Great Orchard) which is not justified on the basis of the relevant criteria, and is not supported with clear evidence.





## ANNEX 1

## REPRESENTATIONS TO MDLP PART II

**MENDIP DISTRICT LOCAL PLAN PART II**  
**PRE-SUBMISSION CONSULTATION**

**REPRESENTATIONS**

**ON BEHALF OF**

**BELL HILL GARAGE**



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## 1 Response Form

## 2 Reasons for Representations

## Annexes

RA Ref: BELL0001

LPA Ref: -

Office Address: Number One  
Queen Square Place  
Bath  
BA1 2LL

Telephone: +44 (0)1225 433675

Date of Issue: February 2018



## SECTION 1

## RESPONSE FORM



# Consultation Response Form



Please use this form to respond or make representations on Local Plan Part II and associated consultation documents. For information or advice, please contact the Planning Policy Team by email at [planningpolicy@mendip.gov.uk](mailto:planningpolicy@mendip.gov.uk) or phone (0300) 303 8588.

## Contact Details

*If you have appointed somebody to act as your agent, please give their contact details.*

*All correspondence will be sent to the agent*

**Name:**

**Agent Name:**

Dr Thomas S Roche

**Organisation (if applicable):**

**Company Name:**

Bell Hill Garage Ltd

Rocke Associates Ltd

**Address:**

**Address:**

[Redacted Address]

[Redacted Address]

**Postcode:** [Redacted]

**Postcode:** [Redacted]

**Email:**

**Email:** [Redacted]

**Tel:**

**Tel:** [Redacted]

**Date completed**

**Date completed** 10 February 2018

Do you wish to be notified of future stages of Local Plan Part II (tick box)

☒

We will contact you by **e-mail only** unless you confirm here (tick box)

☐

**Data protection – please read** - The information collected as part this consultation will be processed by the Council in accordance with the Data Protection Act 1998. The purposes for collecting this data are: to assist in plan making; and to contact you, if necessary, regarding the planning consultation process. Please note that representations must be attributable to named individuals or organisations at a postal address. Representations and contact names will be published on the Mendip website but no other personal information

Copies of this form are available from Council Offices and Access Points or can be downloaded from [www.mendip.gov.uk/localplanpart2](http://www.mendip.gov.uk/localplanpart2) . If you require this document in another format such as Braille, large print or another language then please contact us.

**Please use a separate form for each site or main issue you wish to make. You can also attach one contact form to a group of representations.** Please make sure any separate documents include your name –so they can be clearly identified.

**Please return your response by 5pm Monday 12th February 2018.**

**By post to:** Planning Policy, Mendip District Council, Cannards Grave Road,  
Shepton Mallet, Somerset, BA4 5BT

## Mendip Local Plan Part II: Sites & Policies – Issues and Options Consultation

**By email to:** [planningpolicy@mendip.gov.uk](mailto:planningpolicy@mendip.gov.uk)

**By hand to:** The Council offices in Shepton Mallet (address above).

For office use	
<b>Details of Objection/ Comment./Representation</b>	
Name /Organisation <b>Bell Hill Garage Ltd</b>	
Please indicate the document to which your representation relates (e.g. policy, paragraph number, HELAA site reference )	Section 3 (Housing Land Table 2 (Allocations in Primary and Secondary Villages) Section 11 (Primary and Secondary Villages) Subsection 11.20 (Norton St Philip) Paragraph 11.20.2 (Site Allocations) Paragraph 11.20.5 (Local Green Spaces) Norton St Philip Policies Map (Proposed Local Green Spaces)
Do you consider the Local Plan is Legally Compliant? <sup>1</sup> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Do you consider the Local Plan is Sound <sup>1</sup> ? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Do you consider it necessary to participate at examination hearings? (eg present oral evidence)	Yes
Please provide details below of why you consider the Local Plan is not legally compliant or is unsound. Please be as precise as possible. If you wish to <b>support</b> the legal compliance and soundness of the plan, please also use this box to set out your comments.	

<sup>1</sup> See our Online Guidance note on what these terms mean

[See attached sheets](#)



## SECTION 2

## REASONS FOR REPRESENTATIONS





## **MENDIP DISTRICT LOCAL PLAN PART II**

### **Pre-Submission Consultation**

#### **Representations by Bell Hill Garage**

**February 2018**

**ROCKE  
ASSOCIATES**

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The representations below set out the response of Bell Hill Garage (BHG) to the Plan provisions identified in the title banners.

## MENDIP LOCAL PLAN PART II: PRE-SUBMISSION CONSULTATION

### PLAN PROVISIONS

Section 5 (Open Space)  
Paragraphs 5.1-5.4 (Local Green Spaces)  
Sections 10-12 (Policies Maps – LGS designations)

### OBJECTION

The provisions of the Plan relating to Local Green Spaces (LGS), and the designations shown on the Policies Maps, are unsound in that they fail to comply with the selective approach intended by the NPPF. In consequence, the Plan is:

- Not consistent with national policy.
- Not properly justified.
- Not positively prepared.

The policy position in the NPPF is clear that:

*The LGS designation **will not be appropriate** for most green areas or open space. (para. 77, emphasis added)*

A first glance at the designations shown on the Policies Maps in Sections 10-12 indicate that this guidance has not been followed. It is apparent that LGS designations have been applied indiscriminately to most green areas within settlement limits as well as areas, some of them extensive, adjacent to settlement boundaries.

The unsoundness of the Council's approach is confirmed upon review of the evidence base, and in particular the LGS Background Paper.

First, the Council incorrectly interprets the ‘aim’ of the LGS designation policy as being to ‘protect open areas that play an important role in a settlement’<sup>1</sup>. That is an incorrect interpretation of their aim, which is specifically to protect green areas that are ‘demonstrably special to a local community and holds a particular local significance’. Unless it can be shown that the area in question is ‘demonstrably special’ then it should not be designated. The Council has therefore failed to distinguish in its approach to selection areas of open space which it deems to be ‘important’, and those that are ‘demonstrably special to the local community’ and ‘hold a particular local significance’. The latter provides a much higher bar with a necessity for clear evidence to ‘demonstrate’ its ‘specialty’ to the local community as a whole, as well as a ‘particular’ local significance. Given that the consequence of designation is a degree of development restraint akin to that which pertain in Green Belts, it is essential that only those areas which meet the very stringent tests are designated.

The Council’s evidence is wholly lacking in that demonstration of specialty to the local community, and which will act as a natural limitation on the extent of LGS designation in Local Plans. The consequences of designation being to impose a degree of development restraint akin to Green Belts<sup>2</sup>, reflect the intention that it should be used sparingly and only in the most ‘exceptional’ of circumstances and where other policy constraints will not suffice. The extensive use of the designation in the consultation Plan is pathological in terms of the mis-application of the LGS policy.

The Council’s inappropriate application of the LGS designation according to its own designation criteria is foreshadowed in the LGS Background Paper, and in particular through its acknowledgement that:

*It can be argued that sites which are already subject to a statutory designation (such as falling within the curtilage of a Listed Building) would not benefit from an additional local designation. However, many of the original OALS designations have been in place for many years and during the consultation communities felt strongly that these sites should now be designated as LGS **regardless of other layers of protection**. As a result, a number of sites have been included which may already have some level of protection through planning policy. (para. 1.13)*

The Plan is therefore internally inconsistent in that the ‘Criteria for Designation in Mendip’ expressly exclude designation where ‘their contribution to the settlement is not already protected through other policies or

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<sup>1</sup> LGS Background Paper, para. 1.2

<sup>2</sup> NPPF, para.78

designations'. However, it is accepted in the LGS Background Paper that sites have been included which are protected by other means.

Moreover, the extensive range of roles that sites can fulfil in order to qualify within criterion 4, some of which seem repetitive, have the potential to admit sites that would not be compliant with the more stringent tests set out in the NPPF. In view of the NPPF position that LGS will not be appropriate for most sites, and the consequences of designation which is, in effect, a reversal of the normal presumption in favour of sustainable development, the approach in the guidelines should be not to designate unless it is demonstrated unequivocally through appropriate evidence that the site is special. It must be demonstrated that the site is special to the community as a whole, and not simply vested interests seeking to resist development in particular parts of it. The guidelines are not structured to apply those stringent tests.

The inappropriate use of the LGS designation in the Consultation Plan is reflected in the fact that 'most' green areas of open space in and around settlements appear to have been designated. This will be exemplified through the specific example of Norton St Philip in later representations. Given this widespread indiscriminate and unjustified use of the designation, unsupported by clear evidence of 'demonstrable specialty' to the local community and of 'particular local significance', the Plan is considered to be unsound. The extensive use of the designation is such as to be inconsistent with the local planning of sustainable development, with designations that are unlikely to be capable of enduring beyond the end of the Plan period. As such, the plan is inconsistent with the provisions of paragraph 76 of the NPPF.

## REQUIRED CHANGES

- Given that the Plan is considered to be fundamentally flawed owing to the mis-application, and consequential over-use, of the LGS designation, and therefore inconsistent with the local planning of sustainable development, the Plan should not proceed to submission in its current form, and should be subject to comprehensive review.

## MENDIP LOCAL PLAN PART II: PRE-SUBMISSION CONSULTATION

### PLAN PROVISIONS

Section 11 (Primary and Secondary Villages)  
Subsection 11.20 (Norton St Philip Green Spaces)  
Paragraph 11.20.5 (Local Green Spaces)  
Norton St Philip Policies Map (Proposed Local Green Spaces)

### OBJECTION

Objection is raised to the designation of the LGS identified as 'Great Orchard' (LGSNP0003). The evidence base does not support its designation within the terms set out in the NPPF (para. 77), nor does it comply with the more liberal criteria set out in the 'Local Green Spaces – Criteria for Designation in Mendip'<sup>3</sup>.

As a general comment, the designation of LGS in Norton St Philip appears to be 'extensive' in a number of respects. It is 'extensive' in terms of the number of designations, and which seem to protect every tract of currently undeveloped land within the settlement boundary, as well as land beyond. Some of the designations also involve 'extensive' tracts of land, in particular Fortescue Fields. The provisions of the plan seek to shroud the extent of the land involved by identifying it as three separate designations. However, the designations are contiguous and, considered as a whole, the tract of land is 'extensive'. It is therefore not NPPF-compliant; *ipso facto*, the plan is unsound.

It is quite evident from the case of Norton St Philip that LGS designations are being used as an anti-development tool, rather than specifically to protect green areas that are demonstrably special to the local community and that hold particular significance. This is inconsistent with the local planning of sustainable development, with designations that are unlikely to be capable of enduring beyond the end of the Plan period. 'Most', if not 'all' of the green areas in Norton St Philip have been designated as LGS, contrary to the unequivocal expectation of the NPPF.

With specific regard to the proposed 'Great Orchard' LGS (LGSNP003), BHG reiterate the strong objections to the proposed designation that they raised in response to consultation on the 'Issues and Options' consultation. First, there is little reference to the subject land in the Conservation Area Appraisal as

<sup>3</sup> Designation of Local Green Spaces Background Paper, p.4

contributing to the character of the designation. It appears that the OALS designation may have been applied in error since it is not supported by any evidence base for reasons that are set out below.

In Section 4 of the Conservation Area Appraisal it is stated as follows:

*The Parish Church, School, Vicarage and Old Vicarage stand rather separately from the main flow of development, along Vicarage Lane, on the south-west edge of the village. This limb of buildings, the south side of Bell Hill and the west side of High Street all enclose a large rectangular green space, Church Mead, which is hidden from the rest of the village but is an essential landscape and amenity element. Its southern edge faces open countryside. **Lyde Green is another, smaller, green space to the north of Bell Hill surrounded by a rectangle of lanes and a looser grain of houses and the historic buildings of Manor Farm** (para. 4.2 – emphasis added).*

The photograph at the foot of page 11 in the Conservation Area Appraisal annotated ‘Lyde Green’ confirms that the description in paragraph 4.2 refers to an area outside the subject site. That area corresponds to the currently proposed ‘Lyde Green’ LGS (LGSNP0002). This is corroborated by the Spatial Analysis set out in the following section, and in particular the following extract:

*Chever’s and Ringwell Lanes form a pattern of back lanes, parallel to Church Street/Bell Hill and North Street respectively, characterised by much lower density, sporadic development compared with the main routes. **There is a minor focal point at Lyde Green, where The Barton bisects Chever’s Lane and a triangular grassed and treed space has a small cluster of cottages** (para. 5.3 emphasis added).*

Once again, this is referring to an area of land other than the Great Orchard. The only reference to it (as ‘The Old Orchard’) is in the analysis of the disaggregated character areas which are defined by “... *differing historical factors and the effects of topography*” (para. 6.1). The site is included in the character area identified on the Plan at page 21 of the document and is assessed as follows:

***Ringwell Lane, The Barton, Lyde Green and Cheever’s Lane:***

*these form a rectangular pattern of mainly rural lanes, set back from the traffic, and higher density of development of the main routes. There are small clusters of development along Chever’s Lane and Lyde Green; the west side of Ringwell Lane adjoins the modern Ringwell and Spring Field estate roads; and The Barton has the important gentry house of Manor Farm, its dovecot and other converted farm buildings. There is also modern infill on its west side. There are two significant*

*undeveloped areas on the east side of Ringwell Lane (along Norton Brook) and at The Old Orchard between the east side of The Barton and the rear boundaries of North Street and Bell Hill properties. Trees and hedges underline the rural character but stone walls also form boundaries or retain slopes. The buildings are a mixture of 18<sup>th</sup> and 19<sup>th</sup> century vernacular, Victorian Gothic and Tudor Revivals, and modern infill of varying sensitivity to the historic environment (para. 6.4).*

There is nothing in this analysis that suggests the Great Orchard site contributes essentially to the character of the Conservation Area, or is otherwise important to the locality. It is 'significant' in terms of its size as undeveloped land within a predominantly tight-knit urban context. The rural character of Chever's Lane essentially derives from open countryside to the north, and which is outside the defined settlement limits. The land to the south, comprising the proposed Great Orchard LGS, has a much more urban context owing to the existing development to the south and west. This is evident from the plan at Annex 1.

The conclusion from the above evidence and the Conservation Area Appraisal as a whole is that, not only is the character of NSP one of tight-knit, continuous development to which open spaces are not a dominant contributor, but the subject land itself is not identified as making a specific or essential contribution to its character. Indeed, owing to the high stone boundary walls around its only two external boundaries, and its elevation relative to the adjacent highways, views of, and into, it are very restricted and are limited to close views from Chever's Lane. However, even from here the height of the wall above the lane largely precludes views of the land itself, and in any views that may be possible, the dominant aspect across the site is to the rear of development fronting onto North Street, which is of poor visual merit.

It is difficult to ascertain from the Conservation Area Appraisal why the OALS designation was applied to the land, and there is certainly no robust evidence base in support of its inclusion as would now be required, and will be required to justify its enhanced protection as LGS. The principal reason would appear to be because it happens to be a sizeable undeveloped space within an otherwise close-knit settlement form. However, as outlined above, there would also appear to be some confusion deriving from the assessment of Lyde Green and its annotation on relevant maps. This may have contributed in error to its designation as an OALS notwithstanding its limited contribution to the character of the Conservation Area.

Notwithstanding, and without prejudice to, the foregoing, there is absolutely no justification whatsoever for the designation of the site as a Local Green Space (LGS), and it unequivocally fails to comply with the stringent criteria that need to be satisfied if it is to be so designated. Tested against the 'Criteria for Designation in Mendip' set out in the LGS Background Paper accompanying the consultation documents, the subject land fails to satisfy criteria 3 and 4. As a matter of fact, and as is evident from the foregoing

analysis, the site is within the NSP Conservation Area. Whatever its contribution to the settlement may, or may not, be, it is therefore already protected through other policies and designations. It is relevant that, in the LGS Technical Paper that was an evidence document supporting the initial LGS designations in the Issues and Options Consultation, it was expressly stated that sites which fall within Conservation Areas did not need additional protection “... *as their importance and contribution to a settlement must already be considered if any application falls within or in the vicinity of these sites*”. These principles continue to pertain, and on criterion 3 alone, designation of the Great Orchard site as LGS is not justified and continues to be wrong.

As is clearly stated in the LGS Background Paper, the LGS designation is “... **only** intended for sites which are not already protected through other means”<sup>4</sup>. The Great Orchard site is already protected through other means, that is its inclusion in the Norton St Philip Conservation Area. This provides more than sufficient protection from development for any character that it may be adduced to have.

The LGS Background Paper attempts to justify the designation as LGS of sites subject to other statutory protection, as follows:

*It can be argued that sites which are already subject to a statutory designation (such as falling within the curtilage of a Listed Building) would not benefit from an additional local designation. However, many of the original OALS designations have been in place for many years and during the consultation communities felt strongly that these sites should now be designated as LGS regardless of other layers of protection. As a result, a number of sites have been included which may already have some level of protection through planning policy. (LGS Background Paper, para. 1.13)*

The Great Orchard site is such an example of such a site that was formerly designated as an OALS, albeit for reasons set out in the foregoing representations, maybe mistakenly so, and has now been designated as an LGS having regard to its former status regardless of other layers of protection. Given the onerous development restraint, akin to that pertaining in the Green Belt, that is consequent upon LGS designation, this is considered to be a wholly flawed approach to designation. *Ipsa facto*, the provisions of the Plan are unsound.

Notwithstanding, and without prejudice to, the foregoing, there is no evidence that the land is ‘demonstrably special’ when tested against the considerations set out in criterion 4:

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<sup>4</sup> LGS Background Paper, para. 1.12, emphasis added



- i. The site is in private ownership and has no public access. *Ipsa facto* there cannot be, and are not, any public views from it. Moreover, because existing development backs onto it on two sides, and the other two sides are largely screened by high walls, there are no important public views towards significant local features. Even if there were, those views would be adequately protected by the Conservation Area designation.
- ii. The land is not a park, play area or recreation facility. For reasons outlined in relation to (i) above, it does not make a 'significant' visual contribution to the street scene or character of the settlement.
- iii. The site is not an important part of the street scene. This is endorsed by the Conservation Area Appraisal which barely cites it, and when it does, it is in terms of an anomalous undeveloped area. Moreover, the site itself is little visible in the street scene owing to its containment by walls and its elevation in relation to the public highway.
- iv. As outlined above, the land is private and has no public access. It therefore does not give rise to public views. To the extent that public views are possible from beyond the settlement to the west, the site is seen in the context of built development on three sides, and in particular the elevated properties to the east that are not of visual merit and have a negative impact on the character of the part of the settlement in which the site is situated. The site certainly does not make a 'significant' contribution to visual character, as is reflected in the 'silence' of the Conservation Area Appraisal in respect of it.
- v. The site is not informal recreation space and has no public access. It therefore does not support such public enjoyment or benefits. On the contrary, it is in agricultural use and registered with DEFRA for a small payment scheme.
- vi. The site has no local historical or cultural value. An attempt by those seeking designation of the site as LGS to claim this by designation as an historic battlefield, failed (see rejection of claim from Historic England at Annex 2).
- vii. The site has little wildlife value, as evidenced by the ecological assessment that formed part of a previous application for planning permission for its development (MDC Ref: 2013/2217/FUL).

The evidence of the Council's Conservation Area Appraisal, that the site has little intrinsic merit and does not contribute significantly to the character of the designation, has been endorsed through the Heritage Assessment that was prepared to accompany the application for residential development on the site, a copy of which is annexed to these representations (Annex 3). The assessment was prepared in accordance with best practice methodology and is the only evidence focusing on the contribution of the site in its surroundings that is available. The Council's justification for designating the site is not evidenced with any visual assessment or character appraisal whatsoever, and therefore amounts to little more than assertion. On the contrary, BHG's submissions in rebuttal of its designation are supported by robust and comprehensive evidence that follows best practice guidance.

With reference to BHG's evidence, the conclusions resulting from the assessment of the history and heritage significance of the site in Section 7 are that:

*The feature of greatest heritage significance is considered to be the rubblestone wall which is well constructed, and a characteristic and significant feature of the village which clearly marks out what was once an important piece of land which it was found important to keep secure through the construction of an extensive wall (para. 7.11).*

Designation of the site as LGS is neither necessary nor appropriate for protecting the rubblestone walls. Moreover, they are already satisfactorily protected by the controls over demolition that exist in Conservation Areas, and designation as LGS will not institute any additional layer of protection for them.

It is therefore clear that the designation of the site as LGS is excluded by the third criterion alone since any contribution that the site makes to the settlement is already protected through other policies or designations. Notwithstanding, and without prejudice to, the foregoing, the only robust evidence available in relation to the considerations set out in criterion 4 indicates that there is no justification whatsoever for designation of the site.

Those seeking the site's designation as LGS have not provided any robust evidence to the contrary, or any evidence whatsoever. Their claim is based on assertion and is not substantiated by evidence. Only two of the photographs on which they rely in support of their case (those from Chevers Lane) are publicly available views (absent access to a helicopter), and in those views the site is unable to be seen owing to the high stone boundary walls. Moreover, they have not had access to the site to survey its wildlife value. Neither the Council, nor those that have instigated designation of the site, have supported their assertions by robust

ecological assessment and/or Landscape and Visual Impact Assessment. Moreover, they have not produced any robust heritage assessment based on accepted methodology to corroborate their assertions, and which have previously been dismissed by Historic England. Whilst much reference is made to the LGS criteria, there is little rigorous testing of the credentials of the site against them, and no case is made as to why the inclusion of the site in the Conservation Area provides insufficient protection.

The Council's 'reasons for designation' set out in the LGS Background Paper are in the nature of assertion, and are neither supported, nor corroborated, by clear evidence. There is no visual assessment to demonstrate how, and in what ways, the site contributes 'significantly' to the village's rural character and the street scene, and this is not foreshadowed in the Conservation Area Appraisal, in which it is barely mentioned. If the site was adduced to make an important contribution to the significance of the heritage asset, then that should, and no doubt would, have been adduced in the appraisal of its character. Equally, if the openness of the site were an important feature in the historic development of the village, then once again, that would have been acknowledged in the appraisal of its historic character and significance. There is no inter-visibility between the site and Church Mead, and no public views in which the alleged 'mirroring' can be perceived.

The only site specific assessments that have been published on the Council's side are the various SHLAA assessments that have been undertaken. In this respect it is germane that the independent assessment undertaken in March 2008, and from which the Council did not dissent, found the development of the site to be 'suitable' for residential development, subject to removal of the open space designation. This confirms that there were perceived to be no overriding visual, heritage or other environmental or character constraints on its development. This seriously challenges the assertions regarding the site's contribution to village character on the basis of which it is now sought to justify the LGS designation.

The evidence therefore does not support designation of the site as LGS, the qualifying bar for which is set very high indeed, nor does it support continuation of any other open space designation, which was poorly supported by evidence in the first instance. When properly tested against the NPPF criteria, it falls a long way short of qualification. As is made clear in the NPPF, *"the Local Green Space designation will not be appropriate for most green areas or open space"* (para. 77). For the reasons set out above, it is not appropriate for LGSNP003, and there is no need for any other protective designation since it is within the Conservation Area through which sufficient safeguards are in place for any contribution that it might make to the character of the village.

It is evident from reading Section 11.20 of the Plan, and their extensive use, that the Council is seeking to use the LGS designations at Norton St Philip to limit further development beyond the Plan target for the remainder of the plan period. That is an inappropriate use of the LGS designations, particularly given the intention that they endure into future plan periods, and is inconsistent with the current and future local planning of sustainable development. It will effectively preclude further development at one of the most sustainable rural settlements not only during the remainder of the current plan period, but beyond. It will, in effect, plan for the stagnation and decline of Norton St Philip, which is wholly at odds with the intentions of the Government White Paper to release “... *more small and medium-sized sites, allowing rural communities to grow* ...”<sup>5</sup>. It is a wholly inappropriate and unjustified use of LGS designations that is inconsistent with national policy set out in the NPPF and the PPG. As such, the Plan is unsound.

Objection is therefore also raised to the provisions of Section 11.20 on grounds that no growth is planned for in Norton St Philip for the remainder of the Plan period to 2029. The recent history of the village shop that was provided for as part of the redevelopment of the former Chicken Factory at Fortescue Fields demonstrates that the community facilities are on the margin of viability. Precluding growth and development over a further 11 year period will not assist that situation and would be wholly inconsistent with the direction of travel of Government policy set out in the White Paper.

## REQUIRED CHANGES

- Since, for the reasons set out above, the application and use of LGS designations is inconsistent with both national policy set out in the NPPF and PPG, and the ‘Criteria for Designation in Mendip’ that the Council has set for itself, the changes required will involve overall review of the LGS designations which is likely to result in a significant reduction of the designations currently proposed in the Plan. In particular, the designation of the Great Orchard as LGS (LGSNP003) is wholly unsupported by the evidence base, and therefore unjustified. It should therefore be removed from the Policies Map contained in Section 11.20 of the Plan.
- Given that it is unsustainable to preclude further development over the remaining plan period of 11 years, and the direction of travel of Government policy set out in the Housing White Paper, the Bell Hill Garage site, and adjoining paddock to the north, as outlined on the Plan at Annex 1, should be allocated for residential development on the Policies Map contained in Section 11.20.

<sup>5</sup> Fixing our broken housing market, DCLG, February 2017, p.18

## MENDIP LOCAL PLAN PART II: PRE-SUBMISSION CONSULTATION

PLAN PROVISIONS	Section 3 (Housing Land) Table 2 (Allocations in Primary and Secondary Villages) Subsection 11.20 (Norton St Philip) Paragraph 11.20.2 (Site Allocations)
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### OBJECTION

Objection is raised to the above provisions of the Plan in that they fail to allocate land for any further housing development at Norton St Philip during the remainder of the Plan period to 2029, and in particular fail to allocate land at Bell Hill Garage as identified on the Plan at Annex 1. Given the extensive application of LGS designations to most undeveloped land within and adjacent to the settlement boundary, there is also very limited potential for windfall development to sustain the village and its community facilities.

The reasoned justification set out in paragraph 11.20.2 of the emerging Plan states that no sites are allocated since the planned level of development for the village has already been achieved. However, the target is a minimum, and to preclude further development, not least by an over-extensive and unjustified designation of LGS to any significant remaining undeveloped land within the settlement boundary, is a wholly inappropriate approach.

It is germane that Norton St Philip (NSP) has only recently been elevated to the status of a 'primary village'. Its development potential has, until then, been suppressed by its designation as a lower order settlement. Having recently been elevated to primary status, and therefore crossed the threshold to a larger settlement category, the village needs further expansion to sustain the facilities on the basis of which it is now categorised as a primary settlement and to ensure that it stays above the threshold.

NSP is a sustainable settlement having a good level of facilities of its own, and being one of the largest Mendip villages in closest proximity to Bath. It has good existing public transport links with Bath, and is a more sustainable location than some of the main towns for those who look to Bath for employment, schools

and other daily requirements. It is acknowledged in the Part 1 Plan that Bath exerts a considerable influence on settlements in the northern parts of Mendip in particular. Given these circumstances, NSP is a more sustainable location in which live in Mendip for those who travel into Bath on a daily basis than either Frome or Shepton Mallet.

Through the examination of the Part 1 Plan, the Inspector required its modification to express the housing quanta as 'minima'. It is imperative that Mendip plans to exceed the 'minima' given that it is the 'delivery' of the minimum required housing quanta that is imperative, not merely making provision for it in a plan, and it is normal to expect that an element of the planned provision will not be delivered. The substantial requirement for affordable housing, which considerably exceeds that which can be delivered on the back of the planned provision, is a further factor that militates in favour of exceeding the minimum requirement.

It is germane that, as a result of the decision to extend the end date of the Plan to 2029, the Part 2 Plan needs to find sites for an additional 500 houses which have not been assigned to any settlements. This is addressed in paragraph 4.21 of the Part 1 Plan and the following policy guidance was proposed by participants at the Part 1 Plan Examination, endorsed by the Inspector, and is now included in the Plan:

*The Review of Housing Requirements (2013) and the rolling forward of the plan period to 2029 will result in an additional requirement for 505 dwellings in the District. This will be addressed in the Local Plan Part II: Site Allocations which will include a review of the Future Growth Areas identified in this plan. ... **Allocations from this roll-forward are likely to focus on sustainable locations in accordance with the Plan's overall spatial strategy as set out in Core Policy 1 and may include land in the north/north-east of the district primarily adjacent to the towns of Radstock and Midsomer Norton....** (MDLP1, para. 4.21, emphasis added)*

The reference to 'north-east' of the district was in direct response to BHG's submissions to the Part 1 Plan relating to the suitability of NSP to accommodate a greater quantum of development. Whilst the primary focus of the additional quantum might be at Norton Radstock, it is entirely in accordance with the Part 1 Plan to allocate a proportion of the unassigned requirement to future growth areas in the north east of the district. Since NSP is the largest settlement in the north east of the district in closest proximity to Bath, and the reference to 'north-east' was inserted in response to the submissions made by BHG at the Examination, a larger quantum of housing at NSP is entirely in accordance with the intentions of the Inspector in modifying the Part 1 Plan through the provisions of paragraph 4.21 to ensure that it met the tests of soundness.

For reasons adduced in earlier representations, it would be completely untenable for a sustainable settlement such as NSP to be faced with a moratorium on further development until 2029. That would be the consequence of adhering rigidly to the housing quanta in the Part 1 Plan. It would be wholly inconsistent with promoting healthy communities and planning for their needs. Moreover, it would be inconsistent with the direction of travel of the Housing White Paper<sup>6</sup> to allocate a greater range of smaller sites, including in locations to sustain rural communities.

For the reasons set out above, and not least in order to accommodate the additional, unassigned housing requirement in part in the north east of the District in accordance with the Part 1 Plan, further sites for housing development should be allocated at NSP through the Part II Plan. The site of Bell Hill Garage, and adjoining land to the north, is within the settlement boundary and entirely suitable for development absent the unjustified and untenable LGS designation.

The site is in the existing development limits of NSP and the southern part of the site is occupied by an existing commercial garage with filling station forecourt fronting onto Bell Hill, which is included in the Council's brownfield register. This part of the site has previously benefitted from planning permissions for redevelopment. There remains an extant planning permission for 3 dwellings on part of the site at the rear of Chapel House, the site area of which extends into the adjoining paddock to the north. It is acknowledged in the Conservation Area Appraisal as follows:

*The garage on Bell Hill is one obvious intrusion into the historic townscape, introducing a large, blocky structure and breaking the continuity of building frontages. (para. 7.26).*

The land to the north of the commercial site that it is proposed to designate as LGS (LGSNP0003) is a rough paddock that is contained by walls to the west and north. To the east the land is abutted by the rear gardens of properties in North Street, which are elevated in relation to the site. To the south it is abutted by the commercial garage and the rear curtilages of residential properties to the west of the garage. It is therefore a contained site that is little seen other than in private views from the rear of adjoining residential properties, or in close views from Chevers Lane where it passes the site and from which views are restricted by the elevation of the site in relation to the road and the wall that contains it.

As outlined in the representations above, an independent assessment of the site by consultants commissioned to prepare the 2008 SHLAA found that it had no overriding constraints and provided a

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<sup>6</sup> Ibid



suitable development opportunity (see extracts at Annex 4). This was endorsed by development control and planning policy officers in 2012 who, when faced with a shortfall in the five year land housing land supply in the district at that time, encouraged an application to be made. Although that application was subsequently refused owing to a change in the land supply situation during its determination period, the evidence by which that application was supported, and which was forthcoming from Historic England in response to attempts by those seeking to resist the development through designation of the site as an historic battlefield, confirms that there are no overriding heritage reasons for resisting development on the site.

The site therefore presents a beneficial development opportunity that can deliver additional housing to support the village, and accommodate the additional requirement for which provision must be made in the north east of the district. It is within the development limits and well-integrated with the existing village fabric, and can deliver wider benefits in terms of the redevelopment of the existing garage site which is acknowledged as having a negative impact on the character of the Conservation Area. A viable scheme of redevelopment cannot be achieved on the garage site in isolation, not least owing to the abnormal costs of site reclamation.

For reasons set out in earlier representations, the site does not qualify for designation as LGS on the basis of the relevant criteria. The existing designation as an Open Area of Local Significance should not be carried forward, and the site should be identified as a development opportunity in the Part II Plan.

## REQUIRED CHANGES

- Amendment of Section 3, Table 2 to include the identification of the omission site at Bell Hill Garage identified on the Plan at Annex 1 for housing development.
- Amendment of the village Policies Map contained in Section 11.20 to omit the LGS designation and replace it with a housing allocation.
- Consequential amendments to paragraph 11.20.2.

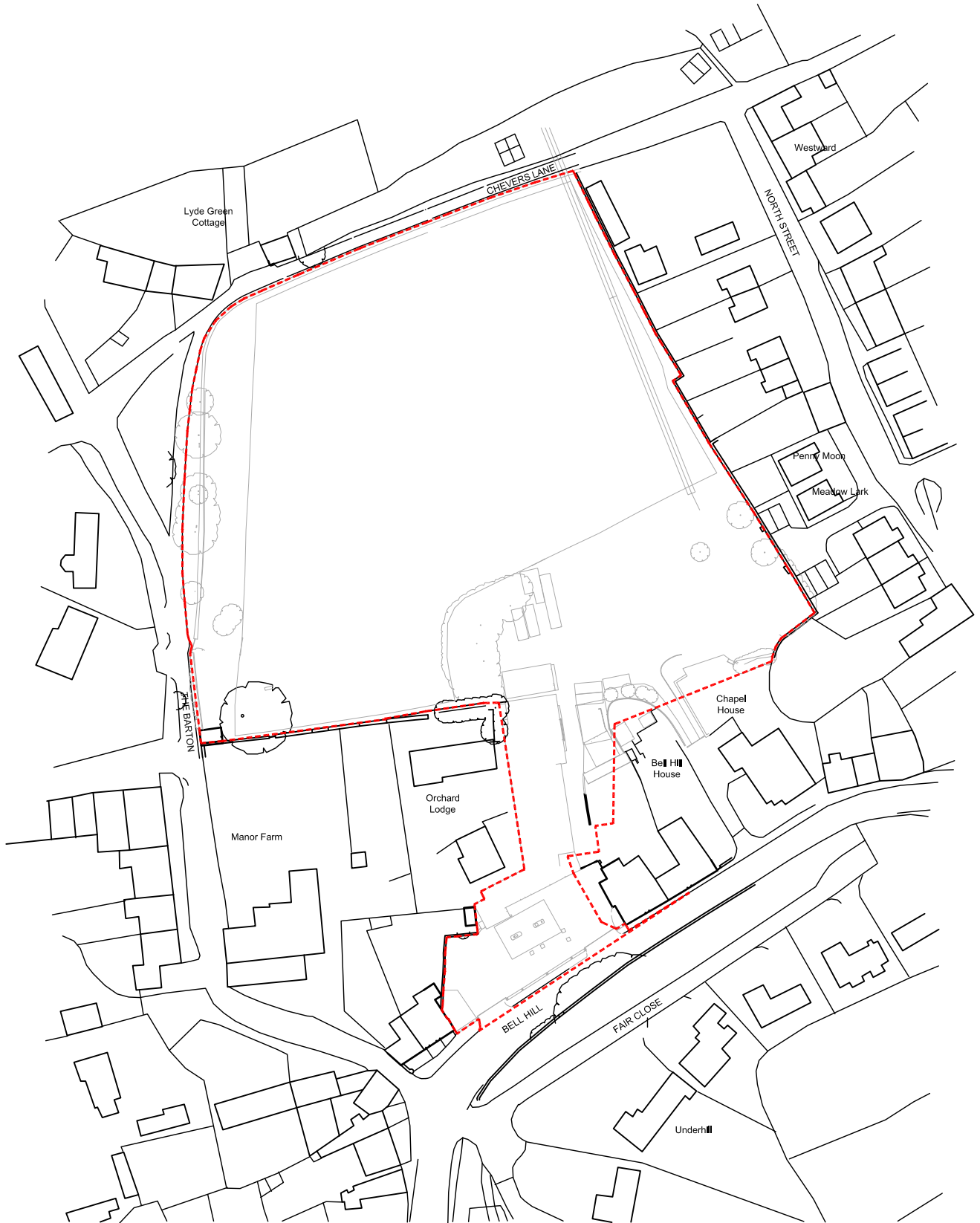




## ANNEX 1

## SITE LOCATION AND CONTEXT PLAN





0 12.5 25 37.5  
scale in metres

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## BELL HILL GARAGE SITE NORTON ST PHILIP

Drawing Title  
Plan - Location

Drawing Number  
**P - L**

Rev.

Job No  
13/003

Date 25.09.2013

Scale 1:1250

A4



## ANNEX 2

## HISTORIC ENGLAND BATTLEFIELD ASSESSMENT



**Application Name:** Battlefield site at Norton St Philip, Somerset**Number:** 482507**Type:** New**Heritage Category:** Battlefield**Address:**

Fields adjacent to Lyde Green Cottage and Chevers Lane

County	District	District Type	Parish
Somerset	Mendip	District Authority	Norton St. Philip

**Recommendation:** Reject**Assessment****CONTEXT**

English Heritage has received an application to consider the fields to the north and south of Chevers Lane, Norton St Philip, Somerset for inclusion on the Register of Historic Battlefields. It is claimed to be the site of a major skirmish in the Monmouth Rebellion of 1685. There is a planning application for the construction of 49 houses on the southernmost field (2013/2217/FUL). The southern field is in the Norton St Philip Conservation Area and is associated with Manor Farm (listed at Grade II).

**HISTORY AND DETAILS**

The Monmouth Rebellion took place in June and July 1685 as a result of James Scott, 1st Duke of Monmouth, contesting his uncle James II's claim to the English throne, following the death of Charles II. Monmouth landed at Lyme Regis on 11th June from the Netherlands, and marched north gathering support for his revolt. After marching on Bristol, Monmouth reached Keynsham, where he changed his plan to attack the city, and retreated to Norton St Philip on 26th June 1785. The List Entry for The George Inn (Grade I), Norton St Philip states: "Among the historical personages associated with the Inn are the Duke of Monmouth, who is said to have used it as his headquarters on the occasion of a skirmish in the village with Royalist troops under Feversham". After a bloody skirmish in the village on 27th June, the King's troops were fought off, and there is anecdotal evidence of finds of cannonballs and other remnants of the skirmish in the fields. However, with news arriving of the defeat of other rebellions in the north, Monmouth lost support and retreated to Bridgewater. At the decisive Battle of Sedgemoor (6th July 1685) his rebellion was crushed. Monmouth escaped the battle, but was soon caught, tried and executed. James II's response to Monmouth's supporters was swift, with some of Judge Jeffrey's infamous Bloody Assizes likely to have been held at The George Inn at Norton St Philip. The sentences were harsh and the public reaction to them played some part in James's overthrow in the Glorious Revolution of 1688.

In 2013, there are proposals to develop the southern field with housing.

**ASSESSMENT**

Based on the information provided and with reference to English Heritage's Battlefields Selection Guide (April 2012), the fields to the north and south of Chevers Lane, Norton St Philip, Somerset are not recommended for registration for the following principal reasons:

\* Battlefield Registration Criteria: The Register does not include all sites of conflict. Skirmishes (engagements between military forces not in battle array) are typically excluded unless they form part of the course of a battle. This skirmish, although major, was not part of the course of a battle, the Battle of

Sedgemoor taking place ten days later, over thirty miles away.

#### CONCLUSION

After examining all the records and other relevant information and having carefully considered the merits of this case, the criteria for registration are not fulfilled. As a result, the fields to the north and south of Chevers Lane cannot be recommended for inclusion in the Register of Historic Battlefields. However, while the site is not suitable for inclusion in the Register it may still have archaeological value or merit inclusion on a local list of heritage assets.

#### WEB SOURCES

UK Battlefields Resource Centre:

<http://www.battlefieldstrust.com/resource-centre/stuart-rebellions/campaignview.asp?campaignId=3>  
[accessed 20/11/2013]

The Norton St Philip Homepage:

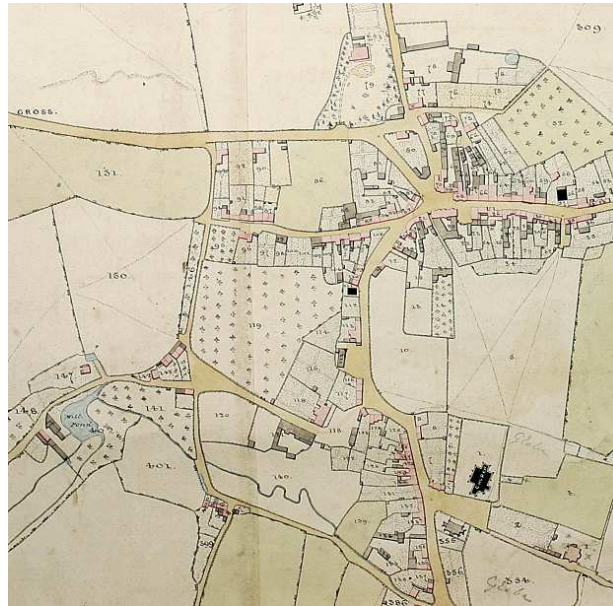
<http://www.hks.demon.co.uk/norton/history.htm> [accessed 20/11/2013]



## ANNEX 3

## HERITAGE ASSESSMENT

# GREAT ORCHARD & BELL HILL GARAGE NORTON ST PHILIP



## HERITAGE APPRAISAL & IMPACT ASSESSMENT IN CONSIDERATION OF RESIDENTIAL DEVELOPMENT

*for*

Countrycraft Developments Ltd

April 2014

SUBMISSION V1

### HERITAGE VISION LTD

[www.heritagevision.co.uk](http://www.heritagevision.co.uk)



**RTPI**

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## 1. PURPOSE OF THE STATEMENT

### 1.1 Overview

This heritage appraisal and impact assessment has been prepared for Countrycraft Developments Ltd, owners of the land known as Great Orchard and Bell Hill Garage, located on the north side of Bell Hill, Norton St Philip. Great Orchard and the garage site are proposed for residential development. The site is within Norton St Philip Conservation Area, abuts Manor Farmhouse, listed grade II, is in proximity to a Medieval dovecote which is both listed grade II\* and is a Scheduled Ancient Monument and is close to Old Hopyard, Lyde Green, an early C18 cottage, listed grade II; the development of the site will therefore have an impact upon the historic environment. In accordance with the requirements of the National Planning Policy Framework (NPPF) a heritage appraisal and impact assessment for the proposed development should therefore be provided:

*Para. 128 In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary ...*

*Para. 129 Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.*

### 1.2 Recent planning history

An application by Countrycraft Developments Ltd for the demolition of Bell Hill Garage and the development of the garage site and Great Orchard with 49 houses was submitted to Mendip District Council (MDC) on 15<sup>th</sup> November 2013, ref: 2013/2217. Consultees and contributors have raised issues with the proposal, notably with the partial removal of the rubble stone wall that bounds Great Orchard, with the general impact of the proposal on the conservation area and with the principle of developing Great Orchard. MDC in assessing the planning application has requested a heritage appraisal and impact assessment for the site in accordance with the requirements of the NPPF in order to provide both a greater understanding of the heritage significance of the site and an assessment of the impact of the development on the identified heritage significance of the site. This appraisal and assessment is provided in response to MDC's request.

### 1.3 Author

This heritage appraisal and impact assessment has been prepared by Nichola Burley, Dip Cons Arch, MRTPI, IHBC, Heritage Vision Ltd, an appropriately qualified and experienced building conservation, design and planning professional as required by the NPPF. Further details of qualifications and experience may be obtained at [www.heritagevision.co.uk](http://www.heritagevision.co.uk).

## **2. EXECUTIVE SUMMARY**

### **2.1 Location of the site & context**

The Site is located in Norton St Philip, a large village, roughly 8 miles south of Bath and 8 miles north of Frome, off to the east of the Mendip Hills. The site comprises Bell Hill Garage and the land to the north of it, known as Great Orchard, located on the north west side of Norton St Philip, on the north side of Bell Hill, the principal route into the village from the west. Norton St Philip is made up of a number of parts of subtly different character, owing principally to its evolution in connection with Hinton Priory in the C13 and C14. The village retains its historic character; it has a high density of buildings that are recognised as being of national architectural and historic importance and much of the village is protected through the designation of an extensive conservation area. The attractiveness of the village and its proximity to Bath, Frome and Bristol, has led to it becoming a popular place to live and subsequently to its expansion with residential development in the late C20 and C21.

### **2.2 Description of the site**

The site is made up of the developed site of Bell Hill Garage with its frontage on Bell Hill and Great Orchard, a field behind the garage that is bounded by The Barton to the west, Chevers Lane to the north and the rear gardens of houses along North Street to the east. The west and north edges of Great Orchard are marked by an historic, rubble stone wall. The eastern edge of the site is marked by the back gardens of houses along the west side of North Street. The southern edge comprises the rear yard of the garage, the gardens of a modern house and the garden of historic Manor Farmhouse. The site slopes down to the west towards the valley of the Norton Brook; falling from North Street to The Barton. Views are offered out from the site to the north and west, over old and new buildings, to the hills beyond.

### **2.3 The development**

The proposed development is the demolition of all of the structures on the Bell Hill Garage site, the construction of two houses fronting Bell Hill at the western edge of the frontage and the creation of a junction on Bell Hill for a new road running back through the garage site to access Great Orchard. Great Orchard is proposed for development with a number of houses set around a green. The houses are all to be constructed of Douling stone, detailed to appear as characteristic dwellings of Norton St Philip.

### **2.4 History of Norton St Philip**

Norton St Philip existed at the time of the Domesday survey and is believed to have at least Saxon origins by virtue of field patterns close to the parish church, although no direct evidence of Saxon settlement has been found. A settlement is known to have been in place close to the church by 1226 when the manors of Norton and neighbouring Hinton were gifted to the Order of Carthusian Monks. The monks established a priory at Hinton

and a grange, an estate farm for the priory, at Norton, for which the dovecote survives along with vestiges of the tithe barn. The C17 Manor Farmhouse that exists today is believed to be on the site of the original grange farmhouse. Hinton hosted a wool market which became so successful that it disrupted monastic life. The wool fair was transferred to Norton from Hinton. At Norton the fair grew to be of regional if not national importance. The success of trade in the C14 is believed to be the reason for the monks establishing a new town along the top of the hill, comprising what is The Plain and High Street, then known as the Market Place and South Street, and North Street, with the focal point being The George Inn which acted as a lodging house and trade centre. Following the dissolution of the monasteries the manor passed into the hands of royalty until 1666 when it was purchased by Lord Craven. A survey undertaken by Craven in 1638 shows the separation between the early and planned parts of the settlement at the top and bottom of the hill. Markets and fairs continued as major economic drivers for Norton St Philip until the late C18. By the time of the 1838 parish tithe map Bell Hill clearly links the upper and lower parts of the village and has some development along either side of the road, but other than that there is little change between the form of the village in 1638 and 1838. By 1902 the markets and fairs had ceased. With no industry, major road or rail link, there was no impetus for change and the settlement did not alter significantly until the mid C20. The 1961 OS map shows the new houses on Ringwell, on the west side of the village. Since the 1970's further residential development has been added to the edges of the village and a major industrial site added on the south eastern edge: the poultry processing plant. Today the poultry plant is being redeveloped for housing and a number of other residential developments sites are being promoted to satisfy the demand for housing in the area. Housing proposals are generally causing concern amongst existing residents as they are perceived as a potential threat to the quality and character of Norton St Philip.

## 2.5 Heritage significance of the site

Great Orchard and the Bell Hill Garage site are believed to have late C13, early C14, monastic origins as part of Norton Grange, most probably as an orchard. The current west and north boundaries of the site are believed to mark the late C13, early C14 edge of the field. North street was presumably the original northern edge of the field. The garden plots along the eastern side of the site, serving properties on North Street, were laid out by the mid C17. The rubblestone wall along the western and northern edge of the site is believed to date from the late C17, probably coeval with the building of Manor Farmhouse, listed grade II, which is believed to have replaced the original grange house. The southern boundary of the site along Bell Hill has been built upon and encroached by gardens since at least 1838. Development along both sides of Bell Hill has removed Great Orchard's importance as a belt of open land contiguous with Fair Close and Church Mead that served to separate the lower Saxon settlement and grange from the upper Medieval new town focused on the George Inn. Great Orchard has no historic or current role as a public space it has always been a secure private space. Public access to the site and the provision of some public open space along with the interpretation of the grange and the history of the village would add to the historical appreciation and enjoyment of the

village. C20 development along the eastern edge of Great Orchard, along North Street, detracts from the character and appearance of the conservation area. The site's feature of greatest heritage significance is considered to be the rubblestone wall which is well constructed and is a characteristic and significant feature in the village which clearly marks out what was once an important piece of land, with C13 or C14 origins, which it was found important to keep secure at some point in time, probably the C17, through the construction of such an extensive wall.

## 2.6 Heritage impact assessment

Subject to the retention of the rubblestone boundary wall, the creation of only limited openings in the wall on Chevers Lane to permit pedestrian access to the site to enable the integration of the site with the village as well as public enjoyment and interpretation and the retention of a visually significant vestige of green space to retain some of the area's character, it is found that the creation of an inwardly focused, discrete development of locally characteristic houses in Great Orchard would serve to preserve the identified heritage significance of the site and would preserve the character and appearance of the conservation area. The provision of appropriate frontage houses on Bell Hill would enhance the character and appearance of the conservation area and enhance the setting of listed buildings. Furthermore it is found that the proposed development offers opportunities to enhance the character and appearance of the conservation area and add to the enjoyment and history of the area through the provision of heritage interpretation and access to the site which has never before offered public access. The proposed revised layout for the development satisfies these development considerations and it is found that, subject to detailing, on balance the proposal would conserve the character of the conservation area overall and in places would enhance the appearance of the conservation area. The proposed development is considered to offer significant benefits and opportunities for the enjoyment and appreciation of Norton St Philip's historic environment.

### 3. CONTEXT

#### 3.1 Location

The Site is located in Norton St Philip, a large village located 8 miles south of Bath and 8 miles north of Frome, surrounded by open rolling countryside off to the east of the Mendip Hills. The site, comprising Bell Hill Garage and the land to the north of it, known as Great Orchard, is located on the north west side of Norton St Philip, on the north side of Bell Hill, the principal route into the village from the west, figure 1.



Figure 1. Aerial photograph of the site and its context on the north west edge of Norton St Philip

#### 3.2. Norton St Philip

##### 3.2.1 Overview

Norton St Philip is made up of a number of parts of subtly different character, owing principally to its monastic connections in the C13 and C14. The notable buildings that remain from this period are the remarkably well preserved C14, George Inn, listed grade I, figure 3, and the medieval dovecote and manor house to the south west of the site. The



village has a high density of buildings that are recognised as being of national architectural and historic importance: 89 listed buildings in the village. The architectural and historic interest of the village has led to the designation of an extensive conservation area, figure 2. The attractiveness of the village and its proximity to Bath, Frome and Bristol, has led to it becoming a popular place to live and subsequently to its expansion with residential development in the late C20 and C21. However the village retains a general homogeneity due to most of the buildings, of whatever age, being constructed of locally quarried limestone, used in both ashlar and rubble form.

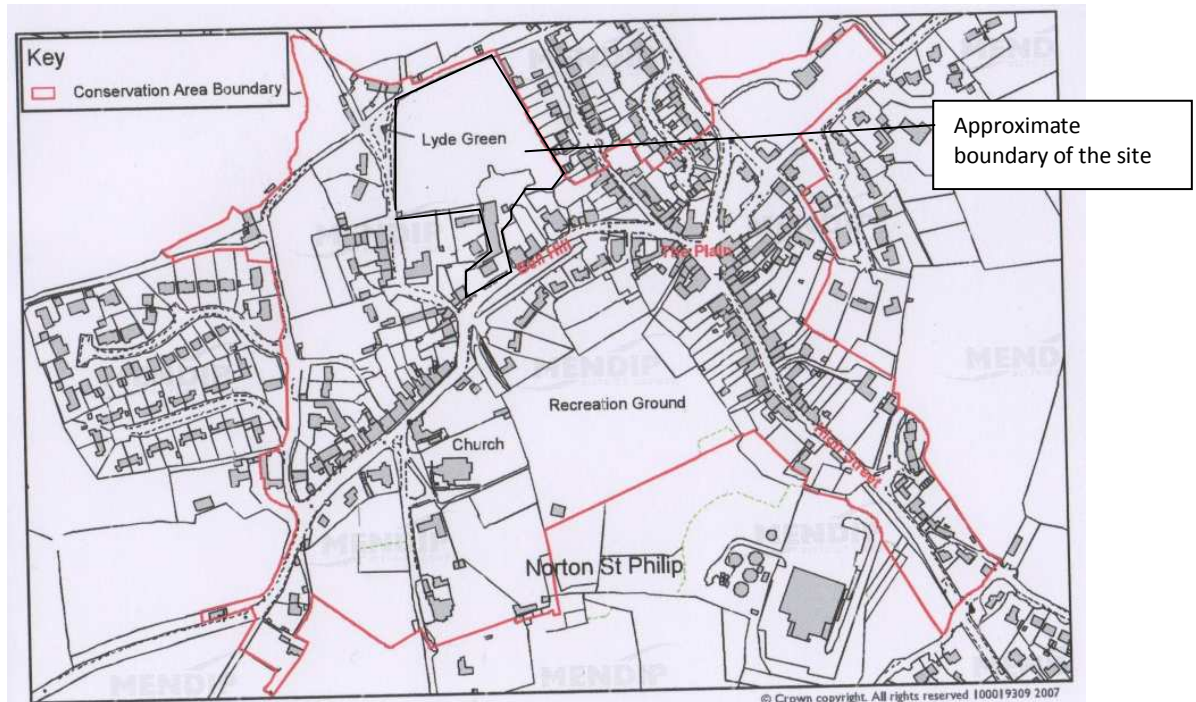


Figure 2. Norton St Philip Conservation Area. ©Mendip District Council

### 3.2.2 Principal historic streets

High Street and The Plain, the wide section of road in front of The George Inn at the northern end of High Street, form the main street through the village, running roughly north – south. The street is lined with characteristic local limestone houses. The High Street and The Plain are in a physically high location, running along a ridge. To the west of the main street the land slopes quite steeply down to the Norton Brook which rises north of Bell Hill and runs northwards. Bell Hill runs down the slope, from the northern end of The Plain, to provide the village's western access route which goes on to become Church Street then the Wells road, figure 4. Bell Hill is lined with both historic and more recent houses. The proposed development site is on the north side of Bell Hill, set mid way along its length, figure 5. The parish church is at the bottom of Bell Hill, adjacent to a collection of cottages with early fabric, figure 6. Located between the rear of properties on The Plain and High Street, and the church, is an open field, 'Church Mead', used by the village as its recreation area. Good views across Church Mead to the church and to the hills beyond can be gained from the rear of The George, figure 7. North Street, a narrow lane, figure 8, lined with historic and modern houses, extends north west from The Plain just beyond The George Inn. North Street is not however the principal northern route of the town,

that is provided by an extension of The Plain, which goes off to the north east to become Bath Road. North Street links through to narrow Chever's Lane which marks the north west edge of the village and bounds the northern edge of the site, figure 9. Chevers Lane joins The Barton, another narrow lane, runs along the southern edge of the site giving access to Manor House, the dovecote and the other former outbuildings of the grange, now converted to residential use. The Barton links through to the bottom of Bell Hill, just below the garage site, figure 10. At the junction of Chevers Lane and The Barton is Lyde Green, figure 10, a triangle of land bounded by a number of historic cottages, including Old Hopyard, listed grade II, west of which runs Wellow Lane which leads to Norton St Philip's mill, set on the Norton Brook.

### 3.2.3 Modern development in proximity of the site

The Barton and North Street, the lanes that bound the site to the east and west respectively, are lined with historic houses interspersed with more recent houses, figures, 12 – 14. West of The Barton, across the valley of the Norton Brook, is historic Ringwell Lane and off to the west of Ringwell Lane are the extensive modern residential developments of Springfield and Ringwell, figure 15. On the south side of Bell Hill is modern housing on Fair Close, figure 16. Not adjacent to the site but notable for its visual prominence in the village is the Fortescue Fields development at the southern end of High Street above Church Mead, which is currently under construction, figure 17.



Figure 3. The George Inn and High Street extending southwards, Fortescue Fields in the background



Figure 4. Top of Bell Hill, north side of The George Inn, looking towards High Street





Figure 5. Bell Hill Garage north side of Bell Hill, Church Street beyond



Figure 6. Cottages on Church Street opposite the church



Figure 7. View from the rear of The George Inn across Church Mead to the church at the bottom of Bell Hill



Figure 8. North Street, north of The George Inn, heading north off of Bell Hill



Figure 9. Chevers Lane looking west towards Lyde Green, open countryside to the north beyond the hedge (right of photograph), site beyond the rubblestone wall to the south



Figure 10. The Barton, The Site to the west beyond the wall, Church in the distance to the south





Figure 11. Lyde Green in the middle ground, looking north along The Barton, The Site to the east beyond the wall



Figure 12. C20 housing on the west side of North Street backing on to The Site



Figure 13. C20 housing on the west side of North Street backing on to The Site



Figure 14. C20 conversion of an outbuilding, west side of The Barton



Figure 15. C20 housing on Springfield and Ringwell, west of The Barton and Ringwell Lane viewed from The Site, looking west



Figure 16. C20 bungalows on Fair Close, south side of Bell Hill just west of the Bell Hill garage frontage



Figure 17. Fortescue Fields under construction east of Church Mead

#### 4. DESCRIPTION OF THE SITE & ITS SETTING

##### 4.1 Bell Hill Garage

The garage business at Bell Hill Garage was started in 1949 and it remains on the same site today operating as a retail, lease and vehicle workshop business. The garage is no longer a petrol retailer but a forecourt canopy remains in place sheltering vehicles for sale and customers vehicles, figure 18. A traditionally constructed stone and clay tile building is located behind the canopy, to the rear of this is a large workshop building with further steel frame buildings beyond that. To the rear of the site are parking and storage yards.



Figure 18. Bell Hill Garage looking up Bell Hill from the junction with The Barton

##### 4.2 Great Orchard

###### 4.2.1 Overview

Great Orchard is a field, wholly enclosed by either an historic stone wall or by the rear walls or hedges of bounding properties. There are no trees within the field, although there are a few on its boundaries; it is just an enclosed area of rough grassland. Great Orchard is not amenity grassland as Church Mead is, it comprises rough, low maintenance grass. The field slopes westwards, dropping down from the rear gardens of the houses on the west side of North Street to the stone boundary wall along the east side of The Barton. There are two access points, one to the rear of Bell Hill Garage, the other from a gateway on The Barton, figure 11.

###### 4.2.2 Southern edge

Bell Hill Garage abuts the south eastern edge of Great Orchard with a thick hedge between its parking yard and the field, figure 19. The middle of the southern boundary of Great Orchard is abutted by the garden of a modern house that is accessed from The Barton, figure 20. The south eastern corner of Great Orchard abuts the garden of the Manor House, listed grade II, figure 20. The trees and the houses block views out from the site to the east.





Figure 19. Thick hedge between the back of Bell Hill Garage and the site



Figure 20. Modern house and garden of the Manor House abutting the southern edge of the site

#### 4.2.3 Western edge

The western edge of Great Orchard is bounded wholly by the rubblestone wall which runs along the east side of The Barton, along which, on both sides of the wall, are a few shrubby trees, figure 21. The access gate on The Barton offers views up Great Orchard to the rear of the houses along North Street, figure 22. From midway up, to the top of Great Orchard, views can be gained from the field, beyond the wall and trees, to the modern development of Ringwell and Springfield, the medieval dovecote, and to the hills beyond, figure 23.

#### 4.2.4 Northern edge

The northern edge of Great Orchard, like the western edge, is marked by the rubblestone wall, this time running along Chevers Lane. The houses at Lyde Green can be seen to the north west, figure 24. Beyond the north eastern corner of Great Orchard the roof tops of historic houses at the top of Chevers Lane can be seen beyond the wall, figure 25.



Figure 21. Fine rubblestone wall along the western edge of the site along The Barton, looking towards Lyde Green



Houses on North Street

Figure 22. Access point in the wall along The Barton offering views up Great Orchard to North Street



Modern houses

Medieval dovecote

Access gate

Figure 23. Views to the west across the dovecote, Springfield and Ringwell





Figure 24. Cottage on Lyde Green, Chevers Lane beyond the northern wall with wide ranging views to the countryside beyond



Figure 25. View to the north west to historic houses at the top of Chevers Lane



Figure 26. Rear of properties on the east side of North Street along the eastern edge of Great Orchard

4.2.5 Eastern edge

The eastern edge of Great Orchard comprises the rear boundaries of modern houses on the east side of North Street, figure 26.

## 5. PROPOSED DEVELOPMENT

### 5.1 Overview

The proposed development is the demolition of all of the structures on the Bell Hill Garage site, the construction of two houses fronting Bell Hill at the western edge of the frontage and the creation of a junction on Bell Hill for a new road running back through the garage site to access Great Orchard. Great Orchard is proposed for development with a number of houses set around a green. The houses are all to be constructed of Douling stone, detailed to appear as characteristic dwellings of Norton St Philip.

### 5.2 Initial proposal for Great Orchard

Planning application 2013/2217 proposes 49 houses with three points of vehicular access in addition to the new road off of Bell Hill: a point of access at the existing gate on The Barton and two points of access towards the top of Chevers Lane. The boundary wall along The Barton and Chevers Lane is proposed for removal in its entirety to be replaced by frontage houses, figure 27.

### 5.3 Potential proposal

A revised proposal with vehicular access only from Bell Hill, retaining the boundary wall, with less houses and a larger green, is now being considered, with final details yet to be resolved, figure 28.

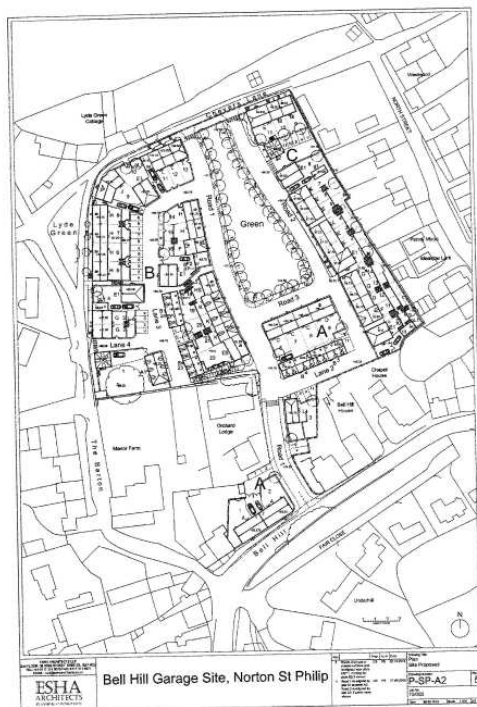


Figure 27. Initial proposal

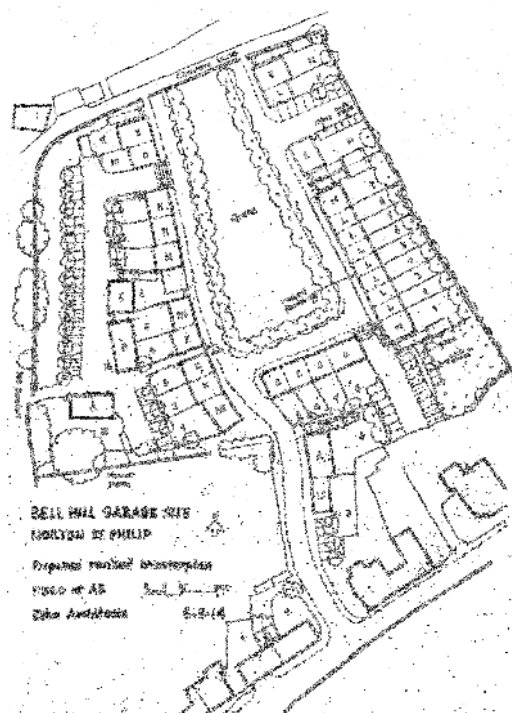


Figure 28. Potential amended proposal

## 6. HISTORY OF NORTON ST PHILIP & THE SITE

### 6.1 Overview

The probable and known history of Norton St Philip is well documented: conjectural evidence of Saxon settlement by the church, C13 monastic establishment which expanded the settlement, immense success as a regional centre for trade in cloth, the dissolution of the Hinton monastery and subsequently its grange at Norton, the lesser subsequent role of the village as a general market for the area and the attractiveness of the village as a place to live in the late C20 and C21. The short history of the village provided below is taken principally from the *Extensive Urban Survey: Norton St Philip (EUS)*, English Heritage & Somerset County Council, updated in 2003 and from *The Manors of Norton St Philip and Hinton Charterhouse 1535 – 1691*, Colin J Brett, Somerset Record Society, 2007.

### 6.2 Pre-history - Roman period

The EUS advises that, as yet, there has been no archaeological work in Norton St Philip that has found evidence of either pre-historic or Roman settlement, other than the Roman Road to the north east of the village.

### 6.3 Saxon & Norman period

#### 6.3.1 Up to 1066

The EUS advises that a Saxon settlement could well have existed centred on the parish church, figure 29, although there is only indirect evidence of this and the suggested siting of the settlement is conjectural. It is considered to be plausible to suppose that either the irregular plots at the fork west of the church, or the area around the green directly west of the church, could represent the early focus of settlement. Alleged earthworks south of the churchyard may be linked to a possible Saxon or early medieval shifted focus (Anon, 1995). The mill site may also have Saxon origins. Prior to 1066 *Nortune* (Norton St Philip) and *Hantone* (Hinton Charterhouse) existed as separate manors both paying taxes of 10 hides to King Edward the Confessor.

#### 6.3.2 1066 – 1227

After the conquest in 1066, King William I granted the two manors to Edward de Evreux (Devreux) of Salisbury along with 36 manors in Wiltshire and 2 in Dorset. Edward's male line was awarded the title of Earl of Salisbury in 1135. The manors would have operated in the traditional way: local population gathering everyday needs in terms of food, clothing, building and heating from the arable land in the common fields, meadows, pasture and woods, paying their dues to the Lord of the Manor.

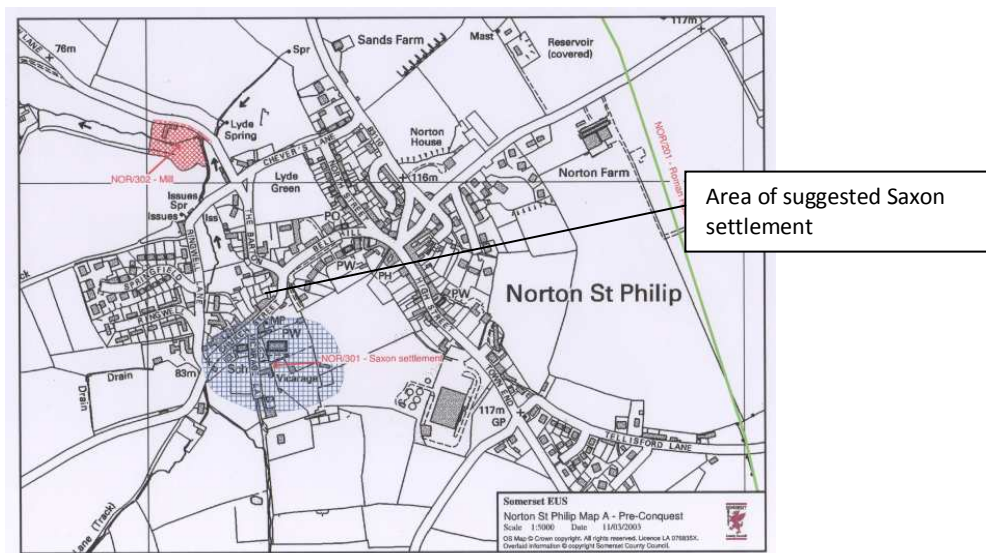


Figure 29. Plan from the EUS showing location of the Saxon settlement centred on the present day parish church

#### 6.4 The Order of Carthusian Monks, Lords of the Manor – 1227 - 1537

##### 6.4.1 Gift of the manors to the monks

The male Devreux line, the lords of the manor of Norton and Hinton, was broken in the late C12 through William, second Earl of Salisbury, only having a daughter, Ela. Ela married William Longespee and he became third Earl of Salisbury and lord of the manors of Norton and Hinton. Longespee had founded a house of Carthusian Monks at Hatherop in Gloucestershire and bequeathed jewels and cattle for their upkeep. Longespee died in 1226. The monks by this time had found that their endowment was insufficient and appealed to Ela for help. Ela responded through gifting the manors of Hinton and Norton to the monks. By 1232 the monks had established a Carthusian Monastery at Hinton. The prior and bretheren occupied a priory, in silent isolation, as dictated by the Order, 1km north of Hinton church and the lay brothers lived at Friary, 1km east of the priory near the River Frome.

##### 6.4.2 Establishment of the grange at Norton

As lords of the manors of Norton and Hinton, the monks managed the estates quite differently to the way that the Earls of Salisbury had ruled. Notably, monasteries established granges, consisting of a manor house and outbuildings from where the estate was managed in order to produce sustenance for the prior, monks and bretheren and excess produce to provide income for the Order. The land was used for the production of livestock and crops, often with specialist crops of apples, hops or grapes for beverages, particularly for use by the infirmary. The grange was managed by a steward and worked by local labourers. Two granges were established for Hinton Priory, one about 150 meters west of Hinton church and one about 150 meters west of Norton's church. Norton's grange was centred on the site of what is now Manor Farmhouse, its medieval dovecote remains along with vestiges of its outbuildings in the converted barn and stables that remain opposite the farmhouse, figures 30 – 33.





Figure 30. Late C17 Manor Farmhouse, listed grade II, on the site of the house of the monastic grange



Figure 31. Tithe barn of the grange/Manor Farm to the west of Manor Farmhouse, now much altered and converted to residential use



Figure 32. Former outbuildings of Manor Farm, south west of Manor Farmhouse, converted to residential use



Figure 33. Medieval dovecote, Scheduled Ancient Monument, listed grade II\*, surrounded by residential development

#### 6.4.3 Establishment of a new town

It is believed that the monks established a new town at Norton in the C14 due to the success of wool trading in the area. Norton had been granted its first fair in 1255, on 1<sup>st</sup> May, St Philip and St James's day, and its first market was granted in 1291 but it is probable that it was the transfer of the Hinton fair in 1345 to Norton, because the fair was so successful that it was disrupting Hinton Priory's religious life, that made the settlement one of the county's most important wool trading centres, with its fair comparable with some of the great national fairs<sup>1</sup>. The new town was laid out at the top of the hill above Church Mead, comprising what is now High Street, The Plain and North Street, focused on The George Inn. The George Inn functioned as a *hospitium*, or lodging house, and as the regional wool collection point and remains today as a remarkably well preserved, high status, commercial, C14 origin building. Brett provides a good description of the evolution of the new town:

*The town (Saxon settlement) was later supplemented by the setting out of a new town on the top of the hill, presumably by the Cathusians. Burgage plots were established along both sides of a new road that cut obliquely across the earlier field boundaries. This road appears in some of the surveys as South Street and is presently known as High Street. The burgage plots were mostly of two perches in width and some of them preserved the orientation of the earlier fields. The plot of the present George Inn – the prior's guest house – was set out on a plot of five wider than those of the others. The building of the George Inn has been dated at about 1375 ... Some other houses were established in North Street, those on the east side being set against a natural scarp and those on the west side being built on land taken out of the manorial curia. Subsequently the houses in Church Mead and to the south of the church fell into disuse, leaving the houses in West Street, now known as Church Street, as the remainder of the earlier (Saxon origin) town.*

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<sup>1</sup> *Extended Urban Survey, Norton St Philip*, English Heritage & Somerset County Council 2003

## 6.5 Dissolution of the monasteries mid C16 – evolution of the grange and the village

Upon the dissolution of the monasteries, through a series of Acts passed by Henry VIII between 1536 – 1541, Norton and Hinton passed into Royal ownership. In 1598 Elizabeth I mortgaged both manors to the Lord Mayor of London as the head of a syndicate of 20 wealthy London citizens in order to raise capital. In 1609 James I bought the manors back and gifted them first to his son Henry Prince of Wales. Upon Henry's death they transferred to James I's second son, Charles, who finally sold them to a commoner, William Lord Craven, in the C17.

## 6.6 1638 survey

As the new Lord of the Manor, Lord Craven commissioned a survey of the manor of Norton, now known as Norton St Phillip, in 1638, by Samuel Parsons. The map clearly shows the church with Church Mead between it and the new town at the top of the hill and the grange off to the west of the church. An extract of the survey map, centred on the proposed development site, is shown at figures 34, 35. The site is part of the two areas of land marked as Plot 91, which are described in the survey as:

*The Grange or Farme of Norton, yearly value £20 2s, held by Jeffery Flower, gent ... the capital messuage, mansion or manor house called or knowne by the name of the Farme or Grange of Norton , with all errable lands, pastures. Meadows, closes, feedings and coppices there unto belonging.*

### *Plot 91*

*A well built house with the scite therefore , with gardens, orchards, courts, yards, very faire barns, stables, granneries, mault houses, and divers other convenient buildings, part whereof is converted into tenements with a very profitable pigeon house.*

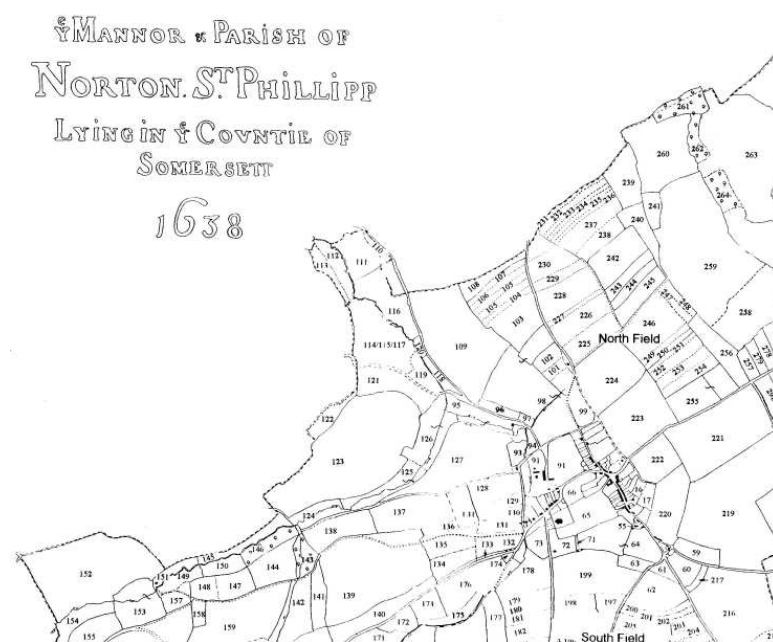


Fig 34. Samuel's map of 1638





## 6.6 Norton St Philip's fairs

It is undoubtedly the success of Norton's trade fairs for cloth that was the over-riding factor in shaping Norton from the C14 until the middle of the C19. The notes provided here are taken from a paper published by Brett<sup>2</sup>. In the C16, Leland, on his travels, described Norton in the mid C16 on two occasions: *'Philippes-Northtoun ... a pratie market toun ... There is a faire at this toun on the fest of Philip and Jacob'*; and on the second visit *'where is a meane market kepte in a smaull towne, moste maynteyned by clothing'*. John Flower of Manor Farm provided a description of the fairs in 1595 in an inquiry concerning the tolls and customs of the fairs at Norton St Philip: *two wholesale*

<sup>2</sup> Extracts from SANHS Proceedings, Volume 144, 2002, *The Fairs And Markets Of Norton St Philip*, Colin J. Brett

*fayers yerely to have ben kept at Philipps Norton ... for the sale of lynnyn and wollen clothe by the packe, fardell, ballett and other parcells with the one three cleare dayes befor Philipp and Jacobes daye and the other about a weeke after St Bartholomews day [24 August] and one upon a day commonly called 'John behedded his daye' [the Decollation of St John the Baptist – 29 August].* In 1720 the continued importance of the fairs is reported by Thomas Cox: *Philips Norton, a Famous Market-town, ... hath one long Street four Furlongs long. The Market is on Friday weekly, and two Fairs yearly, one on St Philip and James's Day, May 1. And the other on ... [sic] One of these Fairs for a Whole-sale Trade is reputed as great a Fair as any is in England for one Day.* However by 1791, Collinson reports that the great fairs are long since passed: *this town had formerly a market, but at present it is discontinued. There are two fairs, the one held on the first of May; the other the 29th of August; two others, formerly famous for cattle and cloth, have been long since disused.* By 1936 Hulbert in his *Survey of the Somerset Fairs* reported that the May Fair, as a cattle fair, had lingered on till 1902, when it came to an end and that the August fair had also ceased to be held, presumably dying out at the same time as the May fair.

## 6.7 1838 tithe map

### 6.7.1 Overview

The tithe map of 1838 shows the village with a very similar form to that which is shown on the map of 1638, but with more intensive development along High Street and some development now in place on Bell Hill, figure 36. A notable difference is the subdivision of land along the eastern edge of what was shown as Plot 91 in 1638, to create gardens for Manor Farmhouse. The proposed development site comprises an outbuilding<sup>3</sup>, Plot 118, which relates it to Manor Farmhouse which is also numbered Plot 118, and Plot 119, named *Great Orchard*, marked with orchard trees and hence the commonly used name of the field today. Plot 118 is described in the tithe apportionment as *Farmhouse, gardens, yards and buildings*.

### 6.7.2 Manor Farm

Manor Farm, marked as Plot 118, is recorded in the apportionment as being owned by Rev. M Brown, occupied by George Hoddinott, along with the garage site, the gardens north of the manor house and Fair Close and Church Mead opposite, figures 37, 38. The 1851 census records George Hoddinott as a farmer of 240 acres. 240 acres are not listed alongside the land associated with Manor Farm so land must have also been held by Hoddinott elsewhere in Norton or neighbouring parishes. The 1871 census advises that Hoddinott was living at Manor Farm, farming 250 acres, employing 7 labourers and 2 boys. However, the tithe map and apportionment indicate that Hoddinott did not occupy the grange's former outbuildings to the south of the site in 1838, see para 5.8.3 below.

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<sup>3</sup> Outbuildings are marked in brown on the map, dwellings are marked in red

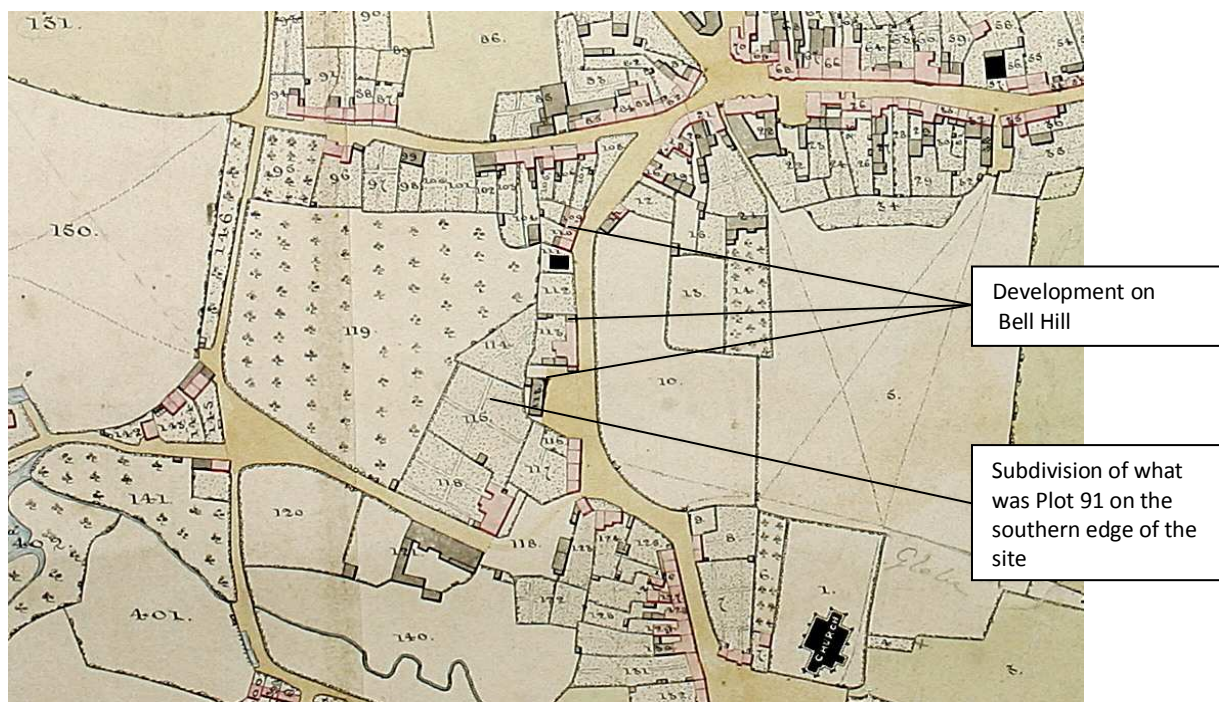


Figure 36. Norton St Philip parish tithe map 1838, oriented with east at the top

#### 6.7.3 Great Orchard

Great Orchard is shown as being in separate ownership to Manor Farmhouse at the time of the tithe map. It is recorded as being owned and occupied by Edgar Frost & Sons. Edgar Frost & Sons also own the former grange barn, dovecote, stables, the land south of the dovecote and a large field off to the west of the yard of outbuildings, figures 37,38.

List of Hoddinott's land, owned by Rev. Brown, including Manor Farmhouse	17 Brown M. Rev. Hoddinott George	5 Churchmead	Past	2.5.15
		10 Fair Close	Past	1.2.34
		34 Garden Church Meads	Garden	0.0.35
		112 Ditto	Garden	0.0.12
		114 Ditto	Garden	0.0.28
		115 Ditto	Garden	0.1.24
		117 Two Fencibles & Gardens	Home	0.0.29
List of Edgar Frost & Sons land including Great Orchard		118 Barn House Lane & grass buildings	Home	0.1.21
	Edgar Frost & Sons	119 Great Orchard	Orchard	3.0.22
		120 Little Orchard	do. Past	0.2.15
		121 Barn Buildings & Yard	Home	0.3.2
		122 Gardens	Garden	0.0.26
		123 Cottage & Garden	Home	0.0.17
		124 Pond Garden	Past	2.0.15
	Orchard Frost	129 Great Water	Ditto	12.2.4

Figure 37. Extract from the Norton St Philip parish tithe apportionment, 1838

#### 6.7.4 Review

The split in apparent ownership and occupation between a farmhouse and its outbuildings, when land is still being actively farmed, is unusual. However Manor Farm is still recorded as having association with the building on the site of Bell Hill garage and retaining the buildings to its south west, figure 32, so these may have been sufficient for farming purposes in association with a yard elsewhere. It is known that Hoddinott lived at

Manor Farm in 1871 and worked up to 250 acres, employing 7 labourers; he could have operated from a yard elsewhere, while enjoying the prestige of life at Manor Farm. Equally Edgar Frost & sons could have been a trading name of Hoddinott. It is concluded that land ownership and association of Great Orchard with Manor Farmhouse at the time of the tithe map is inconclusive.

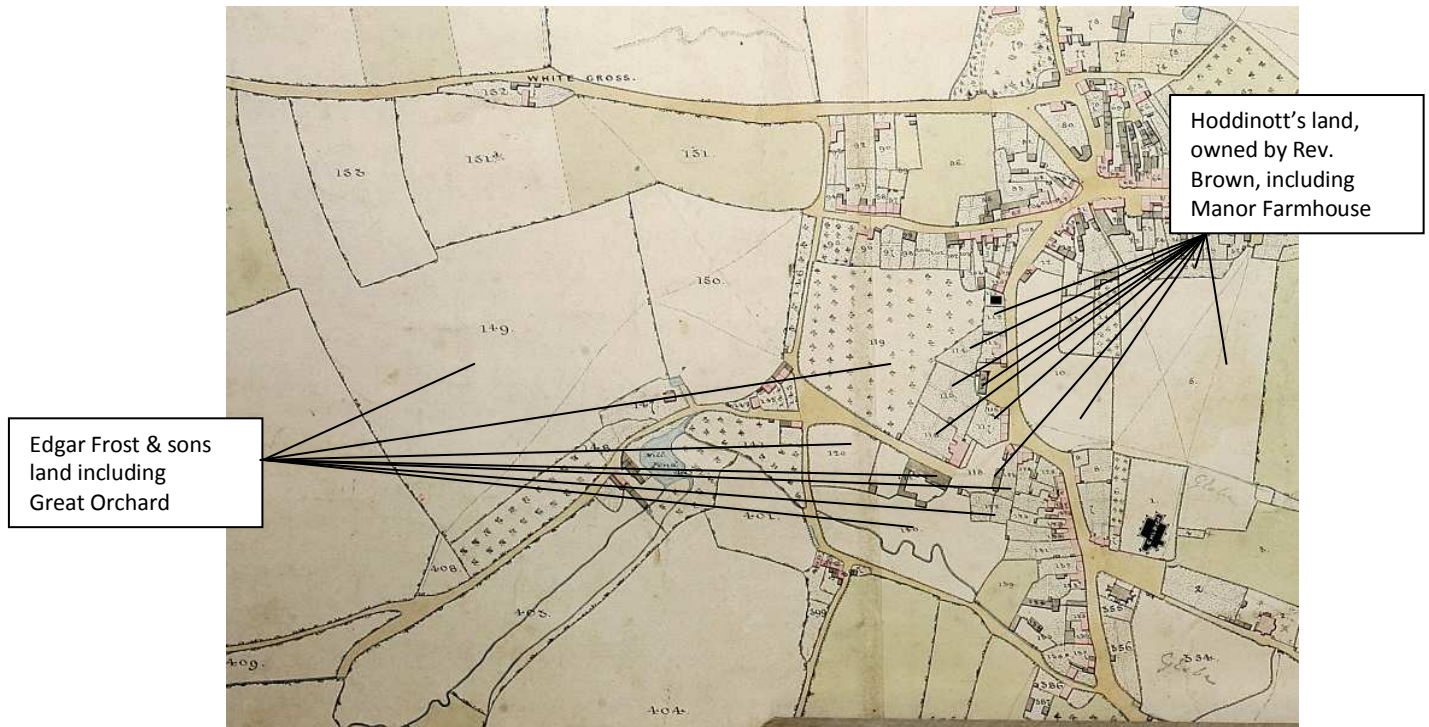


Figure 38. Land ownership associated with the Manor House and Hoddinott and Great Orchard and Frost

#### 6.8 OS maps 1885, 1905

The 1:2500 OS maps of 1885 and 1905, figures 39, 40 respectively, show no significant changes in the pattern of development around the proposed development site or around the village in general. With no industry, major road or railway there was no impetus for the growth of the settlement.

#### 6.9 OS map 1961

The first significant changes to the village show up on the 1961 OS map, figure 41, in the form of residential development west of Ringwell Lane, but otherwise there are few changes to the village.



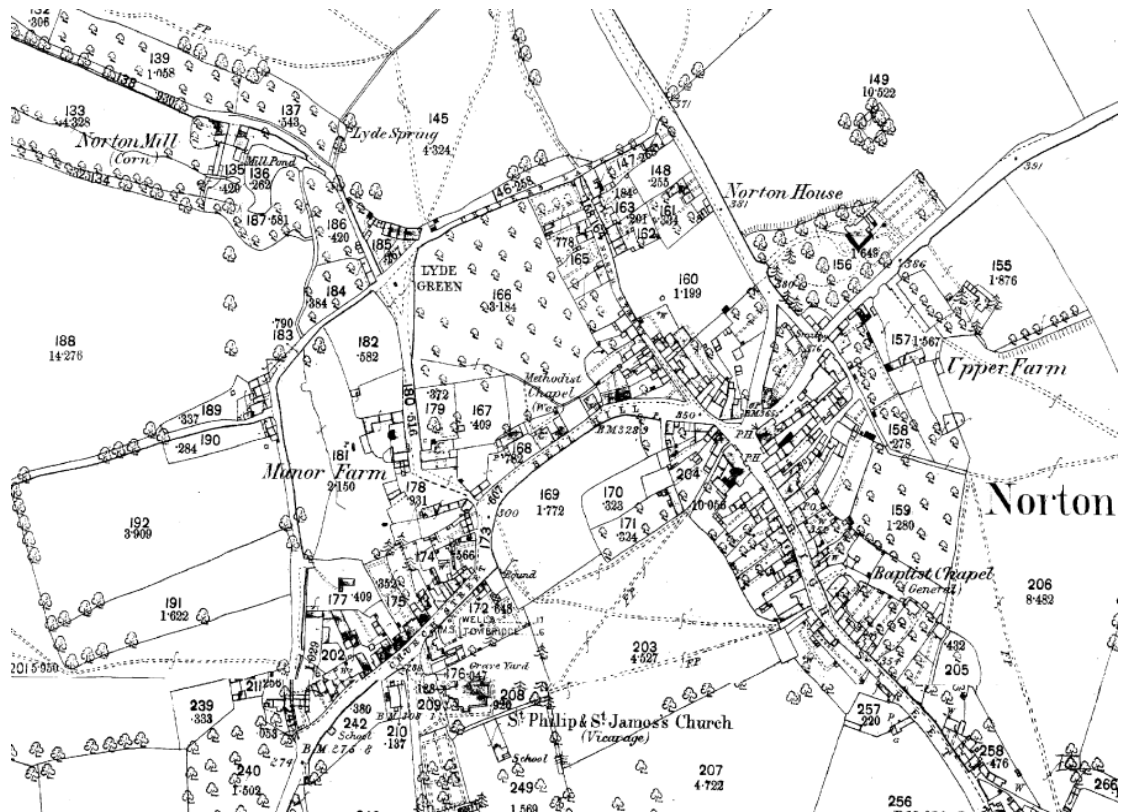


Figure 39. OS map 1885

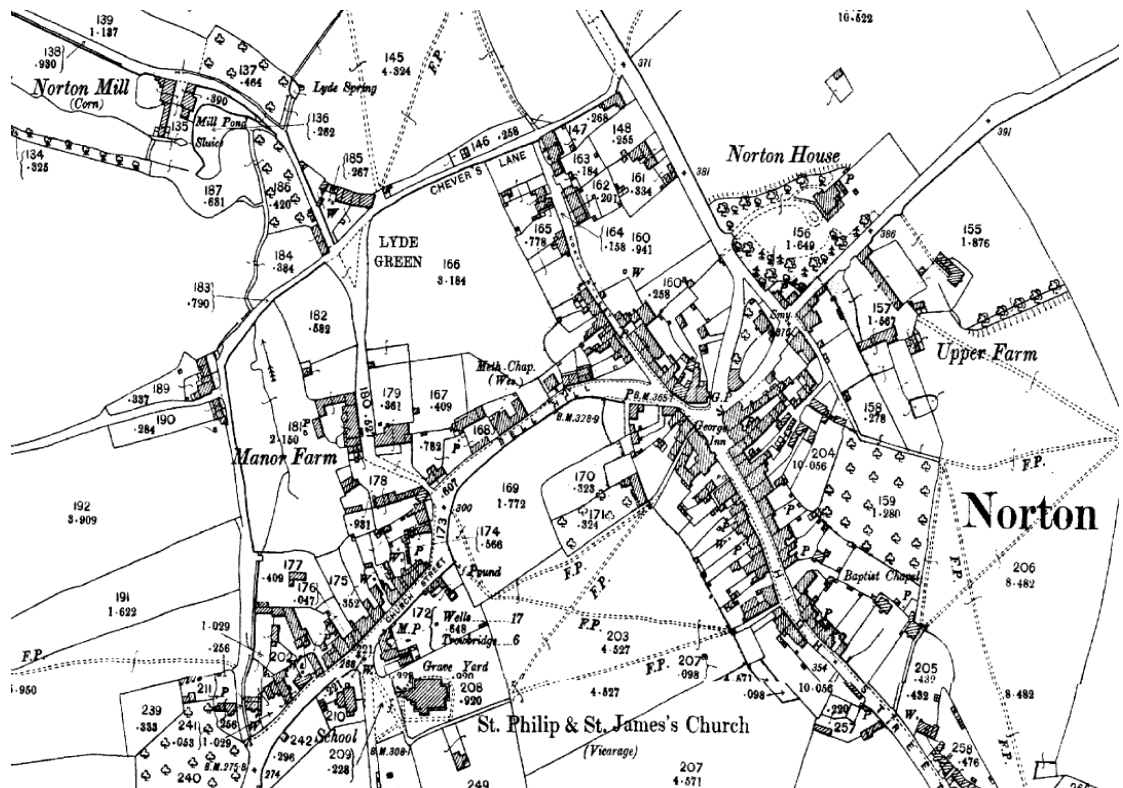


Figure 40. OS map 1905

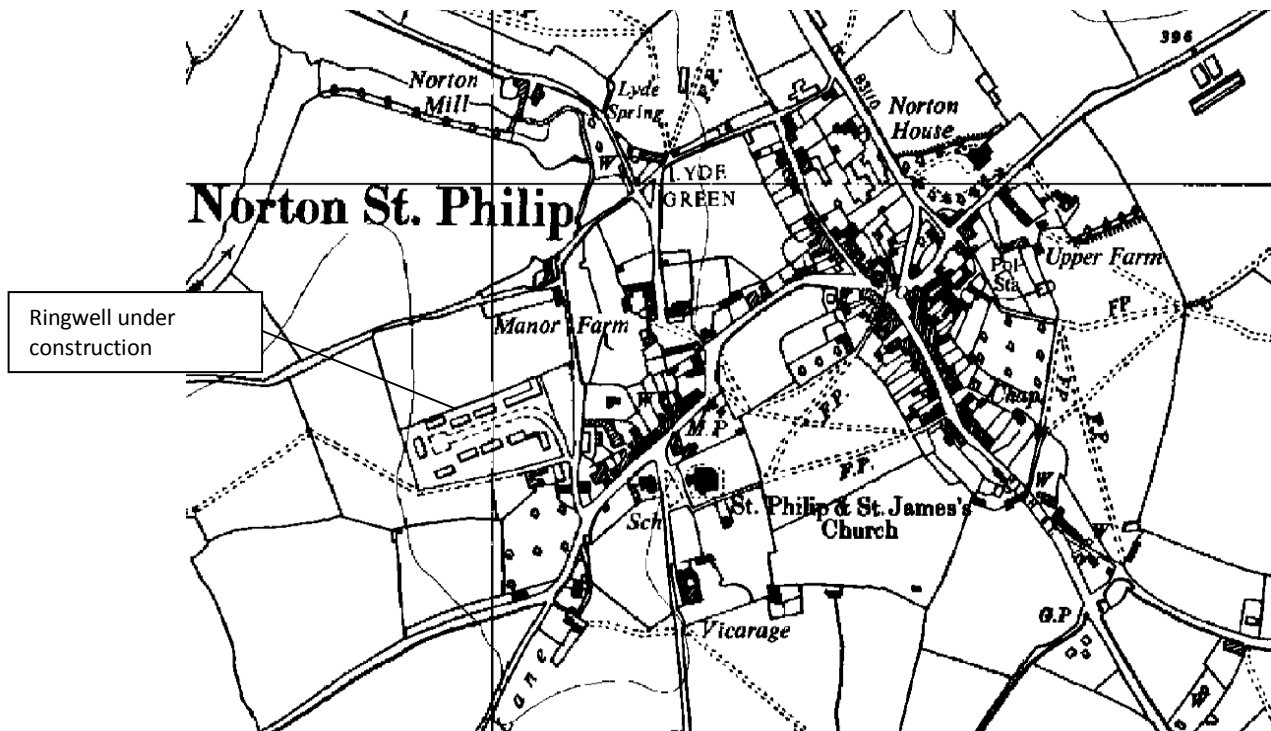


Figure 41. OS map 1961



Figure 42. OS map 1975

#### 6.10 OS map 1975

By the time of the OS map of 1975, figure 42, changes on the edge of the village and at its heart are significant. North of Ringwell, Springfield has been constructed as a further residential area. Residential development has been constructed on the south east edge of the village and the poultry packing plant that is currently being redeveloped as Fortescue Fields, are in place. Fair Close, the site of the Medieval cloth fair, west of Church Mead, has been developed with bungalows, figure 16.

#### 6.11 C21

Norton St Philip is a highly desirable area in which to live, housing demand is high and there are a number of planning applications for residential development being considered around and within the village. Proposed new development is generally considered with concern by existing residents as it is naturally seen as a threat to the current qualities of the village.

#### 6.12 Summary

Norton St Philip existed at the time of the Domesday survey and is believed to have at least Saxon origins by virtue of field patterns close to the parish church, although no direct evidence has been found. A settlement is known to have been in place by the church by 1226 when the manor of Norton and neighbouring Hinton were gifted to the Order of Carthusian Monks. The monks established a priory at Hinton and a grange, an estate farm for the priory, at Norton, for which the dovecote survives along with vestiges of the tithe barn. The C17 Manor Farmhouse that exists today is believed to be on the site of the original manor house. Hinton hosted a wool market which became so successful that it disrupted monastic life. The wool fair was transferred to Norton where it grew to be of regional if not of national importance. The success of the trade in the C14 led to the monks establishing a new town along the top of the hill above the church with South Street being laid out, that is now known as High Street, The Plain and North Street, with the focal point being The George Inn which acted as a lodging house and trade centre. Following the dissolution of the monasteries the manor passed into the hands of royalty until 1666 when purchased by Lord Craven. The markets continued as a major economic driver for Norton St Philip until the late C18, by 1902 the markets had ceased. The settlement did not alter significantly from the time of Samuells map of 1638 until the OS map of 1961. With no industry, major road or rail link, there was no impetus for change. By 1975 significant areas of residential development had been added to the edges of the village and a major industrial site added on the south eastern edge, the poultry processing plant. Today the poultry plant is being redeveloped for housing and a number of other residential developments sites are being promoted to satisfy the demand for housing in the area, with housing proposals generally causing concern amongst existing residents as it is perceived as a threat to the quality and character of the current environment.

## 7. HISTORY & HERITAGE SIGNIFICANCE OF THE SITE

### 7.1 Archaeological evidence – early history

Archaeological desk top assessments and fieldwork undertaken as part of the investigations for the current and previous planning applications for the development of Great Orchard, have revealed no evidence of any underlying development. It does not appear that the field has ever been developed. The Bell Hill Garage site is at some distance from the probable Saxon settlement, para. 6.3, and is shown as undeveloped on the 1638 map, para. 6.6. There is no evidence of early development below Great Orchard and it is unlikely that any early development will be revealed on the garage part of the site.

### 7.2 Monastic origins

With Norton's Carthusian grange being established immediately to the south and west of the site, para. 6.4.2, it is probable that the current boundary of Great Orchard was established in the C13 as an enclosure associated with the grange. Certainly the form of the northern, western and eastern edges of Great Orchard as it exists today appear to be shown on the 1638 map, para. 6.6, figure 35. The name *Great Orchard* first appears in the tithe map apportionment of 1838, para. 6.7, however it is quite probable that the orchard was established by the Carthusians in the C13 because of their need for apples for beverages and medicines, para. 6.4.2. Brett in describing the Carthusians development of Norton states that ... *Some other houses were established in North Street, those on the east side being set against a natural scarp and those on the west side being built on land taken out of the manorial curia*, para 6.4.3. The land on the west side of North Street is the eastern boundary of Great Orchard. The *manorial curia* is taken to be the core land of the grange; Brett is therefore stating that Great Orchard was a key part of the grange. It is therefore suggested that the plot of Great Orchard has C13 origins as an orchard established as a key part of the Carthusian's Norton Grange.

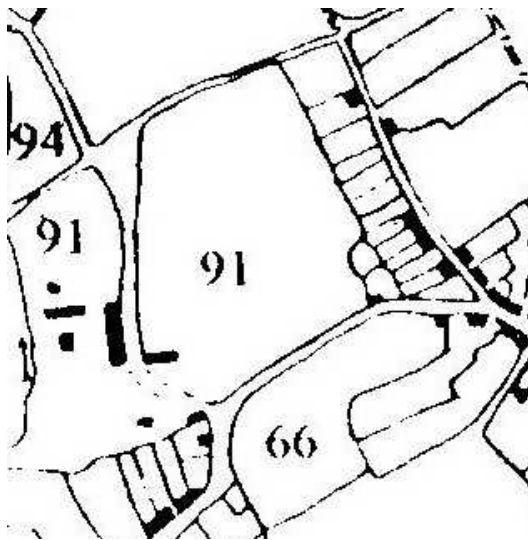
### 7.3 Rubble stone wall – historic boundary demarcation

The rubble stone wall is difficult to date with any confidence. There are some similarities between the stonework of the dovecote, figure 33, but there is not a definite date for the dovecote although it undoubtedly has C13/C14 origins. The bounding wall is in very good condition. A possible date for the wall might be in association with the reconstruction of the grange farm in the late C17 to create today's Manor Farm, which is postulated as occurring when the 153 year tenancy of the Flower family, which had started under the lordship of the monastery, terminated, para. 6.6. Whatever the date of the wall, it is a significant feature within the village; it clearly marks the historic west and south boundaries of Great Orchard thereby relating to the history of the grange and the wall is considered to be a characteristic and attractive feature of the village.



#### 7.4 Development encroachment 1638 – present day

Samuel's map of 1638 shows the manor house in one single, large plot which accords with the current western, eastern and northern boundaries of Great Orchard but the southern boundary has changed completely, changing from no development in 1638 to complete development in 1838. Plots along the western side of North Street were in place and these remain in a remarkably similar form today as the gardens of old and modern houses, figure 43, A. The southern boundary of Great Orchard has changed significantly since 1638 with the entire frontage of Bell Hill now being built up. By 1838 the southern frontage is shown as fully developed, figure 43, B, and these plots accord with the garden plots of Manor Farmhouse, the neighbouring modern house, the Bell Hill Garage forecourt building and development further up Bell Hill as they exist today. By 1975, figure 43, C, Bell Hill Garage had extended further north into Great Orchard and today the garage has extended further still, figure 43, D.



A. 1638 map



B. 1838 tithe map



C. 1975 OS map



D. 2013 aerial photograph

Figure 43. Changes to the boundary of Great Orchard, 1638 – 2013

## 7.5 Remaining association with Norton Grange & The Barton

Vestiges of the C13 Norton grange remain today in varying states of preservation. The dovecote is in a sufficient state of preservation to warrant protection as a Scheduled Ancient Monument and as a grade II\* listed building. Manor Farmhouse is listed grade II. Sadly the barn and outbuildings to the south of the manor house are so altered that they are not considered to be worthy of listing, however their original form can still be imagined. In addition to the conversion of the former grange farm buildings, the setting and appearance of the former grange is diluted by the imposition of modern residential development which has infilled the former yard to the west of the barn and has separated the dovecote from its original setting of the manor house. Parts of the C13/C14 grange remain, but a good degree of imagination and fore knowledge is required to read the current group of buildings around Manor Farmhouse as a monastic grange. The rubble stone wall is considered to be an important vestige of the grange indicating the enclosure, albeit by what is believed to be a later wall, of a parcel of land that was of integral importance to the grange, most probably in use as an orchard. The character of The Barton, which presumably would have been a track running through the farmyard of the grange, has changed significantly with the construction of modern development along its western side, including the conversion of the barn, figures 14,15, but the existence of the rubblestone wall along its eastern side, figure 10, helps the original character of the lane still to be envisaged.

## 7.6 Importance to the character of the village

### 7.6.1 Chevers Lane and Lyde Green

Chevers Lane and Lyde Green are delightful, characterful areas of Norton St Philip that readily impart the history and character of the settlement. The rubblestone wall is an essential part of the character of Lyde Green and Chevers Lane, figures 9, 11.

### 7.6.2 North Street

Great Orchard has no impact on the character of North Street. The west side of North Street is intensively developed, figures 12,13, only offering scant glimpses between houses over Great Orchard to the hills beyond. North Street however does have a significant impact upon the character of Great Orchard. The modern houses in particular are striking at the top of the field, figure 25. These houses are of standard construction and have nothing of the character and appearance of Norton St Philip about them. The houses along the east side of North Street are found to make a negative contribution to the character and appearance of Norton St Philip through diluting the harmony and qualities of characteristic development along North Street, notably through the use of white render, hipped roofs and smooth, grey slate as a roof covering.

### 7.6.3 Bell Hill

The garage is a long established business that has become part of the village scene. However the garage is not of high heritage significance and its loss and the redevelopment of its site with appropriately detailed houses would not harm the heritage

significance of the site or its setting. The redevelopment would continue the tradition of development along the length of Bell Hill since the mid C17.

## 7.7 Great Orchard – former orchard, private space

Orchard trees still appear on Great Orchard on the 1885 OS map but appear to have been grubbed out by the time of the 1905 OS map, figure 44. The land is understood to have always been a piece of private land and never to have been used as a public meeting or amenity space as Fair Close and Church Mead were, para. 6.6, figure 35, and as which Church Mead continues to function today. This fact is perhaps reinforced by the very limited access to the site, only two access points exist and the construction around it of a defensive, high wall. Great Orchard, in strong contrast to Church Mead, is a private, secure, piece of land. The land is no longer associated with its original land holding of the grange/Manor Farm. It has become an isolated parcel of land with no active use.

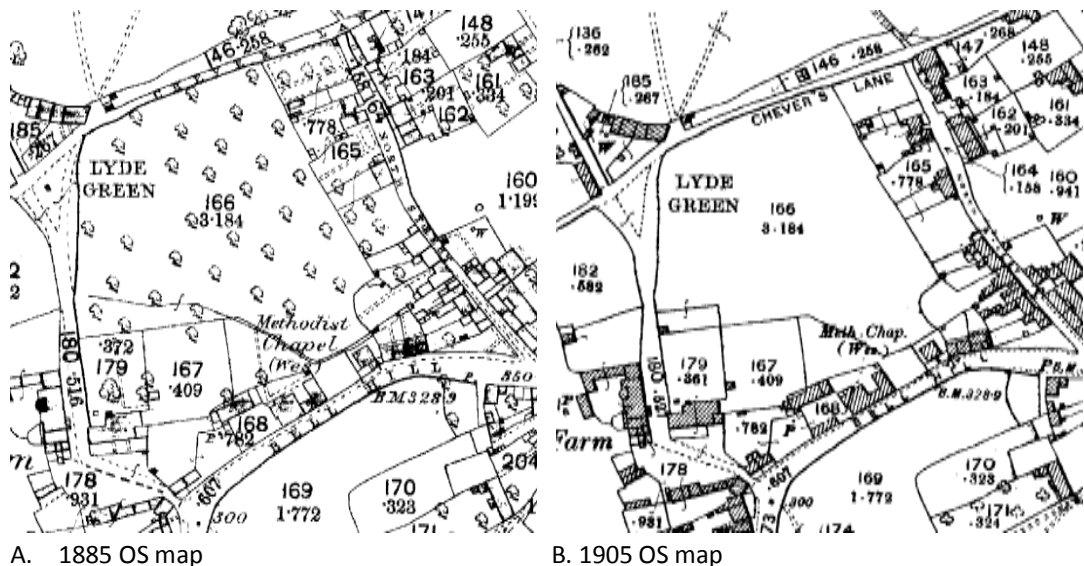


Figure 44. Comparison of land use, 1885 - 1905

## 7.8 Significance of Great Orchard as an open space

### 7.8.1 Blurred evidence of the evolution of the village as two halves

In 1638 Samuells' map clearly shows that Norton St Philip was a village of two halves; the nucleated settlement with Saxon origins at the bottom of the hill and the Medieval planned town at the top of the hill, figure 35. There was no development on Bell Hill in 1638. The open spaces of Great Orchard, Fair Close and Church Mead, divided the settlement in two. 200 years later the tithe map shows that Bell Hill had become an important developed area of the village and that Plot 91, of the 1638 map, referred to as Great Orchard on the 1838 tithe map, had been developed in its entirety on its southern boundary. The two parts of the settlement were clearly linked together by development by 1838; the belt of open land between the upper and lower parts of the settlement had been breached. Today the separate parts of the village are even less apparent through the complete residential development of Fair Close on the east side of Bell Hill. The extension of Bell Hill Garage into Great Orchard has further weakened the appearance of the village

as a settlement of two parts. Great Orchard is no longer considered to play a role as an open space that helps with the comprehension of how the village developed in two parts because of the extensive development that has been undertaken along both sides of Bell Hill and which fills Fair Close, separating Great Orchard from Church Mead.

7.8.2 Lost association with Manor Farm as open space

Great Orchard is also no longer clearly associated with Manor Farm, as it was in 1638, as it is partitioned off by a garden.

7.8.3 Private use and access

Great Orchard has no public access or public use, it is an enclosed field that has no informal or formal public role, it is historically and currently a private, secure space.

7.8.4 Conclusion

Great Orchard is found to be the vestige of a once extensive open space in the village that was originally integrally connected with the grange. Development on the southern edge of Great Orchard and on the opposite side of Bell Hill and in Fair Close has removed the importance of Great Orchard as an open space that helps towards an understanding of the evolution of the village as a settlement of two parts. The space no longer has an integral connection with Manor Farmhouse. The space has no public role; both currently and historically it is a private space. The undeveloped character of the space is not considered to have great heritage significance for the village.

7.9 Opportunities for enhancement of heritage significance

7.9.1 Public access

At present Great Orchard is a village centre open space but it is not a publicly accessible open space. Access to and an appreciation of the nature and history of the space would be an amenity for the village and help with the interpretation of the village. It is considered that the provision of part of the site as open space with public access through the site would enhance the amenities of the village.

7.9.2 Interpretation

An interpretation panel detailing how the space has evolved and its links with the remaining buildings of the grange would add to the enjoyment and appreciation of the history of Great Orchard and the village.

7.9.3 Screening of less characteristic buildings

Houses along the eastern side of North Street that back on to the top of Great Orchard are of standard mid-late C20 construction and detract from the character and appearance of the highly homogeneous village. Carefully detailed development within Great Orchard provides an opportunity to screen the uncharacteristic development.

#### 7.10 Summary of heritage significance

1. The Bell Hill Garage site and Great Orchard are found to have origins as land integrally associated with Norton Grange, the monastic farm site established by the Carthusians in the late C13, early C14 in association with Hinton Priory. The need for apples for beverages and medicines and the location of the land in proximity to the grange, indicate that the land was probably enclosed as an orchard for the manor farm.
2. It is not believed that the site was developed prior to that time as no archaeological evidence has been found through fieldwork on the site and the Saxon settlement is believed to have been located closer to the parish church to the east of the site.
3. A map and description of the site prepared in 1638 show that the site boundaries that exist today had been established along The Barton, Chevers Lane and along the rear of plots along the east side of North Street.
4. Manor Farmhouse dates from the late C17, it is believed that the rubblestone wall may be coeval with the house but that it marks an earlier, well established boundary line.
5. By the tithe map of 1838 the entire southern boundary along Bell Hill had been developed and this land has continued to be encroached with development into the C21.
6. Great Orchard, and Fair Close and Church Meadow to the east, once functioned as a clear open space between the lower part of the village comprising the Saxon origin settlement and the grange and the upper part of the village which was the Medieval new town focused on The George Inn. With Fair Close and Bell Hill being developed this role as a clear dividing space no longer remains.
7. The conversion of the grange's outbuildings to residential use and the construction of residential development in the former farmyard, notably in proximity to the Scheduled, Medieval dovecote, makes interpretation of the grange's history and vestigial fabric difficult.
8. The wall bounding Great Orchard is a significant and characteristic feature of the village which by virtue of its quality, extent and size of the space that it encloses indicates how important a space Great Orchard once was.

## 7.11 Conclusion

Great Orchard is believed to have late C13, early C14 monastic origins as part of Norton Grange, most probably as an orchard. The current west and north boundaries of the site are believed to have late C13, early C14 origins. The plots along the eastern boundary on the west side of North street were in place by the mid C17. The rubblestone wall is believed to date from the late C17, probably coeval with the building of Manor Farmhouse, listed grade II. The southern boundary of the site along Bell Hill has been built upon and encroached by gardens since at least 1838. Development along both sides of Bell Hill has removed Great Orchard's importance as a belt of open land contiguous with Fair Close and Church Mead that separated the lower Saxon origin settlement and grange from the upper Medieval new town focused on the George Inn. Great Orchard has no historic or current role as a public space it has always been a secure private space. Public access to the site and the provision of some public open space along with the interpretation of the grange and the history of the village would add to the historical appreciation and enjoyment of the village. C20 development along the eastern edge of Great Orchard, along North Street detracts from the character and appearance of the conservation area. The feature of greatest heritage significance is considered to be the rubblestone wall which is well constructed and is a characteristic and significant feature in the village which clearly marks out what was once an important piece of land which it was found essential to keep secure and private through the construction of such an extensive wall.

## **8. IMPACT ASSESSMENT**

### **8.1 Redevelopment of Bell Hill Garage site**

Bell Hill Garage while having some local historic interest is not found to have such heritage significance that its loss would be harmful to the historic environment as considered by planning legislation, the NPPF and local planning policy. Subject to appropriate redevelopment the demolition of Bell Hill Garage is found not to cause any harm to the historic environment although as part of the nation's motoring history and the village's history it would be desirable to make a photographic record of the site prior to demolition.

### **8.2 Treatment of the rubblestone boundary wall**

It is found that the wall is of high heritage significance by virtue of the nature of its construction and because of its role in defining a clearly important space at the centre of the village that was associated with the late C13, early C14 Norton Grange, which was probably bounded by the wall in the late C17. The wall should be retained as part of any development and its setting should be carefully considered as part of any development proposal. It is considered that the long unbroken extent of the wall along Chevers Lane is an important feature. It is considered that only a minimal number of breaks in the wall along Chevers Lane to permit pedestrian access to the site should be permitted. Access from Chevers Lane with a right of pedestrian access across the site to the openings on The Barton and the remodelled opening on to Bell Hill would enable an attractive and enjoyable route to be gained which is not currently available to residents of the village and visitors.

### **8.3 Development of the open space**

The open space, other than being an undeveloped space behind North Street and Bell Hill, offers no public benefits as it is a private, secure space with no current or historic role as an open space. Its role as a gap between the upper and lower parts of the village has been lost through the development along Bell Hill and Fair Close. Development along the top of North Hill clearly visible at the top of Great Orchard has diluted the homogeneity of the village. Great Orchard no longer has any obvious links with Manor Farm, the dovecote or barn because of the manner in which C19 and C20 development has encroached upon and altered the original setting of these buildings. While the wall bounding the space is found to be of high heritage significance the fact that the space is not developed is not considered to be of heritage significance. It is found that the development of the open space with appropriate dwellings that are in keeping with the character of Norton St Philip, balanced with the provision of some open green space, would enhance the conservation area through screening uncharacteristic buildings, would enable public access to the space, would leave a vestige of open space, would allow opportunities for interpretation to be provided that would better reveal the village's history and would allow the future of the wall to be appropriately managed.

#### 8.4 Layout

The creation of an inwardly focused development clearly retained within the wall is considered appropriate as Great Orchard has always been a private, secure space. However the provision of public access to this enjoyable space where views out to the hills beyond can be enjoyed and its relationship to the grange can be appreciated is to be encouraged. The provision of a central space as a vestige of an orchard and a focal point for this discrete part of the village is considered to be wholly appropriate as well as creating a development that will work well with adequate spacing between frontages. A dense terrace along the eastern edge of the development screens modern, uncharacteristic development on North Street. Retention of the wall in quasi public space through the provision of parking areas and footpaths adjacent to the wall is to be encouraged so that the nature of the containment of the site can be appreciated and practically the bulk of the wall can be monitored and maintained without encroachment on to householder's private property.

#### 8.5 Detailing

The provision of terraced, two storey houses with a limited palette of variations drawn from details that are characteristic of Norton St Philip is considered to be a wholly appropriate way to develop the site which will result in the character of the conservation area being preserved. The extensive use of Doultong stone as the primary construction material is to be welcomed.

#### 8.6 Conclusion

**Subject to the retention of the rubblestone boundary wall, the creation of limited openings in the wall on Chevers Lane, the retention of a visually significant vestige of green space and the provision of pedestrian access through the site, it is found that the creation of an inwardly focused, discrete development of locally characteristic houses in Great Orchard would serve to preserve the identified heritage significance of the site and would preserve the character and appearance of the conservation area. The provision of appropriate frontage houses on Bell Hill would enhance the character and appearance of the conservation area and enhance the setting of listed buildings. Furthermore it is found that the proposed development offers opportunities to enhance the character and appearance of the conservation area and add to the enjoyment and history of the area through the provision of heritage interpretation and access to the site which has never before offered public access. The proposed revised layout for the development satisfies these development considerations and it is found that, subject to detailing, on balance the proposal would conserve the character of the conservation area overall and in places would enhance the appearance of the conservation area. The proposed development is considered to offer significant benefits and opportunities for the enjoyment and appreciation of Norton St Philip's historic environment.**





## ANNEX 4

## 2008 SHLAA EXTRACTS

**March 2008**

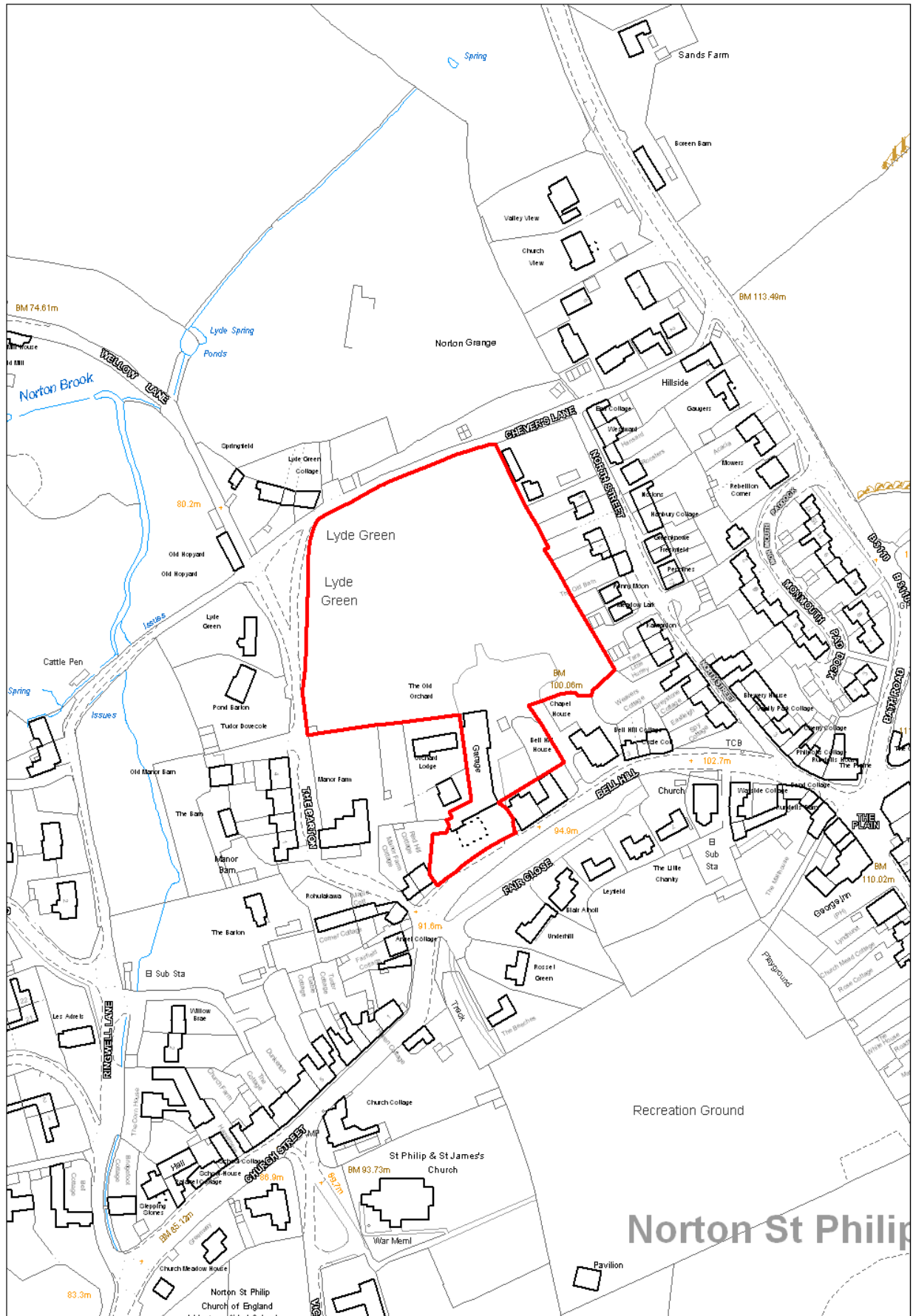
**Mendip District Council**

**Strategic Housing  
Land Availability Assessment**

## Appendix 4 Opportunity site analysis forms and location plans

Site ref	Address	Settlement	Site Area (ha)
NSP002	Bell Hill Garage	Norton St Philip	1.40
<b>Description of site - physical, including highway access, constraints</b>			
The site is a garage currently in use for selling vehicles and the paddock at the rear. Bell Hill Garage site on Bell Hill and the paddocks site known as the old orchard are both set within the Norton St Phillip development area and Conservation Area. A Recreation/ Public Open Space area is designated on the site (Q2), but there is no means of implementing this policy. The site has no public access and is bounded on the west, north and east sides by high stone walls.			
<b>Background - planning constraints, policy, history</b>			
Site is within an Area of High Archaeological Importance			
<b>Market appraisal</b>			
<b>Suitability</b>			
Norton St Phillip is identified in the Council's Preferred Spatial Strategy as a Village where development would be considered on land within or adjoining the existing settlement. Parts of the village centre are designated as an Area of High Archaeological Importance. The village of Norton St Phillip is fairly accessible by public transport from Bath and Frome. There is a bus service and there are employment sites and uses within the village including a garage, pub and construction trades. The village also has a school, village hall and recreational fields. The village is relatively compact, and is largely constrained on the western border due to the waterways/ drains which run through it in this area. The topography on the north western edge is characterised by steep slopes and varied levels of land and as such development opportunities are restricted here.			
<b>Achievability</b>			
The site is being promoted by the owners, although no planning application has been submitted to date. Employment use and Recreation/ Public Open Space designation - is this a site?			
<b>Deliverability</b>			
The site comprises a garage selling vehicles together with the paddock at the rear of the garage. The garage is currently in use and within a Conservation Area. Part of the site is designated as recreation / public open space in the adopted Local Plan and as such development here would be contrary to policy. If the policy designation was removed through the Core Strategy, the site could be considered to be in a suitable location for housing. In principle the garage part of the site is suitable for residential development. The market would be likely to develop this site for terraced dwellings taking account of the character of the area and surrounding development. Could come forward within a timeframe of 5-10 years taking account of the planning and marketing process.			
<b>Yield and time frame:</b>			
<b>0-5</b>	<b>5-10</b>	<b>10-15</b>	
0	42	0	

# Site Plan



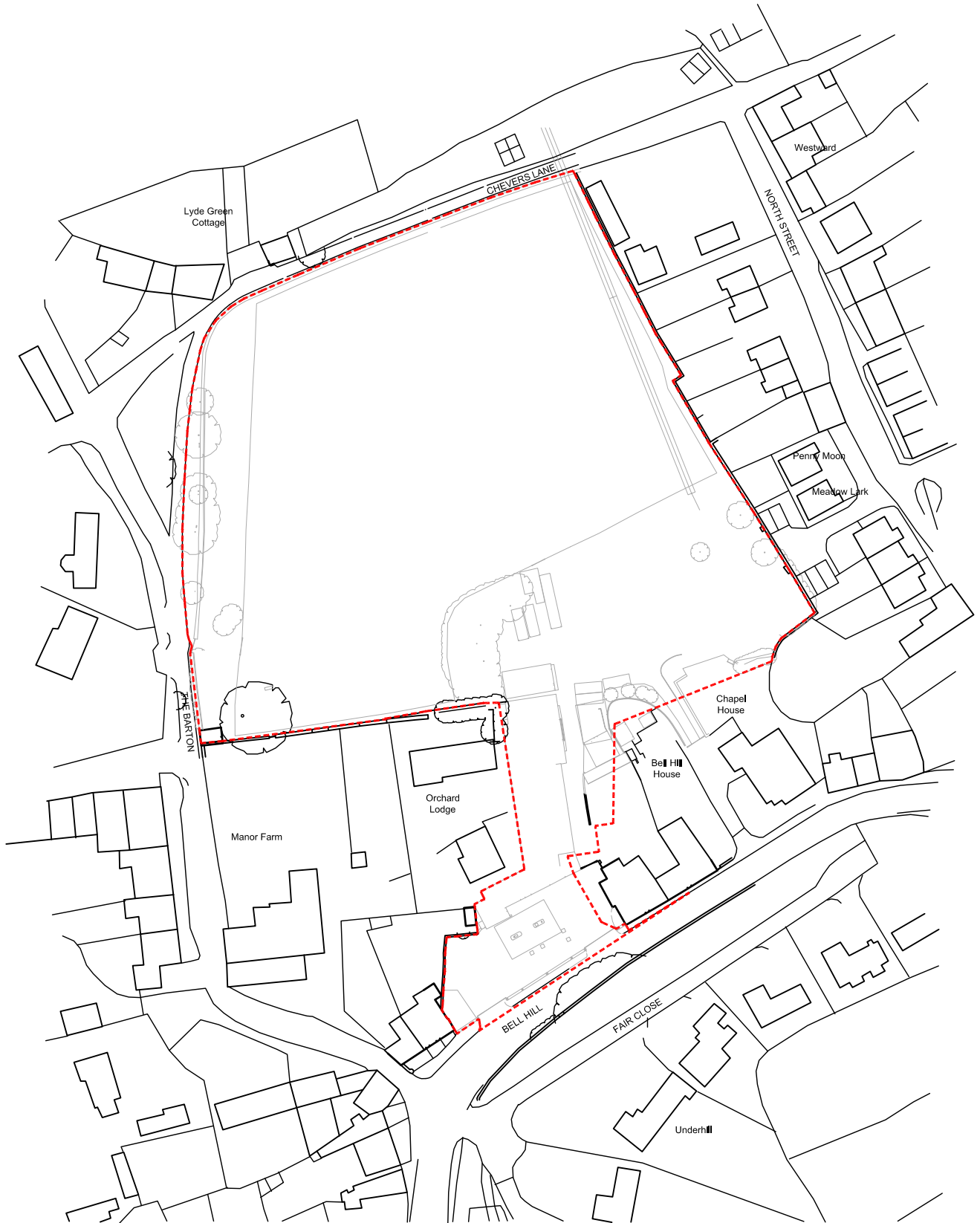
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## ANNEX 2

## SITE LOCATION PLAN BELL HLL GARAGE ALLOCATION



0 12.5 25 37.5  
scale in metres

ESHA ARCHITECTS LLP  
2nd FLOOR 36 KING STREET BRISTOL BS1 4DZ  
TEL: +44 0117 311 9070 FAX: 0117 311 9071  
EMAIL: mail@eshaarchitects.co.uk

**ESHA**  
ARCHITECTS  
PLANNING CONSULTANTS

# BELL HILL GARAGE SITE NORTON ST PHILIP

Drawing Title  
Plan - Location

Drawing Number  
**P - L**

Rev.

Job No  
13/003

Date 25.09.2013

Scale 1:1250

A4



