

Committee date 09/07/2024

Application No: 24/23/00026

Application Type: Full Planning Permission

Case Officer: Liam Evans

Registered Date: 25/09/2023

Expiry Date: 19/11/2023

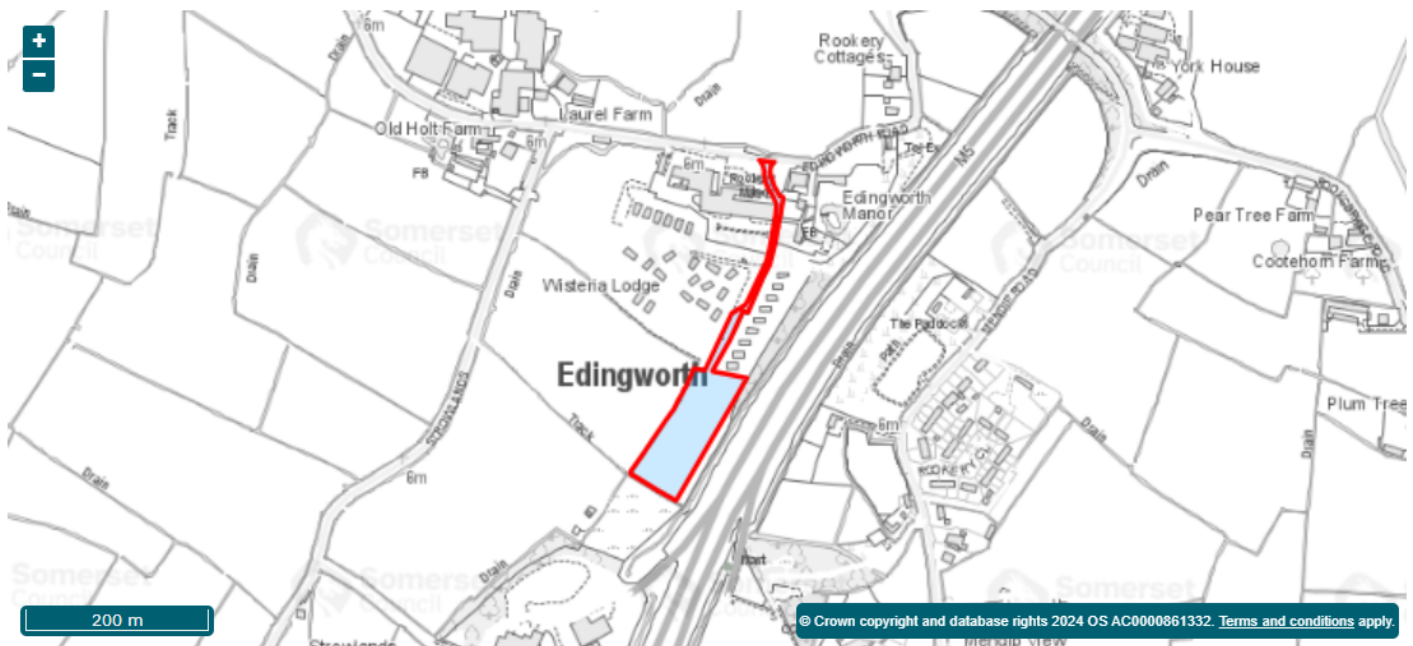
Parish: East Brent

Division: Brent

Proposal: Change of use of agricultural land to site 14no. holiday cabins, with associated parking and internal access road (revised scheme).

Site Location: Land And Property At, Rookery Manor, Edingworth Road, Edingworth, Weston-super-mare, Somerset, BS24 0JB

Applicant: Mr I Clapp



Committee decision required because

The views of the Parish Council are contrary to the recommendation.

Recommendation

Grant Permission

Background

Rookery Manor is located within the hamlet of Edingworth and is adjacent to the M5. The site was used for a variety of purposes including as a wedding venue, spa and holiday accommodation. The site is accessed from Edingworth Road via multiple entrances with on site parking provided to the rear and front of the existing complex of buildings.

Planning permission has been granted in the proceeding years as the business has diversified into self-catering holiday accommodation for the erection of timber clad cabins situated on land to the south of the main complex of buildings.

The most recent application (24/22/00023) proposed the siting for a further 18 single storey cabins, which were to be used as holiday accommodation to the south of those already permitted on site. It was also proposed to re-site a previously approved cabin from its permitted location.

However, permission was refused on two grounds:

"The proposed cabins would be situated to the south of the existing accommodation, which is contained within the existing east and south boundaries that enclose the holiday site. Due to the proposed development projecting beyond the established layout of the existing development and into the adjoining field, the proposed cabins would become visually prominent within the landscape, which is located within a countryside setting. Taking into account the scale of the proposal site and the number of cabins proposed there would be a detrimental impact on the landscape character of the immediate locality and the wider countryside. The cumulative effect when viewed with the existing development would cause a visual harm to the area that could not be adequately mitigated..."

and

"The location of the proposed cabins would not be screened by the existing permitted bunding and no further bunding is proposed as part of the proposal. Therefore there would be a detrimental impact on the amenity value of the cabins from noise and disturbance generated by the adjacent motorway. As such the proposal would not contribute to an improvement in the quality of the tourism offer or the image of the area as a tourism location..."

An amended scheme has now been submitted for the site, which has reduced the proposal to 14 cabins. The cabins would be arranged in two rows.

The cabins would be 12.2m x 6.1m in footprint and 3.9m in height with a pitched roof matching

those of the existing. The external finish will be composed of timber cladding under a timber or felt shingled roof. Each cabin will be supported by a concrete base and will be positioned into the sloping gradient of the land.

Access to the cabins will come from the existing car park to the south of the complex via an extended driveway. Parking will be provided at the end of the access with guest walking to the accommodation on foot.

Relevant History

Applications Overlapping the same Spatial Area

Reference	Case Officer	Decision	Proposal
24/22/00023	LE	REF	Change of use of agricultural land to site 18no. holiday cabins, with associated access and parking.
24/20/00012	LE	GTD	Change of use of land from agricultural to site 6 No. holiday cabins
24/19/00011	LE	GTD	Change of use of land for the siting of 9 No. log cabins.

Supporting information supplied by the applicant

Planning Statement
Flood Risk Assessment
Flood Warning and Evacuation Plan.

Consultation and Representations

- Date of consultation: 24 October 2023
- Date of revised consultation (if applicable):
- Press Date (if applicable):
- Site Notice Date (if applicable):

The submitted comments are available in full on the Council's website.

Consultees: the following were consulted:

Consultee Name	Summary of Response
Axe Brue Drainage Board	Objection relating to increased water surface flow and access to rhyne.
East Brent Parish Council	<p>Objection.</p> <p>"This application is a resubmitted application of 24/22/00023, albeit that was for 18 cabins, and this is for 14 cabins.</p> <p>The original application was rejected by the Parish council, and at the Planning Committee meeting on the 15/11/2022 was also Refused Planning Permission on the following grounds,;-</p> <p>(See above Background section)</p> <p>The Parish Council are therefore of the opinion that this application 24/23/00026 for 14 cabins contravenes the same policies that were stated for the refusal of application 24/22/00023 and as such the Parish Council cannot support this application."</p>
Somerset Council - Ecologist	Ecological Survey required.
Somerset Council - Civil Contingencies	Recommend flood warning and evacuation plan.
Somerset Highways	No objection.
Historic Environment Service - Archaeology, Somerset Heritage Centre	No comment.
Environmental Health	No comment.
Environment Agency (drainage/water)	Objection due to inadequate flood risk assessment.

Local representations:

Neighbour notification letters were sent in accordance with the Councils Adopted Statement of Community Involvement.

1 representation has been received making the following comments (summarised):

Material Planning Considerations	
Objections	Officer Comment
Already approval for 73 cabins, another 14 would mean 87, which is very high number, overdevelopment.	Planning history - 57 cabins granted consent
Impact on infrastructure.	Noted
Many existing cabins lived in for most of the year so should be considered as housing.	Enforcement matter

Most Relevant Policies

National Planning Policies

National Planning Policy Framework

Local Plan (2011-2032)

S2 Spatial Strategy for Sedgemoor

CO1 Countryside

D1 Flood Risk and Surface Water Management

D2 Promoting High Quality and Inclusive Design

D13 Sustainable Transport and Movement

D14 Managing the Transport Impacts of Development

D17 Tourism

D25 Protecting Residential Amenity

Main Issues

Principle

Policy S2 encourages sustainable development in terms of location although this site is promoted as an enhancement and expansion of an existing facility within the countryside and is therefore acceptable in accordance with Policy C01 of the Local Plan.

The principle of development is therefore accepted as the proposal relates to an established holiday development site, whereby the previously approved schemes have been successfully implemented and further accommodation is required to be used in conjunction with them.

This application is located within the countryside and forms part of the wider Rookery Manor complex. The application seeks consent for the siting of 14 lodges (reduced from the previous

submission) to the south of those recently consented to the north east. The development proposes to continue along this line of lodges southwards in parallel to the motorway and terminate at a turning head and parking area. The proposal would be used in association with the existing adjoining tourist development and would not result in the establishment of a new business.

The development of the site for holiday accommodation has involved a capital outlay for services such as gas, water and electric alongside groundworks and therefore there is a minimum outlay for utilities for each of the cabins. The park has been developed in small phases to carefully manage cashflow. The initial outlay for the cabins is approximately £74,000 with an income of £42,000 per annum. The information provided within the business plan indicates a return in year 3 on each of the units with further increases in profit year on year. This is based on a consistent occupancy rate with holidays ranging between 3, 4 and 7 night stays. The information supplied shows the rate of occupancy to be consistent across the year factoring in adjustments to rates for seasonality.

The site is within proximity of a number of local attractions included Cheddar, Brean and the coast as well as those within neighbouring districts. It also has an onsite spa facility established within the complex of buildings to the north of the cabins. The construction of the cabins would also be consistent with those already in situ and would fall under the character of a caravan. These would be manufactured away from Rookery Manor and transported in two sections to be bolted together on the site.

The proposal would result in the loss of agricultural land but given its location relative to the consented tourist site and its reduced size due to the continued development of the site its loss in principle is not considered to raise an objection.

While concerns have been raised regarding the ultimate size of the site and the number of cabins approved (and now proposed) it is recognised that the scale of site as a holiday use is quite substantial and is now the dominant use of the overall site. Taking into account the area of land allocated for tourism accommodation the layout and density of the site remains consistent across all of the cabins although has been reduced in respect of the current proposal relative to that refused by the former authority. It is considered that the land that would accommodate the proposed cabins would be of a size that can successfully integrate themselves with the wider site.

Instances of existing accommodation not being used in accordance with the conditions of past permission have been highlighted and this would be a matter for investigation through planning enforcement. Each planning application is assessed on its own merits and therefore taking into account the information submitted the proposal would extend the tourism use of the site and would be conditioned as such ensuring that permanent accommodation that could potentially impact on the local infrastructure (doctors, schools, etc) would be controlled in this rural area.

Highways

The proposal will have no adverse effect on either the highway local highway network or highway

safety as the traffic generated from the proposal will be minimal based on the tourism use. The site is a minimal distance away from the A370 to the west and therefore has reasonable access to the wider district. While most development involving the provision of accommodation would result in an increase in traffic it is not considered that this would be to a significant extent based on the reduced number now proposed.

Taking into account the scale of the development the pollution increase relative to the wider area in terms of vehicles movements would be minimal. It is acknowledged that there are not an abundance of sustainable transport options given the rural location but it is not considered that the proposal as submitted would result in significant impacts on the surrounding area in its own right.

Rookery Manor is an established tourism site, which provides good access from the main entrance on Edingworth Road with good visibility in both directions. The site has ample parking provision for the existing cabins all of which approved within the individual schemes for the various plots and these will remain unaffected by the development. The cabins would be subject to further on site parking provision close to the proposed accommodation and this will be accessed via an extension of the existing internal access arrangement. It is considered that the layout and allocation of spaces for the cabins should be submitted via condition. Based on the expected volume of traffic generated by each 2 bedroom cabin it is considered that 1 space per unit would be reasonable and the area allocated on the submitted plan could accommodate this.

The proposal therefore is not considered to have an adverse effect on the highway and is considered to be acceptable in accordance with policies D13 and D14 of the Local Plan.

Flooding

Policy D1 addresses the issue of managing flood risk whereby this site is located in Flood Zone 3. Notwithstanding the fact that the application site remains the same and did not object to the larger scheme previously proposed the Environment Agency and Internal Drainage Board have now raised objections to the application.

However, the location of the proposed cabins represents an acceptable position on site taking into account the existing use of the site for tourism accommodation and to locate them elsewhere would result in logistical issues in terms of the management of the entire site. It is not considered that based on the cabins location that there will be a significant increase in flood risk to the site. The site is located within Flood Zone 3 and the use is 'more vulnerable' therefore the Exception Test should be passed in accordance with guidance in the PPG. The location of the log cabins is part of an established tourist/holiday/leisure site and the FRA has confirmed that the ground floor levels of the cabins will be 8.00AOD which is elevated beyond the 1/200 possible flood level specified as 6.10AOD. This was previously recommended to be conditioned by the Environment Agency.

The applicant has provided a flood warning and evacuation plan which set out the following:

- electronic flood warning system to be installed in each cabin and in the reception office which will be link to a sound system audible to all persons (staff and guests) and used in the event of flooding or overtopping.
- an evacuation plan will be prepared and placed in each cabin.
- method of evacuation will be to car park immediately adjoining the site with redeployment of guests supervised by staff.
- members of staff will be trained and a flood warning and evacuation officer will be appointed by management who will be responsible for all matters in connection with above.

With regards to the Internal Drainage Board no site specific comments were offered previously and therefore the inclusion of an informative would have been part of the recommendation if the application were approved. In this case the location of the site remains as previously submitted although it is considered that a condition could be added requiring surface water drainage details be submitted. Based on the plans submitted a minimum distance of 12m would be provided between the cabins and the adjacent watercourses, which would allow continued maintenance.

The proposal complies with Policy D1 of the Local Plan.

Ecology

While the Ecologist has sought an ecological survey the site falls outside of any recognised habitat designations and would not result in the loss of existing features such as trees, hedgerows or existing buildings that could support roosts for bats or birds with the existing land a mixture of soil and stone. It should be noted that the previous application to be refused was not done so on the absence of a survey and this current scheme takes place within the same area of the site and would be similar in layout other than for a reduced number of cabins.

In order to provide some form of landscape/biodiversity enhancement additional landscaping planting is proposed and would be sought by condition.

Residential Amenity

The location of the proposed cabins ensures that they are located at least 200m away from the nearest residential property not in control of the applicant. This distance coupled with the position of the cabins on land which slopes away to the south east ensures that the development will have no impact in terms of loss of privacy, disturbance or impact on light.

The proposal is seeking to connect to a new package treatment plant in order to deal with foul drainage and therefore the existing system would not take any additional loading from the development. The condition recommended by Environmental Health would therefore not be required in this instance.

With regards to contaminated land the site was previously used for agricultural purposes as evident from aerial images of the site. Environmental Health have raised no concerns regarding the potential for contamination.

The proposal will therefore comply with Policy D25 of the Local Plan.

Previous Schemes

Concerns have been raised regarding the use of the existing permitted cabins on the site and possible breaches of occupancy conditions. Any alleged breaches of planning control should be brought to the attention of the LPA's enforcement team for further investigation. Each planning application is considered on its own merits and it would be unreasonable to withhold consent for an acceptable scheme. The granting of consent would not result in any reduction in the need for the applicant's to comply with past planning consents and the conditions attached to them.

Previous Reasons for Refusal - Design and Visual Impact

Policy D2 requires development to be of a high quality design that reflects the characteristics of the site and the surrounding area.

The proposed log cabins will occupy land immediately to the south of the existing Rookery Manor complex and will be adjacent to the existing cabins recently added and repositioned within the site. They will be accessed from the existing car park via an extended access and will sit at an elevated level to the car park but will be well screened by existing hedging at the top of the bund that lines the boundary with the motorway.

The cabins are to be constructed of timber for the walls with a dark brown timber or felt shingle roofing, with windows and doors painted dark brown to match to minimise their appearance. The designs will be similar to those already on site and therefore would be consistent with the changing character of the site and wider landscape. The site is not visible from the motorway taking into account the presence of existing tree planting and bunding works carried out to the east boundary. Therefore it is not considered to be overly intrusive within the countryside given the appropriate scale and the presence of other structures and commercial development along this stretch of the M5 including the nearby service station. The existing bunding to the edge of the site will be retained to account for the extension of the site and the cabins will be interspersed with tree planting and while indicative positions of trees have been submitted this should be confirmed via condition. They will not be visible from Edingworth Road due to the topography of the site and the presence of the existing complex of buildings inside the entrance to the site.

While views from Edingworth Road and the M5 would be restricted by existing buildings and landscaping respectively, views from Strowlands on the west side of the Rookery Manor complex would be available. With regards to the current proposal the cabins will be screened from view from Strowlands by the existing hedgerows along the shared boundary of the adjoining field. The cabins

will be positioned closely to those previously approved and will not appear isolated or detached from the site, ensuring that they will only be seen in context with the existing tourism site. While the site would extend further south the holiday cabins would be concentrated into an area where the density, layout and scale of the individual plots would be consistent with those that have already been permitted.

The distance of the site from the nearest listed buildings coupled with the previous development having already taken place would ensure that there would be no detrimental impact on their setting.

The design and siting of the proposed log cabins are considered acceptable for the site given it is well connected to the existing site of Rookery Manor, within proximity of the existing holiday cabins and will be seen in context with the development of the site as a whole.

The proposal is therefore considered to be acceptable in accordance with policy D2 of the Local Plan.

Previous Reasons for Refusal - Proximity to M5

In refusing the previous planning application the Development Committee raised concerns that the existing permitted bunding approved in 2010/2011 did not extend far enough along the south east boundary of the site to enclose the cabins and provide acoustic protection for occupants.

The additional holiday lets would be sited close to the south of the previously approved holiday lets, which would be in proximity of the M5. The plans submitted indicate that as well as dense tree planting, which extends along the east boundary of the site towards the south, that the existing bunding (not within the previously approved scheme) would also be retained as part of the proposal. While this extends beyond that previously approved its retention will act as both a visual screen for the development as well as provide acoustic mitigation from the motorway for guests who reside within the holiday lets. In this case its retention is considered reasonable and proportionate to the scale of the development.

In addition, the revised application has been supported by a noise assessment, which indicates that the acoustic levels within the cabins can be managed to a suitable level through the construction incorporating sound insulation and appropriate glazing. It should be noted that the holiday lets will be fitted with double glazing as well as being insulated to ensure heat retention as well as providing acoustic protection. It is recommended that the development is carried out in accordance with the recommendations of the noise report in respect of the facade specification for the walls, roof and windows.

Environmental Health have raised no issue with the revised information supporting the scheme.

Summary

The proposed holiday lodges would be sited to the south of the existing site, would have a minimal visual impact on the surrounding area and would not result in a detrimental effect on residential amenity. The existing access is considered suitable to absorb the additional vehicular movements while not impacting on highway safety. The proposals are considered to comply with Policy S2, C01, D2, D17, D14 and D25 of the Sedgemoor Local Plan.

RECOMMENDATION

GRANT PERMISSION

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: In accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

- 2 The development hereby permitted shall be carried out in accordance with the approved plans listed in schedule A.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 a) The holiday accommodation permitted under planning permission reference 24/23/0026 shall be used for holiday accommodation only and shall not be occupied as a person's sole or main residence.

b) The site operators and owners shall maintain a comprehensive up to date register of the names of the owners/occupiers, including their guests, of individual caravans on site and evidence of their main home addresses and dates of occupation of the holiday accommodation and shall make this information available at all reasonable times to the local Planning Authority.

Reason: The development is not considered suitable for a full residential development and in accordance with Policies CO1 and D17 of the Sedgemoor Local Plan.

- 4 The holiday cabins hereby permitted shall be constructed with finished floor levels set at a minimum of 8 metres above ordnance datum.

Reason: To reduce flood risk to the proposed development and future users in accordance with Policy D1 of the Sedgemoor Local Plan.

- 5 The development hereby permitted shall be carried out in full accordance with details submitted within the Flood Risk Assessment and Flood Warning and Evacuation Plan dated September 2023 and shall be maintained in the operation of the development as such thereafter.

Reason: In the interests of flood risk in accordance with Policy D1 of the Sedgemoor Local Plan.

- 6 Prior to the commencement of the development hereby permitted, a detailed Landscape Plan and associated Planting Schedule and a Boundary Treatment Plan be submitted to and agreed in writing by the Local Planning Authority. The landscaping scheme shall be carried out in the first planting season following the commencement of the development and the trees/shrubs shall be protected and maintained, and dead or dying trees/shrubs shall be replaced to the satisfaction of the Local Planning Authority for a period of five years following their planting.

Reason: in the interest of the safe and efficient operation of the strategic road network and to protect the National Highways soft estate.

- 7 The area allocated for parking and turning on the submitted plan no.2998/2A shall be kept clear of obstruction at all times and shall not be used other than for parking and turning of vehicles in connection with the development hereby permitted

Reason: To ensure the cabins are served by an adequate level of on site parking in accordance with Policy D14 of the Sedgemoor Local Plan.

- 8 Before the holiday lodges hereby permitted are first occupied a properly consolidated and surfaced parking area, and access road thereto, shall be constructed in accordance with details as shown on plan no.2998/2A and shall be retained as such thereafter.

Reason: To ensure the development is served by adequate means of access and parking in accordance with Policy D14 of the Sedgemoor Local Plan.

- 9 Prior to the installation of any lighting, details of said lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details and retained as such thereafter.

Reason: In the interests of the amenity value of this rural location and

residential amenity in accordance with Policy CO1 and D25 of the Sedgemoor Local Plan.

- 10 Prior to the commencement of the development hereby permitted, a detailed drainage strategy for the site shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in full accordance with the approved details and maintained as such thereafter.

Reason: In the interests of mitigating potential surface water.

Schedule A

Location Plans Drg No: 001A

Block Plan Drg No. 2998/2A

Floor Plan Drg No. 2998/3

DECISION
