



Appeal Decision

Site visit made on 16 July 2020

by **J Gibson BUEP MPIA**

an Inspector appointed by the Secretary of State

Decision date: 17 August 2020

Appeal Ref: APP/D0121/W/20/3247152

Doubletree By Hilton Bristol South Cadbury House, Frost Hill, Congresbury, Bristol BS49 5AD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Black and White Hospitality Management Ltd against the decision of North Somerset Council.
 - The application Ref 19/P/0779/FUL, dated 18 January 2019, was refused by notice dated 7 November 2019.
 - The development proposed is for the provision of staff car park.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant has submitted a set of cross sections showing the visual relationship of the proposed staff car park, earthworks and landscaping with the Frost Hill (B3133) street scene as part of their final comments. These plans were not submitted to the Council for consideration as part of their decision on the application. As such, I have not considered these additional plans in my determination of this appeal in the interest of fairness and to ensure no party is prejudiced. Nevertheless, I am satisfied I have been presented with the necessary details and adequately viewed the appeal site as part of my site visit to make an informed determination on this appeal.
3. The Council refer to Policy SA6 of the North Somerset SPP Part 2 (adopted April 2018) in their reason for refusal. However, both parties have since agreed that the policy is not applicable as it relates specifically to land within defined settlement boundaries. The appeal site is not located within any defined settlement boundary and as such I have not considered this policy further as part of my determination.

Main Issues

4. The main issues are:
 - whether the proposal is inappropriate development in the Green Belt, having regard for openness and the purposes of including land within it;
 - the effect of the proposal on the landscape character and appearance of the surrounding area; and

- if the proposal is inappropriate development whether the harm by reason of inappropriateness, or any other harm, is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development.

Reasons

Inappropriateness of development, openness and Green Belt purpose

5. Great importance is attributed to Green Belts under Paragraph 133 of the National Planning Policy Framework (the Framework). The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, which are the defining characteristics of Green Belts. Policy DM12 of the North Somerset Sites and Policies Plan (SPP) Part 1 (adopted July 2016) reflects this objective and applies it within the local context. The appeal site is located within an open field of grassed land towards the front of the Doubletree by Hilton Bristol South Cadbury House site, outside of any defined settlement boundary and is in the Green Belt.
6. The Framework states that inappropriate development is by definition harmful to the Green Belt under Paragraph 143. However, Paragraph 146 of the Framework identifies that engineering operations, which would include the proposed staff car park and associated works, would not be inappropriate in the Green Belt provided they would preserve the openness of the Green Belt and would not conflict with the purpose of including land within it.
7. From the street scene of Frost Hill (B3133) the appeal site appears wide and open, framed by tall dense trees in the background and mature trees lining the avenue (subject to a Tree Preservation Order [TPO]) which leads guests to the hotel building and other facilities towards the centre of the wider site. The appeal site slopes up and away from Frost Hill road, increasing its overall visual prominence throughout the surrounding area. The proposed staff car park would be located at the highest point of the appeal site. As such, the proposed staff carpark, as well as the associated earthworks and landscaping, would interrupt this spacious area of land, harming both the spatial and visual openness currently experienced in the area.
8. The appeal proposal would therefore represent inappropriate development within the Green Belt. Accordingly, the proposed staff car park would harm the openness of the Green Belt. It conflicts with Policy DM12 of the North Somerset SPP Part 1 and thus contradicts the purpose of the Green Belt to protect the countryside from encroachment. Paragraph 144 of the Framework requires me to attribute substantial weight to this harm.

Character and appearance

9. The appeal site by virtue of its openness currently contributes positively towards the surrounding landscape features and character and appearance of the area. It particularly emphasises the prominence of the tree lined avenue leading up to the hotel building and related facilities. It also serves to delineate and buffer the wider site and buildings from the public realm along Frost Hill road, with the dense vegetation and sloping topography of the wider site hiding any prominent views of the established built form.
10. The proposed staff car park would unduly breach the tree lined avenue encroaching into the buffer area which the appeal site forms. Whilst the

proposed earthworks and landscaping would to a degree soften the visual appearance of the car park and screen it from predominant views, it would nonetheless appear visible due to the elevated ground levels of the car park, size of cars that may occupy it and gaps between proposed landscaping particular to the edge of the proposed bund. As such, the location of the proposed car park and associated works would erode the defining qualities of the existing landscape features and vegetation framing the site and lining the avenue.

11. Accordingly, the proposed development would harm the landscape character and appearance of the surrounding area. It would conflict with Policies CS5 and CS12 of the North Somerset Core Strategy (CS) (adopted January 2017), and Policies DM10 and DM32 of the North Somerset SPP Part 1. These policies collectively seek, amongst other things, to ensure development is of a high quality design and does not have an unacceptable impact upon the surrounding landscape character and appearance of the area.

Other considerations

12. The appellant has suggested that there is currently a shortfall in car parking provided to meet the demand generated by the many functions of the hotel and associated facilities during peak periods. This in part has been attributed to the occupancy of spaces by staff, thus the proposal for a designated staff parking area. This subject has been considered as part of several historic planning applications determined over the wider site, whereby requirements to implement green travel plans to reduce dependence upon private vehicle journeys and actively facilitate more sustainable modes of transport were imposed.
13. The data in the updated Car Parking Review and Travel Plan submitted with this appeal suggests that previous measures have not been adequately implemented to achieve the intended outcomes or indicators, given the higher rates of car usage and concurrent demand for car parking spaces surveyed. It is understandable that there will always be some need for staff journeys to occur by private vehicle, given the rural location and the shift periods outside of ordinary public transport hours. However, there is a lack of evidence detailing ongoing annual monitoring, reporting and identified remedial measures to achieve the objectives and indicators set out within previous green travel plans to support the appellant's case.
14. I am therefore not satisfied that it has been adequately demonstrated that more sustainable alternatives have been appropriately considered or implemented, such as staff shuttle services, to then justify the need for the proposed staff car park. The location map for staff homes in Appendix B of the Travel Plan alone suggests there is greater opportunity for shared journeys which has not been evidenced or detailed to be implemented in practice. The appellant's suggested conditions would not overcome the described deficiencies in the travel strategy presented nor justify the proposed staff car parking area in the Green Belt. I can therefore only attribute limited weight in this regard.
15. The concerns over staff safety travelling to and from public transport, particularly at night, are acknowledged. However, the remote and secluded location of the proposed staff car park away from the main hotel building and related facilities and surrounded by low lying vegetation would not inherently improve these concerns in my opinion. Furthermore, it would be logical to

- conclude that staff would likely park closer to these buildings during night shifts when demand for parking may be lower. Nevertheless, a proper exploration of more sustainable transport alternatives as described above may better address these safety concerns. As such, I have attributed limited weight to this matter.
16. I recognise the economic contribution that the hotel and associated facilities currently contribute to the region and note the suggested additional economic benefit the proposed staff car parking may provide. However, the minor contribution that the additional staff car parking could bring would be limited given the described operational characteristics on a day to day basis and the existing demand around scheduled events. I note also the impact of the COVID-19 global pandemic on the tourism and hospitality industries and ongoing economic uncertainty in this respect. Nevertheless, I am not satisfied that the minor economic benefit which may result from the proposed staff car park would significantly contribute towards the economic recovery of the business, nor justify its location contrary to the identified policies. I therefore attribute limited weight to these considerations.
 17. I note the appellant's reference to an appeal decision relating to the "Oxford Brookes University site at Wheatley"¹ as support for their argument that significant weight should be given to the economic benefits of the appeal proposal. However, the appeal decision has not been provided, nor the particular circumstances under this decision described for consideration and comparison with the appeal proposal. Nevertheless, I have considered the appeal before me on its own merits and am satisfied that the suggest economic benefit of the proposed staff car park warrants limited weight based on the evidence provided.
 18. The appellant also makes reference to an appeal decision which allowed planning permission for a car park in the Green Belt for a residential and activity centre for people with disabilities². Whilst these cases may be similar in concept in my view they differ based on the described landscape characteristics, proximity of the parking areas to existing buildings and infrastructure, the informal use of those areas for parking already, the lack of alternatives to the proposed parking area, and the suggested benefits. As previously detailed, I consider the location of the proposed staff car park to be more prominent and harmful to both openness and the surrounding landscape character compared to the other decision, and it has not been adequately demonstrated by the appellant that appropriate sustainable alternatives to the proposed staff car park have been explored in this case. The referenced appeal decisions therefore attract limited weight.
 19. The Cadbury Hill Scheduled Monument is located approximately 210 metres away from the appeal site. Paragraphs 193 and 194 of the Framework specify that great weight should be given to the conservation of scheduled monuments. Neither Historic England nor the Council have identified any potential conflicts in this regard. Based on my observations and the details provided I am satisfied that the proposed development would not harm the significance of the designated heritage asset and is therefore a neutral matter in my consideration of this appeal.

¹ Appeal Reference: APP/Q3115/W/19/3230827

² Appeal Reference: APP/C3620/W/19/3219760

Conclusion

20. In accordance with Paragraph 143 of the Framework I have determined that the appeal proposal would be inappropriate development and would by definition harm the Green Belt. The proposal would have an adverse effect on openness and in accordance with Paragraph 144 of the Framework I have attributed substantial weight to this harm. The proposal would also amount to harm to the landscape character and appearance of the area.
21. The submitted travel plan does not adequately support the appellant's case and the suggested economic benefits of the proposed staff car park are given limited weight. Limited weight has also been given to the appellant's suggested benefits to staff safety given the remote location of the proposed staff carpark, as well as the appeal decisions referenced as support. The Green Belt and landscape character and appearance harm identified has therefore not been clearly outweighed by other considerations. Consequently, the very special circumstances necessary to justify the development do not exist.
22. The Council have identified that the appeal site falls within the influence zone of the North Somerset and Mendip Bats Special Area of Conservation (SAC). However, as I am dismissing the appeal on the above reasoning it is not necessary to address this matter in any further detail.
23. For the reasons given above I conclude that the appeal should be dismissed.

J Gibson

INSPECTOR