



Appeal Decision

Site visit made on 20 March 2025

by **P J Staddon BSc, Dip, MBA (Distinction), MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 15 April 2025

Appeal Ref: APP/E3335/W/24/3356647

Rookery Manor, Edingworth Road, Edingworth, WESTON-SUPER-MARE, BS24 0JB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Ian Clapp against the decision of Somerset Council.
 - The application Ref is 24/23/00026.
 - The development proposed is 'change of use of agricultural land to site 14no. holiday cabins, with associated parking and internal access road (revised scheme).'
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal is appropriate to its rural location, with particular regard to the effect on the landscape character and appearance of the area.
 - The effect of vehicular traffic noise from the M5 motorway on the living conditions of future occupants of the holiday cabins.

Reasons

Background

3. Rookery Manor is an existing holiday lodge park complex located in a rural countryside location in the small hamlet of Edingworth. It is situated to the south of Edingworth Road and to the west of the M5 motorway, with which it shares a boundary. The eastern site boundary is formed with a country lane known as Strowlands.
4. I am advised that the site had a history of use as a wedding venue, spa, and holiday accommodation. More recently, a layout of over 50 holiday lodges has been established on land to the south of the former venue complex, which includes a reception, guest facilities, and a large car park. The lodges are laid out in a relatively uniform pattern, each on individual plots which, whilst limited in size, typically include a hard surfaced parking and outdoor space, much of which is laid with artificial grass.
5. Running along the rear (south-western) part of the park, there is a uniform row of just under 20 cabins facing an open field. Along the south-eastern margin of the

park, there is a row of about 10 cabins, each sited on an east-west axis, and behind them there is a bund screening them from the M5 motorway just beyond. There is also a drainage ditch between the bund and the motorway.

6. The appeal site relates to a roughly rectangular shaped agricultural field to the south of the existing park and lying adjacent to the M5 motorway; the redlined area also includes the existing service road route through the park and its entrance on Edingworth Road. The field itself appears to have been land raised in the past and sits at a higher level than the adjoining fields. Some distance to the south of the appeal site is the Sedgemoor M5 motorway service station, which is largely screened by trees when viewed from the site and from other vantage points in the hamlet.
7. In 2022, the Council refused¹ to grant planning permission for the change of use of this agricultural land to allow the siting of 18 holiday cabins and related works in respect of parking and access. The Council cited 2 reasons for refusal, the first relating to impact on the character and appearance of the countryside, the second to concerns about living conditions for future occupiers of the cabins due to noise impacts from the M5 motorway.
8. The appeal proposal is similar to that refused in 2022, but it reduces the number of cabins to 14. The cabins would be sited in rows either side of a central service road, with 8 on the eastern part (cabins 1 – 8) and 6 on the western part (cabins 9 – 14). The Council's statement confirms that the cabins would measure 12.2 metres by 6.1 metres in footprint and 3.9 metres in height; that they would be timber clad under timber and felt shingled roofs; and each would be positioned on a concrete base. Parking for 14 car spaces would be provided at the end of the drive. The submitted drawing² notates an existing bund to the rear of cabins 1 – 8, screening them from the motorway. An existing bund is also notated along the southern margin of the site.
9. On my site inspection, I observed that the bunds appeared to be of relatively recent formation, or at least recently worked upon, with excavator vehicle track lines quite visible. The site also appeared to have been stripped and cleared, and there was evidence of services being installed, presumably to serve the appeal proposal cabins. There was also a cabin installed in the north-east part of the site. I record these observations in passing, and it is a matter for the Council to consider whether or not these works have been authorised in planning terms.

Landscape character and appearance

10. The Rookery Manor holiday lodge park appears to have developed rapidly in recent years, and is now a quite substantial and established enterprise, set within a small rural hamlet. The layout of existing cabins is neat and uniform, and concentrated in the area immediately to the south of the former venue complex of buildings.
11. The south-western boundary of the park is clear and distinctive. The cabins are arranged in a more or less straight line, set behind a fence above a drainage ditch, although there is a slight southward inset in the south-east corner, near to the appeal site, which includes a vehicle turning head, and the last cabin which backs onto the M5 motorway.

¹ Somerset Council planning application reference 24/22/00023

² Drawing No 2998/2A

12. As the existing cabins are sited on seemingly raised ground, they are quite visible when viewed from the west and south-west from Stowlands and Stowlands Lane respectively. I visited in March, and noted that this visual edge of the holiday park development has little in the way of screening. It is likely that hedges and vegetation along drainage ditches will grow and soften the view over the summer months, but the interface between the holiday park and the countryside beyond will likely remain clear and visible. As a result, this south-west boundary not only defines the interface between the holiday park and the open countryside beyond, but also the southerly extent of the Edingworth hamlet.
13. The field that would accommodate the additional 14 cabins is part of a patchwork of fields of varying shapes and sizes which comprise the open countryside. Whilst it currently has the appearance akin to a construction site, no built development is currently permitted and I must make my assessment on the basis of its status as an agricultural field. In terms of landscape impact, I am mindful of the appellant's submissions regarding the presence of a service station to the south, but I observed on my site visit that this is largely screened by trees and the service station complex is not conspicuous in the rural landscape. I also noted that there is little other built development south of Edingworth for over a kilometre, where the outskirts of East Brent are reached.
14. I agree with the appellant that views from the M5 direction would be very limited, although I was able to observe the existing cabin roofs from the motorway above the bund, and the appeal proposal cabins will likely also be partly visible. However, I do not agree with the appellant's claim that the development would be on 'an infill piece of land'. It would not and, when viewed from the north-west, west and south-west, the rows of cabins will appear as a notable intrusion into the open countryside, which I assess would be harmful to the landscape character and appearance of the area. This effect would be exacerbated by the raised nature of the land and the absence of any landscape proposals within the development to soften and filter its visual impact.
15. On this main issue, I conclude that the appeal proposal would be harmful to the rural landscape character and appearance of the area. This would conflict with policy D2 of the Sedgemoor Local Plan (adopted 20 February 2019), which promotes high quality and inclusive design that, amongst other matters, responds positively to and reflects the local characteristics of the surrounding area, and includes landscape proposals that have been prepared in conjunction with the site layout as part of the design process. It would also conflict with policy CO1 which seeks to limit and control development in the countryside in line with national policy; I am mindful in this regard that paragraph 187 of the National Planning Policy Framework (December 2024) (the Framework) states that planning decisions should recognise the intrinsic character and beauty of the countryside, which I assess would be harmed in this case. I find further conflict with policy D17 which, whilst providing broad support for tourism and tourist related development, seeks to direct new tourism facilities in the countryside, including extensions to existing facilities, to more sustainable locations and, in all cases, to avoid harm to a range of matters, including landscape interests.

Noise and future occupants living conditions

16. The appeal site is very close to the M5 motorway. On my site inspection, I climbed to the top of the earth bunds and noted that the traffic noise was significant and moreorless constant, given the proximity of 6 lanes of motorway traffic and 2 filter lanes associated with the Sedgemoor service stations (north and south). At the main site level, the bunds do have the effect of lessening the noise, but it is still prevalent and could not ever be described as tranquil.
17. Cabins 1 – 8 would back onto the bund, with the motorway just beyond. The application included an Environmental Noise Assessment (ENA) which contained data from 6 noise monitoring locations across the site, and calculations of ambient and representative maximum noise levels. The ENA advises that to achieve a suitable internal noise environment within the cabins, they will need to meet specifications (set out in the ENA) in terms of the external walls, roofs, windows and trickle vents. It concludes that with these measures in place 'a high standard of residential amenity will be provided'.
18. I have a number of concerns regarding the noise implications. First, the application plans were scant in terms of detail concerning the noise bunds and the proposed cabins – no engineering details, site sections, or heights of the bunds were provided, and there is nothing on the cabin drawings to indicate that the ENA building measures could, or would, be included in the cabin design. Second, the ENA appears to focus solely on the internal cabin environment and would seemingly rely on all windows and doors being kept shut to maintain an acceptable internal noise environment. Third, holiday lodge occupants will likely wish to sit outdoors and have windows open, especially in the warmer months, and the ENA suggests that they will be exposed to high levels of ambient noise, which does not feel conducive to the provision of high-quality tourist accommodation.
19. Whilst noting the appellant's submission on this matter, including the absence of an objection from the Council's Environmental Health Officer, I am not satisfied, based on the evidence before me, that it has been demonstrated that future occupants' living conditions would be acceptable with regard to the effects of motorway noise. This means that the appeal proposal conflicts with policy D25 which seeks to protect the amenities of future occupants, including as a result of unacceptable noise impacts. It also conflicts with policy D2 which, amongst other matters, requires the design of developments to be attractive and enjoyable to use.

Other Matters

Tourism benefits

20. The appeal proposal has the potential to benefit tourism and the local economy, and that is not disputed by the Council³. Whilst I have considered these positive benefits that might arise from the proposal, they do not outweigh the planning harm that I have identified under the main issues.

Flood risk

21. The appeal site lies within Flood Zone 3 and the proposed development would fall within the 'more vulnerable' category, requiring the sequential and exception tests

³ Somerset Council's Statement of case – paragraph 5.2

to be passed in accordance with the Framework and the Planning Practice Guidance. Whilst the Council appears to be satisfied in this regard, I have noted the objection lodged by the Environment Agency concerning the adequacy of the appellant's Flood Risk Assessment (FRA). The FRA is remarkably short, comprising less than half a page and referring to previous FRAs, which are not before me.

22. I have also noted the objection lodged by the Axe Brue Internal Drainage Board (IDB), concerning the earth bund alongside the motorway, which it says was constructed without planning consent and without IDB land drainage consent. The IDB submits that the appeal proposal raises health and safety, future maintenance, and ecological (water vole) concerns, with regard to the adjacent M5 motorway drainage rhyne.
23. As I have found the appeal proposal to be unacceptable for other reasons, I have not considered it necessary to seek further views from the interested parties on flood risk and drainage matters, or to examine these matters more fully. However, it is important that I record that, based on the information before me, I cannot be satisfied that the appeal proposal has been demonstrated to be acceptable with regard to flood risk.

Council officer's report

24. I have taken into account the appellant's submissions concerning the Council officer's report, which included a positive recommendation. However, the planning committee was entitled to reach a different decision, based on its planning judgement. Likewise, I have made my own planning judgement based on the facts of this case, the statutory development plan, and all other relevant material considerations.

Conclusion

25. For the reasons stated above, the appeal is dismissed.

P. Staddon

INSPECTOR