



Appeal Decision

Site visit made on 15 October 2019

by Matthew Jones BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 November 2019

Appeal Ref: APP/V3310/W/19/3233123

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 07/19/00013 STP, dated 18 March 2019, was refused by notice dated 10 May 2019.
- The development proposed is change of use of land from pasture to form extension to caravan park for static caravans and timber chalets.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the suitability of the site, having regard to local and national policy for the location of tourism development.
 - the effect of the proposal on the character and appearance of the area; and
 - whether the proposal would be acceptable in relation to flood risk.

Reasons

Location of the tourism use

3. The appeal relates to an enclosed field of pasture land directly to the east of the established caravan park at Westbrook Farm. To the north of the appeal site planning permission was granted in 2017 to extend the park in a manner comprising 28 touring pitches and a games room/equipment store¹. The notable landscape feature Brent Knoll is approximately 1.5km to the north, beyond the M5.
4. The proposal seeks to more than double the area of the existing caravan site through its expansion into the appeal site. It would entail the creation of 47 pitches for static caravans and the placement of 9 timber chalets set around picnic and amenity areas and a fishing pond.
5. For planning purposes, the site is located within designated countryside. Paragraph 83 of the National Planning Policy Framework (the Framework) seeks to enable the appropriate expansion of sustainable rural tourism and leisure facilities. This is consistent with Policies C01, D17 and S2 of the Sedgemoor Local Plan 2011-2032 (adopted 2019) (SLP) which, amongst other

¹ Ref: 07/17/00028

things, are permissive of expansions to rural tourism sites. This is subject to schemes meeting a number of requirements and contributing to detailed objectives, which are set out within Policy D17.

6. With regard to the objectives relevant to this proposal, the scheme would diversify and enhance the tourism offer at Westbrook Farm through the introduction of static units, chalets, leisure facilities and pond fishing. I understand that the latter two are limited in the surrounding area. This would likely improve the resilience of the local economy through the increased use of local facilities and enhanced job opportunities. Increased footfall may support an extended tourist season.
7. However, Policy D17, and by association Policies C01 and S2, expect proposals for new tourist accommodation, including caravans and lodges, to be justified by a robust business case demonstrating that it would be viable. Bearing in mind the significant scale of this expansion proposal in relation to the existing tourism site and the rurality of this location, I find that such a requirement is particularly applicable in this instance.
8. Whilst the appellant's evidence identifies some potential financial benefits of the scheme and references an increasing demand for static and timber units in the area, there is no substantive business case detailing quantitative evidence to that effect. In the absence of such I am unable to conclude that the extension to the tourism facility at Westbrook Farm would be viable or justified under the terms of Policy D17.
9. I therefore conclude that the site would not be suitable having regard to local and national policy for the location of tourism development. It would conflict with the relevant aims of Policies C01, D17 and S2 of the SLP and the Framework.

Character and appearance

10. The land around Westbrook Farm is very flat and provides limited opportunity to take in elevated or open views of the surrounding countryside. The appeal site is largely screened on all sides by substantial boundaries formed of trees and vegetation. Although small gaps in the south boundary do offer some brief passing views into the site from the highway, this would be reduced by the augmentation of the landscaping as proposed.
11. Any residual filtered views of the proposal through the landscaped boundaries would be limited and within the context of the existing caravan park. Whilst I acknowledge that the static units would be, in a manner, different to the touring caravans, they would remain low profile and clearly tourist related. As such, they would be a compatible addition to the existing tourism facility.
12. The proposal would be visible from Brent Knoll. However, the distance of the scheme from this feature, its enclosure within the existing field envelope, and its contextual relationship with the existing caravan site would lead it to have a largely inconsequential effect when viewed from this vantage point.
13. I therefore conclude on this issue that the proposal would have an acceptable effect on the character and appearance of the area. It would accord with the relevant aims of Policies D2 and D19 of the SLP and the Framework. The appellant has also referred to Policy BH10 of the SLP. However, I understand

that this policy relates specifically to development within the Brean and Berrow Tourism Boundary, which does not include the appeal site.

Flood risk

14. As this scheme relates to the expansion of the existing facility, a proportionate area within which to carry out the sequential test, as agreed by the Council, is that around the boundaries of the site. On this basis, I am satisfied that the sequential test is passed. With regard to the exceptions test, I note that the EA and the Council are content to rely on the findings of the appellant's Flood Risk Assessment, pursuant to the condition proposed in the EA's consultation response. I have no reason to disagree with this approach or conclusion.
15. The scheme shows surface water from the static units and chalets drawn by two pumps which would pump the water into the pond. Although no overflow outlet is shown from the pond on the plans, the method for the disposal for any overflow water into the ditches bounding the site is identified within the appellant's written evidence. Such details could be set out and secured pursuant to a drainage condition. Whilst Policy D1 of the SLP seeks to prioritise the use of Sustainable Drainage Systems, this is not a requirement where it would be impractical, which I find to be the case here.
16. The foul drainage would be pumped to a sewage treatment plant under the picnic area. Although no outlet is shown, it seems to me that discharge from the plant could be provided in the vicinity. Although I acknowledge the Axe Brue Internal Drainage Board's (ABIDB) concerns with regard to the long-term use of pumps for both foul and surface water, I am mindful that this is somewhat dictated by the constraints of the site. I also find that, with a proportionate long-term maintenance plan secured by the drainage condition, the concerns raised by ABIDB could be adequately addressed.
17. I therefore conclude on this issue that the proposal would be acceptable in relation to flood risk. It would accord with Policy D1 of the SLP and the relevant aims of the Framework.

Conclusion

18. The scheme would provide economic benefits, have an acceptable effect on the character and appearance of the area, and drainage matters could be resolved by condition. However, it is required by the development plan for the viability of the proposal to be justified through a robust business case.
19. As this requirement has not been met, I find that the proposal would conflict with the development plan when read as a whole. There are no other considerations, including the Framework, which outweigh this conflict.
20. Taking all matters raised into account, I conclude that the appeal should be dismissed.

Matthew Jones

INSPECTOR