
Appeal Decision

Site visit made on 22 August 2017

by Mike Fox BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30 August 2017

Appeal Ref: APP/V3310/W/17/3175285

Westbrook Farm, Harp Road, Brent Knoll, Highbridge, Somerset, TA9 4HQ

- 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 Mr Richard Bigwood against the decision of Sedgemoor District Council.
 - The application Ref 07/17/00001/STP, dated 11 January 2017, was refused by notice dated 6 March 2017.
 - The development proposed is change of use of land from agricultural to touring caravan site and resiting of agricultural building to be converted to games room and equipment store.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are firstly, the effect of the proposal on the character and appearance of the area; and secondly, whether the proposal is acceptable in relation to flood risk.

Reasons

3. The appeal site forms part of an established touring caravan park. It has the potential to accommodate 33 pitches, to the rear of an existing touring caravan park which is laid out for 45 pitches, in addition to a caravan storage area. The site is located in open, extensive, flat countryside, about half a mile to the east of the M5 motorway and outside any settlement boundary. The proposal includes resiting an open Dutch barn from the north of the main farmhouse, to a location close to the proposed new touring caravan site.
4. I agree with the main parties that the principle of locating additional touring caravan site capacity in the countryside is acceptable, given that such developments require a countryside location, away from established settlements, and this consideration weighs in favour of the proposal.
5. The Council, however, is concerned that the proposal, through its regimented layout in a large field, and with no landscaping to soften the impact, would have an adverse impact on the character of the surrounding rural area.
6. I accept that the appeal site is extensive when compared to the areas which are already used for touring caravans. It is flat and, importantly, naturally

screened by thick hedges on all sides, which would in my judgment limit any impact on the surrounding countryside, even if the layout were considered to be regimented. From my observations, I consider that the proposal would be largely concealed from locations outside Westbrook Farm. On the basis of these factors, I consider that the proposal would not result in a significant adverse impact on local landscape character and therefore would not be contrary to policy D14 of the Core Strategy¹. Consequently this is not a reason for dismissing the appeal.

7. In relation to flood risk, I note that the Environment Agency (EA) has objected to the proposal, which is located within Flood Zone 3a, and sets out a comprehensive list of reasons why the Appellant's Flood Risk Assessment has not been prepared in accordance with contemporaneous flood data and planning policy, and is therefore unacceptable. The EA's comments are all grounded in national policy, and therefore carry significant weight. I therefore conclude in relation to the second main issue that the proposal would not be acceptable in relation to flood risk.
8. It is unclear from the Appellant's statement whether he or his agent has been involved in any discussions with the EA, and in particular to address the specific shortcomings which the EA has identified in relation to this proposal. The evidence before me indicates that the proposal would be contrary to national policy, which amongst other things identifies the need for the Exceptions Test to be passed. An added concern is that the use of land for touring caravans is classified as 'more vulnerable' within national policy. Government policy is also reflected in Core Strategy policy D1.
9. In view of the importance of managing flood risk to acceptable levels in areas which are particularly vulnerable such as the appeal site, it is my judgment that this consideration comprehensively outweighs the arguments in favour of the appeal, and which has therefore led me to dismiss the appeal.
10. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should fail.

Mike Fox

INSPECTOR

¹ Sedgemoor District Council Core Strategy 2006-2027; adopted October 2011.