

LPA Ref: 22/00752/OUT

Forest Hill Golf Club, Botcheston

Appeal Statement (Highways)

(August 2023 Revision B)

(VOLUME 2)

**Mr C Bancroft Adv Dip TS FCILT On behalf
of Sparsis Leisure**



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**APPENDIX CB1 – LPA DECISION NOTICE (27 OCT
2021) AND CORRESPONDING OFFICER REPORT**

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Refusal of Planning Permission

Name and Address of Applicant

MR S Gohil
Sparsis Leisure Ltd
C/O Agent

LE9 9FH

Name and Address of Agent

Mrs Aida McManus
AM Planning Consultants Limited
17 Derwent Road
Stapenhill
Burton upon Trent
DE15 9FR

Part I - Particulars of Application

Date of Application

29 December 2020

Application No.

20/01387/OUT

Particulars and location of development:

Proposed 152 bed hotel with leisure facility & spa within use class C1 (outline - access to be considered)

Forest Hill Golf And Country Club Markfield Lane Botcheston Leicester Leicestershire

Part II - Particulars of decision

In dealing with the application, through ongoing dialogue and the proper consideration of the proposal in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the local planning authority have attempted to work with the applicant in a positive and proactive manner by offering a pre-application advice service and by seeking solutions to problems arising in relation to dealing with the planning application as required by the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). However, in this instance, it has not been possible to overcome the concerns raised and the proposal remains in conflict with the provisions of the Development Plan and therefore the application has been refused.

In pursuance of its powers under the Town and Country Planning Act 1990, the Hinckley and Bosworth Borough Council refuses to permit the carrying out of the development referred to in Part I hereof for the following reasons:-

1. The proposal is for a strategic hotel as defined in Policy DM24 of the SADMP. Located within the countryside, the proposal does not fall under any of the categories identified in Policy DM4 as sustainable development. The requirements of Policy 23 of the Core Strategy and Policy DM24 of the SADMP are for new strategic hotels to be located in areas which reduce reliance on the private car. The proposed location of the hotel, being remote from any settlement, would only be accessible by car. Therefore, the proposal would not be accessible by a range of sustainable transport modes. Such a proposal would be contrary to the Policy 23 of the Core Strategy and Policy DM24 and would represent unsustainable development for the purposes of Policy DM4 of the SADMP.
2. The proposed hotel would constitute an incongruous form of development positioned within a prominent location in this rural location in the National Forest. The large scale and size of the development proposed would have a significant adverse effect on the intrinsic value, open character and landscape character of the countryside and on views of the surrounding undulating countryside. Such a proposal would be contrary to Policies 21 and 23 of the Core Strategy and Policies DM4 and DM10 of the SADMP 2016 along with guidance in paragraph 130 of the NPPF on the need for development to add to the overall quality of the area.

IMPORTANT - PLEASE READ THE NOTES AT THE END OF THIS DOCUMENT

3. Evidence submitted with the application fails to demonstrate that a safe and suitable form of vehicular site access can be achieved for all highway users. Such a proposal is thus contrary to Policy DM17 of the SADMP (2016) and advice in paragraph 110 of the NPPF (2021).
4. Evidence submitted with the application fails to demonstrate how any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be mitigated. Such a proposal is thus contrary to Policy DM17 of the SADMP (2016) and to advice in paragraph 111 of the NPPF (2021).
5. Insufficient evidence has been submitted with the application to substantiate that the proposal would not harm protected species and would contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Such a proposal would thus be contrary to Policy DM6 of the SADMP and to guidance in the NPPF.



Nicola Smith
Planning Manager
Development Management

Date :27 October 2021

NOTES

1. It will be most helpful if the application number shown overleaf is quoted on all correspondence.
2. If you consider that this decision has been made invalidly through the Council failing to follow a procedure correctly, not having the legal power to make the decision in the way it did or through its decision being so unreasonable as no reasonable local authority would make the same decision based on the same facts, then you may enter a claim for judicial review to quash the decision. In order to proceed with a claim for judicial review an initial application for permission will need to be made to the Administrative Court, this application is required to be made "promptly and in any event within three months of the decision". The initial permission application will decide if you have an arguable case, whether you are sufficiently materially affected by the decision to bring the claim. If you are granted permission to bring the claim it will proceed to a full hearing at the Administrative Court. Although there is no requirement for you to do so it is highly recommended that you seek independent legal advice before bringing forward a claim for Judicial Review
3. If you are aggrieved by the decision of the Local Planning Authority to refuse permission you may appeal to the Planning Inspectorate in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. If your appeal is against a Minor Commercial Development, we would advise you to view the guidance on the Planning Portal website under Procedure Guidance, to confirm the time frame for appealing. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, tel. 0303 444 5000 or online at <https://www.gov.uk/planning-inspectorate>). You must use a Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, (or could not have been so granted otherwise than subject to the conditions imposed by them,) having regard to the statutory requirements as set out in Section 78 of the Town and Country Planning Act 1990, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him. Appeals- new time rules. Appeals relating to applications made to the Local Planning Authority on, or after, 14 October 2004 must be made within six months of the date of this notice. If you intend to submit an appeal that you would like examined by inquiry then you must notify your Local Planning Authority (planning@hinckley-bosworth.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details can be found on GOV.UK.
4. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application then, you must do so in accordance with the guidance found using the following link <https://www.gov.uk/appeal-enforcement-notice/>.
5. If permission to develop land is refused whether by the Local Planning Authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
6. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

RNOTES (02/07/2014)

Delegated Report

Planning Ref: 20/01387/OUT

Applicant: MR S Gohil

Ward: Ratby Bagworth And Thornton



Hinckley & Bosworth
Borough Council

Site: Forest Hill Golf And Country Club Markfield Lane Botcheston

**Proposal: Proposed 152 bed hotel with leisure facility & spa within use class C1
(outline - access to be considered)**

1. Recommendations

- 1.1. **Refuse planning permission** for the reasons at the end of this report.

2. Planning application description

- 2.1. The proposal is submitted in outline format and relates to the construction of a 152 bed hotel with leisure facility and spa. Accompanied by an indicative layout plan this shows the concept that the building would have a single storey main amenity building with three two storey wings located to the rear of the building to provide the bedroom accommodation. The indicative layout plan also shows landscaping around the perimeter of the site along with the retention of the existing landscaping.
- 2.2. Access is to be considered as part of the outline submission and detailed plans have been submitted showing a new vehicular access onto Markfield Lane. This access would lead to three areas of car parking. There would be no vehicular access to the adjoining golf course complex.

3. Description of the site and surrounding area

- 3.1. The application site lies approximately 1.5km north of Botcheston within an area of open countryside. The southern and western boundaries of the site are bound by Markfield Lane, whilst the northern boundary is bound by the Forest Hill golf and conference centre. To the eastern boundary lies an area of woodland with open fields beyond.
- 3.2. The open fields located around three of the boundaries of the application site along with the open nature of the adjoining golf course gives the area its rural character.

4. Relevant planning history

00/00683/OUT

- Use of land as a golf academy including construction of a building and formation of a training course
- Refused
- 17.08.2000

01/00105/OUT

- Use of land as golf academy including formation of 2 hole golf course and erection of building to form members facilities
- Outline Planning Permission
- 26.04.2001

05/00411/FUL

- Extensions and alterations to golf course and clubhouse and erection of new changing rooms and proshop

- Planning Permission
- 13.07.2005

19/00855/FUL

- Extensions and alterations to club house and extension to existing car park including temporary marquee
- Planning Permission
- 25.09.2019

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.
- 5.2. Three letters of objection have been received raising the following issues:
 - The proposal would increase traffic on an already busy country lane.
 - Proposal is inappropriate development in the Green Belt and would have a harmful impact on this rural underdeveloped area.
 - The scale of the development proposed is overwhelming.
 - The proposal would intensify traffic onto the surrounding roads leading to congestion and pollution and leading to the roads being unsafe for cyclists.
 - The existing footpath along Markfield Road is unsuitable for pedestrians.
 - There is a covenant on the land that it can only be used as a golfing facility.
 - The proposal would cause noise and disturbance to local residents especially from fireworks.
 - The use of the existing Victorian residential sewer for the disposal of sewage is inadequate to cope with the flows from this proposal. The discharge of surface water to a watercourse would cause flooding.
 - The scheme should be enhancing biodiversity and not merely remaining neutral.
 - It is stated that Coley Lane would be the access road used by staff and visitors but this road is merely a dirt track with a ford.
 - There is already a function room which can be hired in Botcheston Village.
- 5.3. One letter providing comments on how the existing access track between Markfield Lane and the agricultural holdings behind the site would be maintained.

6. Consultation

- 6.1. LCC as Highway Authority object to the proposal as the residual cumulative impacts of the proposal would be severe.
- 6.2. LCC Ecology object to the proposal as there is inadequate information about protected species and habitat loss.
- 6.3. National Forest Company raise concerns about the proposal which has failed to demonstrate that the proposed hotel is a suitable scale or design for a rural location or in a sustainable location.
- 6.4. No comments have been received from:
Section 106 Monitoring Officer

HBBC Environmental Services (Pollution) – subject to conditions

HBBC Waste Services – subject to a condition

LCC Archaeology

HBBC Drainage Services – subject to conditions

LCC Planning Obligations

Economic Regeneration

LCC as Local Lead Flood Authority – subject to conditions

7. Policy

7.1. Core Strategy (2009)

- Policy 21: National Forest
- Policy 22: Charnwood Forest
- Policy 23: Tourism Development

7.2. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM3: Infrastructure and Delivery
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM13: Preserving the Borough's Archaeology
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM24: Cultural and Tourism Facilities

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2021)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)
- Community Infrastructure Levy (CIL) Regulations (2010)

7.4. Other relevant guidance

- Good Design Guide (2020)
- Landscape Character Assessment (2017)
- Landscape Sensitivity Assessment (2017)

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon highway safety
- Drainage
- Ecology
- Other Matters

Assessment against strategic planning policies

- 8.1 The site is situated outside of any defined settlement boundary. Policy DM4 of the SADMP is therefore applicable and states that the countryside will first and foremost be safeguarded from unsustainable development.
- 8.2 Under Policy DM4 of the SADMP development in the countryside will be considered sustainable where:
- It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or
 - The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or
 - It significantly contributes to economic growth, job creation and/or diversification of rural businesses; or
 - It relates to the provision of stand-alone renewable energy developments in line with policy DM2: Renewable Energy and Low Carbon Development; or
 - It relates to the provision of accommodation for a rural worker in line with Policy DM5: Enabling Rural Worker Accommodation.
- and:
- It does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside; and
 - It does not undermine the physical and perceived separation and open character between settlements; and
 - It does not create or exacerbate ribbon development;
- 8.3 The land in question does not have a lawful planning use as a leisure facility and is designated as countryside in the SADMP. The documentation submitted with the application submission states that the proposed hotel would be linked to the existing golf course. Such an ancillary use could fall under a sport and recreational use which is supported in principle under Policy DM4.
- 8.4 However, the layout plan submitted with the enquiry shows that the hotel would have a separate vehicular access to the golf course complex. Located on land to the west of the golf club, the hotel would be a distance away from the golf course and would be located some 110 metres from the closest building associated with the golf course. As such, it is unlikely that users of the golf course would use the accommodation provided in the hotel. There are no details submitted about the facilities which would be provided in the hotel. Nevertheless, the provision of a large hotel with 152 bedrooms is unlikely to be classed as being ancillary to the Forest Hills Golf Club which is a relatively small golf club. As such, the proposal would not fall under any of the categories identified in Policy DM4 as sustainable development.
- 8.5 Policy 23 of the Core Strategy encourages holiday accommodation in suitable locations where they can support existing local community services and facilities and are of a scale which is appropriate to minimise impact and assimilate well. Policy DM24 of the Core Strategy also seeks to support the development of new cultural and tourism facilities including strategic hotels. The Council's Principal Economic Regeneration Officer considers that there would be a demand for a good quality hotel and conference centre in this location which they consider would boost local tourism. They further stress that it is an aspiration of the Council to encourage more overnight stays in the Borough as these visitors spend more in the local area compared to day visitors.
- 8.6 The proposal would be classed as a strategic hotel for the purposes of Policy DM24 as the number of bedrooms exceeds 50. The justification for the policy further

explains that there are 4 existing strategic hotels in the Borough, 3 of which are located within or near to the urban area and the fourth is within a Key Rural Centre.

- 8.7 The requirement of Policy DM24 is for new strategic hotels to reduce reliance on the private car and as such new facilities should demonstrate that they are accessible by a range of sustainable transport modes. The proposed location of the hotel, being remote from any settlement, would only be accessible by car. As such the proposed hotel would not be located in a sustainable location. This conclusion is supported by LCC as Highway Authority (LHA) who state that the site is considered to be remote for a hotel of such a scale. They further state that the development is situated on a rural unlit road subject to the national speed limit. Notwithstanding the submitted Travel Plan, there are no pedestrian footways between the site and nearby villages such as Botcheston and Thornton and would involve a considerable (1.5km) walk to the nearest bus stops. Given there is no public transport provision to the site, the LHA consider that a hotel of this scale would be sited in a poor location in transport terms. Whilst it is acknowledged some guests may travel to the site by coach when attending certain events, members of the public attending the spa/restaurant and bar facilities and any independent hotel guests would have little alternative modes of transport to the site other than by private car. This also applies to staff who would be reliant on the private car. Therefore, the proposal would be contrary to the aims of Policy 23 of the Core Strategy and Policy DM24 of the SADMP. With regards to its impact on the countryside then this will be considered below.

Design and impact upon the character of the area

- 8.8 Policy DM4 of the SADMP states that development in the countryside will be considered sustainable where it does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside and contributes to the delivery of the National Forest Strategy. Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.9 Policy 23 of the Core Strategy encourages holiday accommodation of a scale which is appropriate to minimise impact and assimilate well.
- 8.10 The proposed site forms part of a wider area of open countryside along Markfield Lane. The site lies within LCA Area B: Charnwood Fringe as defined in the Hinckley and Bosworth Borough Landscape Character Assessment (2017) (LCA) with its predominantly rural landscape with arable and rough set-aside and its gently undulating landform with small plateaus on higher ground and rising to the adjacent Charnwood Forest area to the east. The key sensitivities of the area relevant to the proposed site are its woodlands, copses and individual trees which are important as areas of connective habitats and for their recreational value for local communities and the rural character and the dispersed pattern of villages where the landscape away from the settlements is characteristic by dark skies at night and a sense of tranquillity. The landscape strategy for the siting and design of new development in this area is for it to complement the existing settlement pattern.
- 8.11 A Landscape and Visual Impact Assessment (LVIA) has been submitted with the proposal. The LVIA find that the application is located in a predominantly farmland area with urban sprawl predominant to the east. The National Forest way, Leicestershire Round, on road cycle routes and other public footpaths are located within 3km of the application site.

- 8.12 The topography of the site is relatively flat within the locality and the LVIA records that the infrastructure networks and mature vegetation create limited views of the site from relatively close proximity. A number of views are identified in the LVIA from surrounding public footpaths and on road cycle routes. For the 5 receptor locations identified the LVIA concludes that the significance of the proposal on landscape effects and visual effects from all 5 receptors would have a “slight negligible impact.”
- 8.13 Whilst an indicative landscaping scheme is submitted with the LVIA and the proposal would seek to retain a large portion of the boundary vegetation, although submitted in outline format, the proposal would involve a substantial building covering a large area of the site. As the cross sectional drawing in the LVIA demonstrates, being two storey for the majority of its footprint the mature vegetation surrounding the site would still allow clear views of the proposed hotel from the surrounding open countryside. Whilst being located close to the built form at the adjoining golf course, the scale and mass of the proposed hotel would introduce an incongruous form of development in this rural area.
- 8.14 The proposal would involve the loss of some of the boundary hedgerow along Markfield Lane to achieve the required visibility splays for the new vehicular access. The loss of this vegetation would open up views into the site particularly from the public rights of way opposite the access and for users of Markfield Lane. Although the proposal would be sited on land used by the adjoining golf course, the existing development associated with this club is small in scale and low in height. This results in the existing built development being un-obstructive in the landscape. In contrast, the proposed scale of the hotel comprising of 3 two-storey wings located off a central single storey amenity building to provide 152 bedrooms of accommodation would have a significant adverse impact on the character and landscape character of this area of countryside. Indeed, the erection of a building in this location would be out of character with the existing open verdant character of the area. Such a proposal would have a detrimental impact on the area including the experience of users of this adjoining public right of way and users of Markfield Lane.
- 8.15 The scale of the car parking areas and service areas proposed would further urbanise the site which would be to the detriment of the current rural character of the area and its setting. Whilst adjoining a golf course, the existing development associated with this club is small in scale and low in height. This results in the built development being un-obstructive in the landscape. In contrast, the proposed scale of the hotel comprising of 3 two-storey wings located off a central single storey amenity building to provide 152 bedrooms of accommodation would have a significant adverse impact on the character and landscape character of this area of countryside. Whilst mature woodland screens views to the north there would be prominent views of the development particularly from the east and south of the site.
- 8.16 The vehicular access proposed would involve the removal of a large amount of hedgerow along Markfield Lane. In addition to this the amount of hard engineering involved for the servicing areas and car parking areas would be to the detriment of the character of this rural area. There would also be clear views of the site through this vehicular access from the wider area.
- 8.17 The application site also lies within the Charnwood Forest and National Forest. The National Forest Company (NFC) has commented on the application. They state that at paragraph 9.1 of the Planning Statement, the applicant refers to the proposal as being required to meet ‘some of the existing demand for high quality tourism accommodation in the District that has grown steadily over the last 10-15 years which is within the Charnwood Forest Regional Park and the National Forest. Whilst

the NFC recognizes the requirement to provide more tourist accommodation, such proposals are required to comply with the principles of the National Forest Tourism Growth Plan (2017-27) which sets out recommendations for the appropriate type and scale of tourist accommodation reflecting the intrinsic character of the National Forest. The NFC considers that the application has failed to demonstrate that the proposal is a suitable scale or design for a rural location within the Forest.

- 8.18 Such a requirement is also included in the list of criteria under Policy 21 of the Core Strategy whereby overnight quality accommodation linked to tourism in the National Forest will be supported provided that the siting and scale of the proposed development is appropriately related to its setting within the Forest; the development reflects the character and appearance of the wider countryside and the development does not adversely affect the existing facilities and working landscape of either the Forest or the wider countryside. It is considered that the siting and scale of the hotel proposed would have a detrimental impact on the character and appearance of the wider countryside and so would be contrary to Policy 21.
- 8.19 Policy 23 of the Core Strategy encourages holiday accommodation of a scale which is appropriate to minimise impact and assimilate well with the character of the surrounding area with acceptable landscaping. Whilst the proposal does state that 20% of the site area would be landscaped, the majority of the site would be covered by either hard surfacing or built development. The extent of this built development would not allow any meaningful landscaped areas to be created in particular the 0.48 hectares of dedicated woodland planting as required by the NFC. It is thus considered that the proposal would not assimilate well with the character of the surrounding area.
- 8.20 Therefore, this large scale building with an indicative footprint of some 3230m² and being predominantly two storeys in height, coupled with the extensive areas of hardstanding created for the vehicular access and parking/servicing areas, would have a significant adverse effect on the intrinsic value, open character and landscape character of the countryside in this location. Such a proposal would be contrary to Policies 21 and 23 of the Core Strategy and Policies DM4 and DM10 of the SADMP 2016 along with guidance in paragraph 130 of the NPPF on the need for development to add to the overall quality of the area.

Impact upon neighbouring residential amenity

- 8.21 Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.22 The nearest residential property being Heather Close Farm, is sited some 31 metres to the west of the application site on the opposite side of the carriageway. This property is located close to the proposed vehicular access and would experience some disturbance from the comings and goings into the hotel development. However, Heather Close Farm does already experience some noise and disturbance from the general industrial units located in its former agricultural buildings to the side and rear of the property. This includes a car repair garage. There is also an intervening classified road between the property and the application site. As such it is considered that in view of the intervening classified road and the level of background noise from these industrial uses, the proposal would not adversely affect the amenity of the occupiers of Heather Close Farm with regards to noise and disturbance from the proposal.

- 8.23 A second residential property, 1 Markfield Lane lies some 188 metres to the west of the application site. This property is the first property of ribbon residential development along Markfield Road. Objections have been received from local residents concerned about the noise and disturbance that could be generated by the proposal in particular late night fireworks. The indicative layout plan shows that these residential properties would be some 320 metres from the hotel building and the land closest to the properties to these properties would be used as car parking. The mature woodland would remain along this eastern boundary. As such in view of the intervening distance and the mature screening in place, it is not considered that these properties would experience undue noise and disturbance from the proposal. A Licence will be required for the selling of alcohol from the premises and an Entertainment Licence may be required. Such licences have the ability under their legislation to restrict noise and disturbance from the proposal from late night functions which could include firework displays.
- 8.24 The Council's Environmental Health Officer has been consulted on the application. They have considered the potential impact of noise on residential properties near to the site. In particular they have raised concern on the potential for noise from the external plant operated at the site in particular the ground source heat pumps. They recommend that a pre-commencement condition is imposed on any consent granted whereby a scheme is agreed with the lpa to protect nearby dwellings from noise from external plant serving the proposed development.
- 8.25 A further pre-commencement condition is recommended by the Council's Environmental Health Officer whereby a Construction Environmental Management Plan is agreed with the lpa to mitigate the impact of the construction phase on existing residential properties in the locality.
- 8.26 In light of the above it is considered that the proposal would be in accordance with Policies DM7 and DM10 of the SADMP in terms of residential amenity.

Impact upon highway safety

- 8.27 Policy DM17 of the SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 requires new development to provide an appropriate level of parking provision. Paragraph 109 of the NPPF states that a safe and suitable access to sites should be achieved and that development should only be refused on transport grounds where the residual cumulative impacts of development are severe.
- 8.28 The application submission includes the construction of a vehicular access off Markfield Road, which is a C classified road subject to the national speed limit. The access would take the form of a new priority junction with a 6.75 metre wide carriageway and 10 metre kerb radii.
- 8.29 The application is accompanied by a Transport Assessment (TA), a Framework Travel Plan (FTP) and a Highway Technical Note.

Visibility Splays

- 8.30 LCC as Local Highway Authority (LHA) has been consulted on the application. They comment that the speed data gathered as part of the ATC was over a considerably longer period which would give a more accurate picture of the speeds in this area compared to the hand radar survey. The ATC speed survey information demonstrates speeds significantly below the national speed limit at 43.5 mph northbound and 46.7 mph southbound. As such, based on Table DG4 of the Leicestershire Highway Design Guide (LHDG), a visibility splay of 2.4 x 120 metres

is required for speeds between 41-44mph and 2.4 x 160 metres between 45 – 53mph.

- 8.31 The application proposes visibility splays of 2.4 x 129 metres in a north-westerly direction and 2.4 x 99 metres in a south-easterly direction. Forward visibility of 99 metres for vehicles travelling northbound has also been detailed by the applicant. However, the LHA objects to the visibility splays to be provided as they are sub-standard and not in accordance with advice in the LHDG.
- 8.32 In addition to the above, as the carriageway drops downhill to the south of the proposed access, the gradients have the potential to affect the available visibility.
- 8.33 Indeed, as detailed below in the trip generation section, the LHA has provided evidence that they are unable to ascertain the level of traffic which could use the proposed site access. On this basis, they cannot give any further consideration to whether the access would be safe and suitable, would operate within capacity or agree with the Applicant's conclusion that a ghost right turn lane is not necessary. Provision of a right turn lane was highlighted as a solution to one of the problems highlighted within the Stage 1 Road Safety Audit. The LHA do question though whether the location of a ghost right turn lane at a bend in the road and close to a gradient is the most appropriate location, given the frontage of the overall site with Markfield Lane and the location of the existing site access to the north.
- 8.34 Overall, the LHA considers that the application submission has failed to demonstrate that a safe and suitable access to the site could be achieved in accordance with Policy DM17 of the SADMP (2016) and Paragraph 110 of the NPPF.

Trip Generation

- 8.35 The applicant has provided additional information on the use of the proposed access in relation to the existing vehicular access into the golf course complex. The proposed new access would be the primary point of access to the overall site and would serve both the proposed hotel/spa and the existing golf club with the provision for visitors to the site to turn left to the golf club or right to the hotel/spa as necessary. The existing access to the golf clubhouse would be retained for use by the golf club as a service entrance for its plant/machinery area and for staff only parking. However, as the existing golf club access is located outside of the red line boundary for this planning application the LHA has expressed concerns about the possibility of restricting the use of the existing access as described by the Applicant. Further, such a use would be difficult to enforce.
- 8.36 Indeed, even when considering the new access on a standalone basis, the applicant has advised that it would serve the existing golf club as well as the proposed hotel/spa. As such there is a need to establish the level of use which could be generated by both the existing golf club development (within the blue line boundary) and the proposed hotel/spa (within the red line boundary).
- 8.37 With regards to the existing golf course development, the applicant has utilised TRICs trip data as well as staff/delivery data from the existing golf club to establish the level of trips the existing golf course could generate. Following a query raised by the LHA, the applicant has provided additional data on the facilities which are open to the public in the Technical Note. Whilst the existing golf course has 3 function rooms, the applicant has considered TRICS trip rates for an existing golf course which does not have events such as functions or weddings. The data provided by the applicant which demonstrates that the existing golf club could generate up to 396 two-way daily movements, is also a higher figure than the TRICs calculations provided during a typical weekday, which suggests the existing golf club could generate 198 two-way daily movements.

- 8.38 The information provided from the golf club included higher spikes in traffic during a Saturday and so the applicant stated that the TRICS data should be used. Calculations provided by the golf club appear to be based on the historic use, however, the clubhouse is currently being refurbished. The trip rates generated from the golf club following this refurbishment need to be considered.
- 8.39 Whilst the applicant has calculated the level of trips a wedding for 180 guests could generate and advised that traffic would be unlikely to coincide with weekday peak hours or a Friday evening peak hour, Forest Hill Golf Club currently markets the site for conferences (on its website) which could typically occur during the week. This has not been considered in the trip generation figures.
- 8.40 Given the above, the LHA has advised that basing trip generation for the existing golf course on the proposed TRICS trip rates could be indicating lower trip rates than what could actually be generated by the operations of the existing golf club. Therefore, traffic counts should be undertaken to gather actual data for the existing golf club.
- 8.41 The proposed hotel development would include a 152 bed hotel and spa and additional data on the proposal has been provided within Paragraph 2.3.1 points F-N of the Technical Note. It is anticipated that the spa facility would have a maximum of 30 guests, the function room capacity would accommodate up to 300 people, the restaurant would provide 100 covers and the bar would provide 100 covers. All the facilities would be open to the public.
- 8.42 The LHA has concerns about how large scale events at the site would not run simultaneously. The information provided by the applicant states that both buildings can operate collectively with shared resource or independently as required by the activities being covered. As such, the LHA state that they cannot consider the proposed development to be ancillary to the golf club site.
- 8.43 The trip data provided by the applicant assumes a linked trip reduction of 70% to the proposed hotel with 30% of the anticipated vehicular trips to the site being new. The LHA do not agree with this 70% internalisation factor as the proposed hotel and facilities are all open to the public, the function room within the proposed hotel could hold up to 300 guests whereas the 'historic' golf clubhouse could hold 180 which is a 67% increase in capacity over the existing golf clubhouse and a condition to restrict large scale events for the existing club house which is located outside of the application site boundary is unlikely to meet the tests in the PPG.
- 8.44 Indeed, the proposals do not replace the existing golf clubhouse and so there is no reason why a large scale events could not take place simultaneously or a single event take place at a larger scale than at present. Based on this assessment the LHA states that they have insufficient evidence to accept the conclusion that 70% of trips to the development would be linked with the existing facilities and only 30% of trips would be new. It is still unclear as to the level of the trips the site as a whole could generate and the proposed level of trips the site could generate as a whole may be considerably understated.

Junction Capacity Assessments

- 8.45 The capacity assessment submitted with the application does not take into account the traffic which would use the existing golf club site or a scenario where the site as a whole was fully occupied. Given the applicant's statement that the access is to serve the existing golf course then this assessment is required.
- 8.46 The application fails to consider the impact of the development on nearby junctions and so has failed to demonstrate the impact of the proposed development on the surrounding highway network. The LHA is aware of nearby junctions such as

Botcheston Road/Desford Lane priority junction (Newtown Unthank) and A50 Leicester Road/Launde Road/Leicester Road/Markfield Lane roundabout (Field Head) where queuing and delays occur during peak hours. It is considered that the majority of the development traffic has the potential to route through either of these junctions during peak hours and as such the application fails to establish how much of an impact the proposals could have on these junctions.

Transport Sustainability

- 8.47 The application site is considered to be located in a remote area for a hotel of such scale. As discussed in the principle section, being sited on a rural unlit road subject to the national speed limit, there are no pedestrian footways between the site and nearby villages such as Botcheston and Thornton and is some 1.5 km walk to the nearest bus stops. The majority of visitors to the site would have little alternative modes of transport other than the private car. Therefore, the proposal would not be locationally sustainable in transport/accessibility terms.

Conclusion on Highway Safety

- 8.48 The LHA's advice is that the residual cumulative impacts of the development on the road network would be severe as contained in Policy DM17 of the SADMP (2016) and the NPPF. They advise that the LPA refuses the application on transport/highway grounds for reasons that: the application fails to demonstrate that appropriate opportunities to promote sustainable transport modes can be or have been taken up; that the application fails to demonstrate that safe and suitable forms of site access can be achieved for all highway users and that the application has failed to demonstrate any significant impacts from the development on the transport network or on highway safety can be mitigated. As such the proposal is contrary to Policy DM17 of the SADMP and advice in paragraphs 110 and 111 of the NPPF.

Ecology

- 8.49 Policy DM6 of the SADMP requires development proposals to demonstrate how they conserve and enhance features of nature conservation. If the harm cannot be prevented, adequately mitigated against or appropriate compensation measures provided, planning permission will be refused.
- 8.50 Paragraph 174 of the NPPF states that development should result in a net gain for biodiversity by including ecological enhancement measures within the proposal.
- 8.51 The presence of protected species is a material consideration in any planning decision, it is essential that the presence or otherwise of protected species, and the extent to which they are affected by proposals is established prior to planning permission being granted. Furthermore, where protected species are present and proposals may result in harm to the species or its habitat, steps should be taken to ensure the long-term protection of the species, such as through attaching appropriate planning conditions.
- 8.52 A Phase 1 Survey Report has been submitted with the proposal. The Report describes the application site as large disused scrubland of which part of the site was formerly a 9-hole pitch and put golf course. The report further states that the land is surrounded by newly planted hedgerow of predominantly hawthorn supported by a secondary established hedgerow of predominantly hawthorn.
- 8.53 LCC Ecology has been consulted on the application. Following their concerns about the content of the documentation submitted, additional reports have been submitted by the applicant.
- 8.54 LCC Ecology has stated that the amended great crested newt report (12 March 2021) submitted is not acceptable. The habitat suitability indexes (HSIs) for the

ponds have not been carried out in line with recognised guidance ARG UK Advice Note 5. As such for example Pond 1, from the photograph provided in the report, there appears to be no indication of any impact on pond vegetation and so the pond appears to support submerged plants and the banks are vegetated. From aerial imagery and the photograph of Pond 1 it also appears that macrophyte cover is around 40-50% and not 10%. The report also states that there are only 4 ponds within 1km of the application site separated by no barriers, however, LCC Ecology is aware of around 20 ponds. These inaccuracies mean that it is not possible to conclude that great crested newts and their habitats would not be harmed due to the proposal. The ODPM Regulations requirement is that protected species surveys are submitted prior to the determination of a planning application.

- 8.55 Indeed, LCC Ecology has confirmed that golf courses often provide good opportunities for great crested newts with ponds and areas of woodland and rough grassland present. The ARG UK Advice Note 5 should be used to carry out HSIs of the ponds.
- 8.56 Regarding the phase 1 habitat survey (16 March 2021), the classification of the onsite habitat as 'improved grassland' is in conflict with other site descriptions in the report (e.g. Section 1.2 "the site is large disused scrubland"), with the species given and with the aerial imagery. Such discrepancies in the evidence presented make it difficult to conclude whether the proposal would conserve and enhance features of nature conservation.
- 8.57 Paragraph 174 of the NPPF requires that decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. LCC Ecology has expressed concerns about the way the net gain calculations are presented. A number of the pages have been left blank. The proposed development would involve the majority of the site with limited areas of open space remaining for biodiversity net gains. Therefore, it is not possible to conclude that the proposal would contribute to and enhance the natural and local environment by minimising impacts on and providing net gain for biodiversity.
- 8.58 Based on the above, it is considered that the proposed development could harm protected species and would not minimise impacts on and provide net gains for biodiversity which would be contrary to Policy DM6 of the SADMP and the general principles of the NPPF.

Drainage

- 8.59 Policy DM7 of the SADMP seeks to ensure that development does not create or exacerbate flooding.
- 8.60 A Flood Risk Assessment has been submitted with the application in accordance with paragraph 167 of the NPPF. The site is identified as being within flood zone 1 where the proposed development is considered compatible with reference to the Planning Practice Guidance flood risk vulnerability table. The application site is also at low risk of surface water flooding.
- 8.61 LCC as the Lead Local Flood Authority (LLFA) has assessed the FRA and conclude that the site is at low risk of flooding from a number of sources including surface water runoff. There is a minor surface water flow path which would be removed as a result of the development.
- 8.62 The scheme proposes to discharge to two attenuation basins before being discharged at a QBar discharge rate of 5.8 l/s in the 1 in 100 year (+40% Climate Change) event, to an existing ditch on the eastern side of the proposed site boundary.

- 8.63 The LLFA advises that the proposals for surface water drainage are acceptable subject to pre-commencement conditions being attached to any planning permission granted.
- 8.64 The proposed development is considered to accord with Policy DM7 of the SADMP and would not create or exacerbate flooding and is located in a suitable location with regard to flood risk. However, further details of the surface water drainage strategy would be required via condition should the scheme receive outline planning permission.

Other Matters

- 8.65 LCCs Archaeologist has reviewed the application against the Leicestershire and Rutland Historic Environment Record (HER). They do not consider that the proposal would result in a significant direct or indirect impact upon the archaeological interest or setting of any known or potential heritage asset to warrant any further archaeological action under Policy DM13 of the SADMP (2016).

9. Equality implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 9.3 There are no known equality implications arising directly from this development.
- 9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1. The proposal is for a strategic hotel as defined in Policy DM24 of the SADMP. Located within the countryside, the proposal does not fall under any of the categories identified in Policy DM4 as sustainable development. In addition to this, the requirements of Policy 23 of the Core Strategy and Policy DM24 of the SADMP for new strategic hotels is for their location to be in areas which reduce reliance on the private car and as such new facilities should demonstrate that they are accessible by a range of sustainable transport modes. The proposed location of the hotel, being remote from any settlement, would only be accessible by car. Therefore, the proposal would not be located in a suitable location and so would be

contrary to the aims of Policy 23 and Policy DM24 and would represent unsustainable development for the purposes of Policy DM4 of the SADMP.

- 10.2. The purpose of Policies DM4 and DM10 of the SADMP and Policies 21 and 23 of the Core Strategy are to protect the open character and landscape character of the countryside and the National Forest. The large scale development proposed would have a significant adverse effect on the intrinsic value, open character and landscape character of the countryside in this location. Such a proposal would be contrary to Policies 21 and 23 of the Core Strategy and Policies DM4 and DM10 of the SADMP 2016 along with guidance in paragraph 130 of the NPPF on the need for development to add to the overall quality of the area.
- 10.3. The residual cumulative impacts of the development on the road network would be severe as referenced in Policy DM17 of the SADMP (2016) and the NPPF. The LHA advise that the application should be refused on transport/highway grounds for reasons that: the application fails to demonstrate that appropriate opportunities to promote sustainable transport modes can be or have been taken up; that the application fails to demonstrate that safe and suitable forms of site access can be achieved for all highway users and that the application has failed to demonstrate any significant impacts from the development on the transport network or on highway safety can be mitigated. As such the proposal is contrary to Policy DM17 of the SADMP and advice in paragraphs 110 and 111 of the NPPF.
- 10.4. It has not been demonstrated that the proposed development would not harm protected species or minimise impacts on and provide net gains for biodiversity which is contrary to the requirements of Policy DM6 and advice in the NPPF.
- 10.5. Based on the above the application is recommended for refusal.

11. Recommendation

- 11.1 **Refuse planning permission** subject to the reasons at the end of this report.

11.2 Reasons

1. The proposal is for a strategic hotel as defined in Policy DM24 of the SADMP. Located within the countryside, the proposal does not fall under any of the categories identified in Policy DM4 as sustainable development. The requirements of Policy 23 of the Core Strategy and Policy DM24 of the SADMP are for new strategic hotels to be located in areas which reduce reliance on the private car. The proposed location of the hotel, being remote from any settlement, would only be accessible by car. Therefore, the proposal would not be accessible by a range of sustainable transport modes. Such a proposal would be contrary to the Policy 23 of the Core Strategy and Policy DM24 and would represent unsustainable development for the purposes of Policy DM4 of the SADMP.
2. The proposed hotel would constitute an incongruous form of development positioned within a prominent location in this rural location in the National Forest. The large scale and size of the development proposed would have a significant adverse effect on the intrinsic value, open character and landscape character of the countryside and on views of the surrounding undulating countryside. Such a proposal would be contrary to Policies 21 and 23 of the Core Strategy and Policies DM4 and DM10 of the SADMP 2016 along with guidance in paragraph 130 of the NPPF on the need for development to add to the overall quality of the area.
3. Evidence submitted with the application fails to demonstrate that a safe and suitable form of vehicular site access can be achieved for all highway users.

Such a proposal is thus contrary to Policy DM17 of the SADMP (2016) and advice in paragraph 110 of the NPPF (2021).

4. Evidence submitted with the application fails to demonstrate how any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be mitigated. Such a proposal is thus contrary to Policy DM17 of the SADMP (2016) and to advice in paragraph 111 of the NPPF (2021).
5. Insufficient evidence has been submitted with the application to substantiate that the proposal would not harm protected species and would contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Such a proposal would thus be contrary to Policy DM6 of the SADMP and to guidance in the NPPF.

**APPENDIX CB2 – LPA DECISION NOTICE (13 MAR 2023)
AND CORRESPONDING OFFICER REPORT**

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Refusal of Planning Permission

Name and Address of Applicant

Messers David Daniels & Neil Vitale
Sparsis Leisure Ltd
Forest Hill Golf And Country Club
Markfield Lane
Botcheston
Leicester
Leicestershire
LE9 9FH

Name and Address of Agent (if any)

Mrs Aida McManus
AM Planning Consultants Limited
222 Branston Road
Burton On Trent
DE14 3BT

Part I - Particulars of Application

Date of Application

8 August 2022

Application No.

22/00752/OUT

Particulars and location of development:

Proposed 98 bed hotel with leisure facility & spa (Class C1) (outline - access to be considered only)

Forest Hill Golf And Country Club Markfield Lane Botcheston Leicester Leicestershire

Part II - Particulars of decision

In dealing with the application, through ongoing dialogue and the proper consideration of the proposal in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, the local planning authority have attempted to work with the applicant in a positive and proactive manner by offering a pre-application advice service and by seeking solutions to problems arising in relation to dealing with the planning application as required by the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended). However, in this instance, it has not been possible to overcome the concerns raised and the proposal remains in conflict with the provisions of the Development Plan and therefore the application has been refused.

In pursuance of its powers under the Town and Country Planning Act 1990, the Hinckley and Bosworth Borough Council refuses to permit the carrying out of the development referred to in Part I hereof for the following reason(s):-

1. Located within the countryside, the proposal does not fall under any of the categories identified in Policy DM4 as sustainable development. Furthermore, the Applicant has failed to demonstrate that appropriate opportunities to promote sustainable transport modes can be, or have been, taken up, given the type of development and its location which is contrary to Policy 23 of the Core Strategy, Policy DM24 of the SADMP, and paragraph 110 of the National Planning Policy Framework 2021.
2. The proposed hotel would constitute an incongruous form of development positioned within a prominent location in this rural location in the National Forest. The large scale and size of the development proposed would have a significant adverse effect on the intrinsic value, open character, and landscape character of the countryside and on views of the surrounding countryside. Such a proposal would be contrary to Policies 21 and 23 of the Core Strategy and Policies DM4 and DM10 of the SADMP 2016 along with guidance in paragraph 130 of the NPPF on the need for development to add to the overall quality of the area.
3. Evidence submitted with the application fails to demonstrate that a safe and suitable form of vehicular

IMPORTANT - PLEASE READ THE NOTES AT THE END OF THIS DOCUMENT

site access can be achieved for all highway users. Such a proposal is thus contrary to Policy DM17 of the SADMP (2016) and advice in paragraph 110 of the NPPF (2021).

4. Evidence submitted with the application fails to demonstrate how any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be mitigated. Such a proposal is thus contrary to Policy DM17 of the SADMP (2016) and to advice in paragraph 111 of the NPPF (2021).
5. Insufficient evidence has been submitted with the application to substantiate that the proposal would not harm protected species. Such a proposal would thus be contrary to Policy DM6 of the SADMP and to guidance in the NPPF.

C. Brown.

Christopher Brown MRTPI
Planning Manager (Development Management)

Date :13 March 2023

NOTES

1. It will be most helpful if the application number shown overleaf is quoted on all correspondence.
2. If you consider that this decision has been made invalidly through the Council failing to follow a procedure correctly, not having the legal power to make the decision in the way it did or through its decision being so unreasonable as no reasonable local authority would make the same decision based on the same facts, then you may enter a claim for judicial review to quash the decision. In order to proceed with a claim for judicial review an initial application for permission will need to be made to the Administrative Court, this application is required to be made "promptly and in any event within three months of the decision". The initial permission application will decide if you have an arguable case, whether you are sufficiently materially affected by the decision to bring the claim. If you are granted permission to bring the claim it will proceed to a full hearing at the Administrative Court. Although there is no requirement for you to do so it is highly recommended that you seek independent legal advice before bringing forward a claim for Judicial Review
3. If you are aggrieved by the decision of the Local Planning Authority to refuse permission you may appeal to the Planning Inspectorate in accordance with Section 78 of the Town and Country Planning Act 1990 within six months of the date of this notice. If your appeal is against a Minor Commercial Development, we would advise you to view the guidance on the Planning Portal website under Procedure Guidance, to confirm the time frame for appealing. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, tel. 0303 444 5000 or online at <https://www.gov.uk/planning-inspectorate>). You must use a Planning Appeal Form when making your appeal. If requesting forms from the Planning Inspectorate, please state the appeal form you require. The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, (or could not have been so granted otherwise than subject to the conditions imposed by them,) having regard to the statutory requirements as set out in Section 78 of the Town and Country Planning Act 1990, to the provisions of the development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him. Appeals- new time rules. Appeals relating to applications made to the Local Planning Authority on, or after, 14 October 2004 must be made within six months of the date of this notice. If you intend to submit an appeal that you would like examined by inquiry then you must notify your Local Planning Authority (planning@hinckley-bosworth.gov.uk) and the Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details can be found on GOV.UK.
4. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application then, you must do so in accordance with the guidance found using the following link <https://www.gov.uk/appeal-enforcement-notice/>.
5. If permission to develop land is refused whether by the Local Planning Authority or by the Secretary of State for the Environment and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
6. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

RNOTES (02/07/2014)

Delegated Report

Planning Ref: 22/00752/OUT
Applicant: Messrs Daniels & Vitale
Ward: Ratby Bagworth And Thornton



Hinckley & Bosworth
Borough Council

Site: Forest Hill Golf And Country Club Markfield Lane Botcheston

**Proposal: Proposed 98 bed hotel with leisure facility & spa within use class C1
(outline - access to be considered)**

1. Recommendations

- 1.1. **Refuse planning permission** for the reasons at the end of this report.

2. Planning application description

- 2.1. The proposal is submitted in outline and relates to the construction of a 98-bed hotel with leisure facility and spa. The indicative layout plan this shows the concept that the building would be entirely single storey with three main wings of varying lengths, increasing in length from west to east away from Markfield Lane. The indicative layout plan also shows landscaping around the perimeter of the site along with the retention of the existing landscaping.
- 2.2. Access is to be considered as part of the outline submission and detailed plans have been submitted showing a new vehicular access onto Markfield Lane. This access would lead to the car park in the southern part of the site, with an access link to the existing clubhouse.

3. Description of the site and surrounding area

- 3.1. The application site lies approximately 1.5km north of Botcheston within an area of open countryside. The southern and western boundaries of the site are bound by Markfield Lane, whilst the northern boundary is bound by the Forest Hill golf and conference centre. To the eastern boundary lies an area of woodland with open fields beyond.
- 3.2. The open fields located around three of the boundaries of the application site along with the open nature of the adjoining golf course gives the area its rural character.

4. Relevant planning history

00/00683/OUT

- Use of land as a golf academy including construction of a building and formation of a training course
- Refused
- 17.08.2000

01/00105/OUT

- Use of land as golf academy including formation of 2 hole golf course and erection of building to form members facilities
- Outline Planning Permission
- 26.04.2001

05/00411/FUL

- Extensions and alterations to golf course and clubhouse and erection of new changing rooms and pro shop

- Planning Permission
- 13.07.2005

19/00855/FUL

- Extensions and alterations to club house and extension to existing car park including temporary marquee
- Planning Permission
- 25.09.2019

20/01387/FUL

- Proposed 152 bed hotel with leisure facility & spa within use class C1 (outline and access to be considered)
- Refused
- 27.10.2021

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.
- 5.2. One letter neither supporting nor objecting the proposal was received raising the following issues:
 - Proposed access is unsafe and would not work for the volume of traffic that would use it
 - Additional traffic lights may be required
 - HGV use of Markfield Lane has increased in recent years, which is not addressed in the transport statement
 - Who is responsible for maintaining the cutback vegetation to allow for visibility splays?
 - Concern over potential additional light pollution
- 5.3. Desford Parish Council made comments in support of the application as follows:

Although this site falls outside the parish boundary, Desford Parish Council wishes to support the application as the benefits would be felt across the surrounding area. The proposed 98 bed hotel with leisure & spa facilities at the Forest Hill Golf Club will contribute significantly to the rural economy through the level of employment it would generate. The site is currently brownfield and the improved biodiversity would support the National Forest strategy. The proposal would also encourage further tourism.

6. Consultation

The LHA advises the following reasons for refusal:

1. The Applicant has failed to demonstrate that appropriate opportunities to promote sustainable transport modes can be, or have been, taken up, given the type of development and its location which is contrary to paragraph 110 of the National Planning Policy Framework 2021.

2. The Applicant has failed to demonstrate that a safe and suitable site access can be achieved for all highway users, contrary to paragraph 110 of the National Planning Policy Framework 2021.
3. The Applicant has failed to demonstrate any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be mitigated, contrary to paragraph 110 of the National Planning Policy Framework 2021.
- 6.1. LCC Ecology highlight that there is inadequate information about potential harm to protected species.
- 6.2. National Forest Company require further information regarding the type and extent of National Forest Planting
- 6.3. No objections have been received from:
 - S106 Officer
 - HBBC Environmental Services (Pollution) – subject to conditions
 - HBBC Waste Services – subject to a condition
 - LCC Archaeology
 - HBBC Drainage Services – subject to conditions
 - LCC Planning Obligations
 - LCC as Local Lead Flood Authority – subject to conditions
 - Leicestershire Police
 - North West Leicestershire DC

7. Policy

- 7.1. Core Strategy (2009)
 - Policy 21: National Forest
 - Policy 22: Charnwood Forest
 - Policy 23: Tourism Development
- 7.2. Site Allocations and Development Management Policies DPD (2016)
 - Policy DM1: Presumption in Favour of Sustainable Development
 - Policy DM3: Infrastructure and Delivery
 - Policy DM4: Safeguarding the Countryside and Settlement Separation
 - Policy DM6: Enhancement of Biodiversity and Geological Interest
 - Policy DM7: Preventing Pollution and Flooding
 - Policy DM10: Development and Design
 - Policy DM13: Preserving the Borough's Archaeology
 - Policy DM17: Highways and Transportation
 - Policy DM18: Vehicle Parking Standards
 - Policy DM24: Cultural and Tourism Facilities
- 7.3. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2021)
 - Planning Practice Guidance (PPG)
 - National Design Guide (2019)
 - Community Infrastructure Levy (CIL) Regulations (2010)

7.4. Other relevant guidance

- Good Design Guide (2020)
- Landscape Character Assessment (2017)
- Landscape Sensitivity Assessment (2017)

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon highway safety
- Drainage
- Ecology
- Other Matters

Assessment against strategic planning policies

- 8.1 The site is situated outside of any defined settlement boundary. Policy DM4 of the SADMP is therefore applicable and states that the countryside will first and foremost be safeguarded from unsustainable development.
- 8.2 Under Policy DM4 of the SADMP development in the countryside will be considered sustainable where:
- It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or
 - The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or
 - It significantly contributes to economic growth, job creation and/or diversification of rural businesses; or
 - It relates to the provision of stand-alone renewable energy developments in line with policy DM2: Renewable Energy and Low Carbon Development; or
 - It relates to the provision of accommodation for a rural worker in line with Policy DM5: Enabling Rural Worker Accommodation.
- and:
- It does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside; and
 - It does not undermine the physical and perceived separation and open character between settlements; and
 - It does not create or exacerbate ribbon development;
- 8.3 The land in question does not have a lawful planning use as a leisure facility and is designated as countryside in the SADMP. The documentation submitted with the application submission states that the proposed hotel would be linked to the existing golf course. Such an ancillary use could fall under a sport and recreational use which is supported in principle under Policy DM4.
- 8.4 However, the layout plan shows that the hotel would have a separate vehicular access to the golf course complex, which is not included within the red line plan, and would be located approximately 80 metres from the proposal. Furthermore, the provision of a large hotel with 98 bedrooms is unlikely to be classed as being ancillary to the Forest Hills Golf Club, a relatively small golf club which would not create this type of demand for tourism and/or overnight stays. As such, the proposal

would not fall under any of the categories identified in Policy DM4 as sustainable development.

- 8.5 Policy 23 of the Core Strategy encourages holiday accommodation in suitable locations where they can support existing local community services and facilities and are of a scale which is appropriate to minimise impact and assimilate well. Policy DM24 of the Core Strategy also seeks to support the development of new cultural and tourism facilities including strategic hotels.
- 8.6 The proposal would be classed as a strategic hotel for the purposes of Policy DM24 as the number of bedrooms exceeds 50. The justification for the policy further explains that there are 4 existing strategic hotels in the Borough, 3 of which are located within or near to the urban area and the fourth is within a Key Rural Centre.
- 8.7 The requirement of Policy DM24 is for new strategic hotels to reduce reliance on the private car and as such new facilities should demonstrate that they are accessible by a range of sustainable transport modes. The proposed location of the hotel, being remote from any settlement, would only be accessible by car. As such the proposed hotel would not be in a sustainable location. This conclusion is supported by LCC as Highway Authority (LHA) who state that the site is remote for a hotel of such a scale. The LHA further states that the development is situated on a rural unlit road subject to the national speed limit. Notwithstanding the submitted Travel Plan, there are no pedestrian footways between the site and nearby villages such as Botcheston and Thornton and would involve a considerable (1.5km) walk to the nearest bus stops. Given there is no public transport provision to the site, the LHA consider that a hotel of this scale would be sited in a poor location in transport terms. Whilst it is acknowledged some guests may travel to the site by coach when attending certain events, members of the public attending the spa/restaurant and bar facilities and any independent hotel guests would have little alternative modes of transport to the site other than by private car. This also applies to staff who would be reliant on the private car. The Travel Plan also makes reference to an electric minibus service; however it is not clear how this would function in practice and the details provided are limited.
- 8.8 Therefore, the proposal would be contrary to the aims of Policy 23 of the Core Strategy and Policy DM24 of the SADMP and is therefore not acceptable in principle.

Design and impact upon the character of the area

- 8.9 Policy DM4 of the SADMP states that development in the countryside will be considered sustainable where it does not have a significant adverse effect on the intrinsic value, beauty, open character, and landscape character of the countryside and contributes to the delivery of the National Forest Strategy. Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features. Policy 23 of the Core Strategy encourages holiday accommodation of a design and scale which is appropriate to minimise impact and assimilate well.
- 8.10 The proposed site forms part of a wider area of open countryside along Markfield Lane. The site lies within LCA Area B: Charnwood Fringe as defined in the Hinckley and Bosworth Borough Landscape Character Assessment (2017) (LCA) with its predominantly rural landscape with arable and rough set-aside and its gently undulating landform with small plateaus on higher ground and rising to the adjacent Charnwood Forest area to the east. The key sensitivities of the area relevant to the proposed site are its woodlands, copses, and individual trees which are important

as areas of connective habitats and for their recreational value for local communities and the rural character and the dispersed pattern of villages where the landscape away from the settlements is characteristic by dark skies at night and a sense of tranquillity. The landscape strategy for the siting and design of new development in this area is for it to complement the existing settlement pattern.

- 8.11 A Landscape and Visual Impact Assessment (LVIA) has been submitted with the proposal. The LVIA find that the application is located in a predominantly farmland area with urban sprawl predominant to the east. The National Forest way, Leicestershire Round, on road cycle routes and other public footpaths are located within 3km of the application site.
- 8.12 The topography of the site is relatively flat within the locality and the LVIA records that the infrastructure networks and mature vegetation create limited views of the site from close range. A number of views are identified in the LVIA from surrounding public footpaths and on road cycle routes. For the 5 receptor locations identified the LVIA concludes that the significance of the proposal on landscape effects and visual effects from all 5 receptors would have a "slight negligible impact."
- 8.13 The indicative landscaping scheme indicates that the proposal would seek to retain a large portion of the boundary vegetation. However, although submitted in outline format, the indicative proposal would involve a substantial building covering a large area of the site. Although the proposed building is entirely single storey and is less visually prominent than the previous predominantly two-storey proposal, clear views of the proposed hotel would be possible from the surrounding open countryside and public vantage points. Furthermore, the location of the hotel close to the built form at the adjoining golf course would introduce an incongruous form of development in this rural area. Where golf courses and sport and leisure complexes do contain on-site hotels, they are usually contained within one combined unit with a clubhouse and other associated facilities. The separation of the two buildings here contributes to its incongruousness in terms of location and relationship with the existing gold club and course, and the overall scale and massing of the proposal in the context of the surrounding area.
- 8.14 The proposal would involve the loss of some of the boundary hedgerow along Markfield Lane to achieve the required visibility splays for the new vehicular access. The loss of this vegetation would reveal views into the site particularly from the public rights of way opposite the access and for users of Markfield Lane. Although the proposal would be sited on land used by the adjoining golf course, the existing development associated with this club is small in scale and low in height, a building which is considered proportional to the required level of internal space for a golf club of this size and popularity. In contrast, the proposed scale of the hotel comprising of 3 large wings to provide 98 bedrooms of accommodation would have a development footprint of approximately double that of the nearby clubhouse, therefore resulting in a significant adverse impact on the character and landscape character of this area of countryside. Furthermore, the erection of a building in this location would be out of character with the existing open verdant character of the area. Such a proposal would have a detrimental impact on the area including the experience of users of this adjoining public right of way and users of Markfield Lane.
- 8.15 Additionally, the introduction of car parking areas and service areas proposed would further urbanise the site which would be to the detriment of the current rural character of the area and its setting. Whilst adjoining a golf course, the existing development associated with this club is small in scale and low in height. This results in the built development being un-obstructive in the landscape.
- 8.16 The application site also lies within the Charnwood Forest and National Forest. The National Forest Company (NFC) state that as the site area amounts to 2.42ha, 20%

of the area should be provided as dedicated National Forest Planting in accordance with Policy 21 of the Hinckley and Bosworth Core Strategy and National Forest development planting guidelines. Paragraph 6.1 of the Planning Statement outlines that there will be 'landscape planting with 20% National Forest Planting i.e. 3,900 sqm.' This figure is incorrect; 20% of this site area (2.42ha) equates to 0.48ha of dedicated National Forest planting. If the National Forest planting requirements cannot be met on site, the Policy allows for the requirement to be met off-site. There would appear to be substantial land within the ownership of the applicant, including potentially the surrounding golf course to accommodate the required National Forest planting. The NFC requests that prior to determination, the applicant provides a plan clearly demonstrating how they intend to comply with the planting requirements, noting that National Forest planting is a requirement beyond appropriate landscaping for a development. It is considered that if the application were to be recommended for approval, the required amount of National Forest Planting (0.48 ha) could be achieved.

- 8.17 Also relevant to this application is the NFC's Sustainable Tourism Accommodation Design Guide (STAG). The application documents refer to the site-specific high-quality design, which will meet Passivhaus Standard, utilise low carbon material, optimise operational energy through solar gain which will be enhanced by renewable energy and that the project will be subject to a whole life carbon calculation. There is reference to the incorporation of green roofs into the scheme and the application advises that the building will contain a 'learning lab' where individuals or groups can learn about the National Forest alongside how the building evolved to meet Passivhaus and low carbon principles. These elements are welcomed by the NFC and HBBC, however they would have to be secured at reserved matters stage in any event.
- 8.18 In summary, it is considered that the proposed large-scale building with an indicative footprint of almost 2000m², including extensive areas of hardstanding created for the vehicular access and parking/servicing areas, would have a significant adverse effect on the intrinsic value, open character, and landscape character of the countryside in this location. Such a proposal would be contrary to Policies 21 and 23 of the Core Strategy and Policies DM4 and DM10 of the SADMP 2016.

Impact upon neighbouring residential amenity

- 8.19 Policy DM10 of the SADMP states that proposals should not adversely affect the amenity of occupiers of the neighbouring properties.
- 8.20 The nearest residential property is Heather Close Farm, sited approximately 30 metres to the west of the application site on the opposite side of the Markfield Lane. This property is located close to the proposed vehicular access and would experience some disturbance from the comings and goings into the hotel development. However, Heather Close Farm does already experience some noise and disturbance from the general industrial units located in its former agricultural buildings to the side and rear of the property which includes a car repair garage. There is also an intervening classified road between the property and the application site. As such it is considered that in view of the intervening classified road and the level of background noise from these industrial uses, the proposal would not adversely affect the amenity of the occupiers of Heather Close Farm with regards to noise and disturbance from the proposal.
- 8.21 The second closest residential property, 1 Markfield Lane lies approximately 400m metres to the south of the application site. One neutral comment has been received from a local resident concerning the highway impact and safety of the proposed

access which is addressed later in this report. The mature woodland would remain along this eastern boundary. As such in view of the intervening distance and the mature screening in place, it is not considered that properties along Markfield Lane and beyond would experience undue noise and disturbance from the proposal. A Licence will be required for the selling of alcohol from the premises and an Entertainment Licence may be required. Such licences have the ability under their legislation to restrict noise and disturbance from the proposal from late night functions which could include firework displays.

- 8.22 Considering the above it is considered that the proposal would be in accordance with Policies DM7 and DM10 of the SADMP in terms of residential amenity.

Impact upon highway safety

- 8.23 Policy DM17 of the SADMP supports development that would not have any significant adverse impacts on highway safety. Policy DM18 requires new development to provide an appropriate level of parking provision. Paragraph 109 of the NPPF states that a safe and suitable access to sites should be achieved and that development should only be refused on transport grounds where the residual cumulative impacts of development are severe.
- 8.24 The application submission includes the construction of a vehicular access off Markfield Road, which is a C classified road subject to the national speed limit. The access would take the form of a new priority junction with a 6.75-metre-wide carriageway and 10 metre kerb radii. The application is accompanied by a Transport Assessment (TA), a Framework Travel Plan (FTP) and a Highway Technical Note.
- 8.25 The initial LHA responses (dated 5th October 2022 and 12th December 2022) concluded that the residual cumulative impacts of the development are severe in accordance with the National Planning Policy Framework (2021) and advised refusal on transport/highway grounds for the following reasons:
1. The Applicant has failed to demonstrate that appropriate opportunities to promote sustainable transport modes can be, or have been, taken up, given the type of development and its location which is contrary to paragraph 110 of the National Planning Policy Framework 2021.
 2. The Applicant has failed to demonstrate that a safe and suitable site access can be achieved for all highway users, contrary to paragraph 110 of the National Planning Policy Framework 2021.
 3. The Applicant has failed to demonstrate any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be mitigated, contrary to paragraph 110 of the National Planning Policy Framework 2021.

Site access

- 8.26 The applicant subsequently submitted a letter to the LPA (25 January 2023) with the view of providing further clarity in respect of the proposals.
- 8.27 The LHA confirms that since submission of its previous observations, the speed limit on Markfield Lane has been reduced from the national speed limit to 50mph. The Applicants seven-day automatic speed survey results indicate 85th%ile speeds below 50mph at the proposed new access location. As such, the LHA has no requirement for the Applicant to undertake further speed surveys at the location of the proposed new access as previously advised.

- 8.28 The LHA advised that visibility splays of 2.4 x 160m were in accordance with LHDG, however previously outlined concerns regarding the access remain. These include:
- swept path analysis of a refuse vehicle and coach, which has detailed the vehicles would encroach considerably into the path of opposing traffic flows on both access and egress of the new access. This raised concerns when considering the potential for high vehicle speeds and restricted forward visibility due to the bend in the road;
 - the location of the access on the inside of the bend, which is raised in the Applicants Stage 1 Road Safety Audit (RSA). Concerns have been raised that drivers would need to look over their shoulders to see approaching traffic. The RSA advised that this could decrease reaction time and therefore increase the risk of 'pull-out' type collisions occurring at the access and recommended an alternative location should be proposed to avoid this from occurring. The LHA previously advised it did not believe the minimal distance the access has been relocated resolved the concerns outlined within the RSA, given the site access was still proposed on the inside of a bend in the road;
 - further consideration of a ghost right turn lane, which is also raised within the Applicants RSA; and
 - the lack of crossing facilities to the existing bridleway, which was raised as a problem within the Applicants RSA. The LHA advised it was unclear whether this would be considered acceptable with a revised RSA given the minimal distance the proposed access has been moved.

Trip generation/distribution and junction capacity

- 8.29 The LHA previously advised that as it is proposed for the hotel to share a new access with the existing golf club, the combined level of traffic the site could generate must be established in order for the LHA to determine whether or not the access design is considered appropriate and whether or not the additional development necessitates a ghost right turn lane.
- 8.30 To date, the LHA has been unable to ascertain a clear explanation from the Applicant as to precisely what, if any, additional facilities will be provided within the hotel other than the spa. Notably, it has been unclear whether a function room would be provided. The LHA has consistently requested clarity on this matter its responses to both this application and application reference 20/01387/OUT.
- 8.31 The LHA also advised that the methodology used to calculate the Applicants sensitivity test was undertaken at a time when Covid-19 restrictions limited actual surveys from being undertaken on-site. It has been highlighted to the Applicant that they could now undertake a traffic count at the site access over several days to demonstrate the level of traffic when various events were being held for a robust assessment. The LHA began permitting traffic surveys on the network following the lifting of Government Covid-19 restrictions on 19 April 2021, over a year prior to this current application being submitted.
- 8.32 Based on the information provided, the LHA advise it can see no reasonable reason why the Applicant could not hold two independent functions/ conferences etc, or one larger scale event with multiple rooms at the same time on the overall site (hotel and existing clubhouse). The proposed hotel clearly offers substantial (150 people) additional dining/ bar and function facilities over and above those available at the clubhouse at present. The LHA has advised as part of both this application and the previous refusal (20/01387/OUT) that it is unclear how the development could be conditioned as ancillary.
- 8.33 The existing clubhouse falls outside the Applicants red line and in the event the hotel development was granted planning permission, appropriate parking for the

scale of development would be required as part of a reserved matters application. It is also considered members of the public would be able to stay at the hotel and/ or spa who may not have any association with the other activities on-site. The LHA therefore considers restricting the use of the site so that only one event can be held at any one time to be unreasonable, difficult to enforce and in any case not possible given the clubhouse is outside the Applicants red line. The LHA understand that the LPA share similar views in respect of conditioning restrictions on use.

- 8.34 On the basis that the LHA considers the proposals should be considered on a standalone basis and based on the information available at present, it is considered in excess of 30 two-way trips could be generated by the proposed development to the north of the site in the direction of Markfield. Consideration of the impact of the proposals further afield would therefore be required. The LHA advised as part of application reference 20/01387/OUT that it is aware of nearby junctions such as the Botcheston Road/ Desford Lane priority junction (Newtown Unthank) and A50 Leicester Road/ Launde Road/ Leicester Road/ Markfield Lane roundabout (Field Head/ Markfield), where queuing and delays currently occur during peak hours. Further consideration is therefore required in respect of at least the impact of the proposed development at the Field Head roundabout.

Transport sustainability

- 8.35 The LHA previously advised it was unclear how the proposed electric minibus service would work in practice. The Applicants letter states that paragraph 3.12 of the Framework Travel Plan (July 2022) explains how the Applicant would commit to providing the service to and from the site by way of a suitably worded condition if necessary. The Applicant has stated in the letter they would provide an electric minibus service linking with existing county bus routes (26, 29, and 120) in both Botcheston and Markfield/Fieldhead (the nearest stops for any of the routes is within a few miles of the proposed hotel). This would be a user-oriented programme through the provision of two Electric Buses to facilitate an 'on-demand service' the details of which will be established via ongoing travel surveys during and post construction of the hotel. On completion of the Hotel this service would be provided to serve both the golf club and the hotel.
- 8.36 The LHA advise that it could only consider the hotel in respect of any electric bus service given the golf club is an existing situation, however such a proposal would not usually be required for similar type and scale of developments as they are usually situated in a more sustainable location more suited to all modes of sustainable travel. The LHA maintains that the site is located poorly in terms of transport sustainability and has doubts as to whether an electric bus service could reasonably be required by means of condition to serve the site. It is unclear how much the service could cost and when the LHA have conditioned bus services as part of major developments, they have usually been for a minimum of five years.
- 8.37 In summary, the LHA maintains its advice that the application should be refused on highway grounds for the following reasons:
1. The Applicant has failed to demonstrate that appropriate opportunities to promote sustainable transport modes can be, or have been, taken up, given the type of development and its location which is contrary to paragraph 110 of the National Planning Policy Framework 2021.
 2. The Applicant has failed to demonstrate that a safe and suitable site access can be achieved for all highway users, contrary to paragraph 110 of the National Planning Policy Framework 2021.
 3. The Applicant has failed to demonstrate any significant impacts from the development on the transport network (in terms of capacity and congestion), or on

highway safety, can be mitigated, contrary to paragraph 110 of the National Planning Policy Framework 2021.

Ecology

- 8.38 Policy DM6 of the SADMP requires development proposals to demonstrate how they conserve and enhance features of nature conservation. If the harm cannot be prevented, adequately mitigated against or appropriate compensation measures provided, planning permission will be refused.
- 8.39 Paragraph 174 of the NPPF states that development should result in a net gain for biodiversity by including ecological enhancement measures within the proposal.
- 8.40 The presence of protected species is a material consideration in any planning decision, it is essential that the presence or otherwise of protected species, and the extent to which they are affected by proposals is established prior to planning permission being granted. Furthermore, where protected species are present and proposals may result in harm to the species or its habitat, steps should be taken to ensure the long-term protection of the species, such as through attaching appropriate planning conditions.
- 8.41 LCC Ecology has been consulted on the application. Following their concerns about the content of the documentation submitted additional reports have been submitted by the applicant.
- 8.42 LCC Ecology has stated that there is outstanding information regarding GCN as their DNA was found in a pond 35m from the development site. Further surveys and a mitigation scheme are therefore required, or alternatively the applicant could use the District licensing scheme, but proof of this is required prior to the application being determined. The applicant was first notified of this requirement in September 2021; however the required information has not been provided after a reasonable period of time (6 months) has been allowed.
- 8.43 Paragraph 174 of the NPPF requires that decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. LCC Ecology has confirmed that the revised BNG metric demonstrates a net gain of 13.58% which is acceptable, and that the proposed habitats are acceptable subject to agreeing a detailed landscaping scheme.
- 8.44 Based on the above, it is considered that the proposed development could result in harm to protected species and would therefore be contrary to Policy DM6 of the SADMP and the general principles of the NPPF.

Drainage

- 8.45 Policy DM7 of the SADMP seeks to ensure that development does not create or exacerbate flooding.
- 8.46 A Flood Risk Assessment has been submitted with the application in accordance with paragraph 167 of the NPPF. The site is identified as being within flood zone 1 where the proposed development is considered compatible with reference to the Planning Practice Guidance flood risk vulnerability table. The application site is also at low risk of surface water flooding.
- 8.47 LCC as the Lead Local Flood Authority (LLFA) has assessed the FRA and conclude that the site is at low risk of flooding from a number of sources including surface water runoff. There is a minor surface water flow path which would be removed as a result of the development.
- 8.48 The scheme proposes to discharge to two attenuation basins before being discharged at a QBar discharge rate of 5.8 l/s in the 1 in 100 year (+40% Climate

Change) event, to an existing ditch on the eastern side of the proposed site boundary.

- 8.49 The LLFA advises that the proposals for surface water drainage are acceptable subject to pre-commencement conditions being attached to any planning permission granted.
- 8.50 The proposed development is considered to accord with Policy DM7 of the SADMP and would not create or exacerbate flooding and is located in a suitable location with regard to flood risk. However, further details of the surface water drainage strategy would be required via condition should the scheme receive outline planning permission.

Other Matters

- 8.51 LCCs Archaeologist has reviewed the application against the Leicestershire and Rutland Historic Environment Record (HER). They do not consider that the proposal would result in a significant direct or indirect impact upon the archaeological interest or setting of any known or potential heritage asset to warrant any further archaeological action under Policy DM13 of the SADMP (2016).

9. Equality implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application.
- 9.3 There are no known equality implications arising directly from this development.
- 9.4 The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1. The proposal is for a strategic hotel as defined in Policy DM24 of the SADMP. Located within the countryside, the proposal does not fall under any of the categories identified in Policy DM4 as sustainable development. In addition to this, the requirements of Policy 23 of the Core Strategy and Policy DM24 of the SADMP for new strategic hotels is for their location to be in areas which reduce reliance on the private car and as such new facilities should demonstrate that they are accessible by a range of sustainable transport modes. The proposed location of the hotel, being remote from any settlement, would only be accessible by car.

Therefore, the proposal would not be in a suitable location and so would be contrary to the aims of Policy 23 and Policy DM24 and would represent unsustainable development for the purposes of Policy DM4 of the SADMP.

- 10.2. The purpose of Policies DM4 and DM10 of the SADMP and Policies 21 and 23 of the Core Strategy are to protect the open character and landscape character of the countryside and the National Forest. The large-scale development proposed would have a significant adverse effect on the intrinsic value, open character, and landscape character of the countryside in this location. Such a proposal would be contrary to Policies 21 and 23 of the Core Strategy and Policies DM4 and DM10 of the SADMP 2016 along with guidance in paragraph 130 of the NPPF on the need for development to add to the overall quality of the area.
- 10.3. The residual cumulative impacts of the development on the road network would be severe as referenced in Policy DM17 of the SADMP (2016) and the NPPF. The LHA advise that the application should be refused on transport/highway grounds for reasons that: the application fails to demonstrate that appropriate opportunities to promote sustainable transport modes can be or have been taken up; that the application fails to demonstrate that safe and suitable forms of site access can be achieved for all highway users and that the application has failed to demonstrate any significant impacts from the development on the transport network or on highway safety can be mitigated. As such the proposal is contrary to Policy DM17 of the SADMP and advice in paragraphs 110 and 111 of the NPPF.
- 10.4. It has not been demonstrated that the proposed development would not harm protected species which is contrary to the requirements of Policy DM6 and advice in the NPPF.
- 10.5. Based on the above the application is recommended for refusal.

11. Recommendation

- 11.1 **Refuse planning permission** subject to the reasons at the end of this report.

11.2 Reasons

1. Located within the countryside, the proposal does not fall under any of the categories identified in Policy DM4 as sustainable development. Furthermore, the Applicant has failed to demonstrate that appropriate opportunities to promote sustainable transport modes can be, or have been, taken up, given the type of development and its location which is contrary to Policy 23 of the Core Strategy, Policy DM24 of the SADMP, and paragraph 110 of the National Planning Policy Framework 2021.
2. The proposed hotel would constitute an incongruous form of development positioned within a prominent location in this rural location in the National Forest. The large scale and size of the development proposed would have a significant adverse effect on the intrinsic value, open character, and landscape character of the countryside and on views of the surrounding countryside. Such a proposal would be contrary to Policies 21 and 23 of the Core Strategy and Policies DM4 and DM10 of the SADMP 2016 along with guidance in paragraph 130 of the NPPF on the need for development to add to the overall quality of the area.
3. Evidence submitted with the application fails to demonstrate that a safe and suitable form of vehicular site access can be achieved for all highway users. Such a proposal is thus contrary to Policy DM17 of the SADMP (2016) and advice in paragraph 110 of the NPPF (2021).

4. Evidence submitted with the application fails to demonstrate how any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be mitigated. Such a proposal is thus contrary to Policy DM17 of the SADMP (2016) and to advice in paragraph 111 of the NPPF (2021).
5. Insufficient evidence has been submitted with the application to substantiate that the proposal would not harm protected species. Such a proposal would thus be contrary to Policy DM6 of the SADMP and to guidance in the NPPF.

**APPENDIX CB3 – LCC FORMAL OBSERVATIONS DATED
3 DEC 2019**

PRE-APPLICATION DETAILS:

District Reference Number:

Highway Reference Number: 2019/8077/04/HEN

Location: Forest Hill Golf Club, Botcheston

Proposal: Enquiry. New hotel of up to 250 bedrooms

GENERAL DETAILS

Applicant: Bancroft

Parish: Desford

Road Classification: Class C

Please note that the contents of this report including any attachments are offered as my officer opinion and will not prejudice any future decision the Highway Authority may make in relation to this matter.

The following comments are based on a desktop exercise; no site visit is undertaken for pre-application advice.

This document is provided in response to an email from Hinckley and Bosworth Borough Council (HBBC) dated 1 November 2019 seeking feedback in relation to the scope of assessment required in support of a development of a new hotel accommodation at Forest Hill Golf Club Botcheston. The email enclosed the following:

- 'Forest Hill Golf Club and Conference Centre, Botcheston' Scoping Study, November 2019, prepared by Bancroft.

The Local Highway Authority (LHA) would agree with the applicant's scoping study (paragraph 1.2) that based on the quantum of development i.e. 250 bedrooms, the LHA would require a Transport Assessment (TA) and Travel Plan (TP) to support a planning application. The following information should be included in the TA and/or TP as appropriate:

Proposed Development

The applicant should provide a full description of all the current activities at the hotel and proposed use for the site including the number of bedrooms and any other facilities the hotel will include and how they will operate. The site location plan should show the red line and blue line boundaries.

Policy Documents

The LHA note reference to NPPF (February 2019) and the Leicestershire Highway Design Guide

(LHDG) amongst other policy documents.

Highway Network

The LHA note the analysis of existing highway conditions including any footway/cycleway infrastructure, bridleways and public footpaths.

Site Access

For site accesses the LHA would refer the applicant to Part 3 of the Leicestershire Highway Design Guide (LHDG) in particular Tables DG1 and DG4 and related text. Further details of the LHDG can be found here: <https://resources.leicestershire.gov.uk/lhdg>.

Visibility splays should be based on the measured 85th percentile speeds (as taken from the speed survey in August 2019). The location of the speed survey should be shown on a plan along with the location of the proposed site access. The LHA have some highway safety concerns, especially given its location which could limit forward visibility where speeds are around 40mph.

Swept Path analysis should be provided for the largest vehicle which is likely to visit the site e.g. delivery lorries / coaches / refuse vehicle. The applicant may also wish to check with the local waste authority regarding refuse collection, bearing in mind the site will remain private. Turning facilities will be required if the refuse vehicles are to enter the site, to ensure they can leave the site in a forward gear.

The details of the site access should be submitted on a scaled plan as part of any future planning application and include a Stage 1 Road Safety Audit and satisfactory Designer's Response to any issues raised for the new access being applied for. Nevertheless the LHA would question why there is a requirement for an additional access if the hotel is intended to be ancillary to the existing golf club. The golf club already has its own access which could be improved to cater for the additional trips to the site. It should be noted that the LHA would require consideration to be given to the provision of a ghost right turn facility at the junction.

Road Safety Considerations

The applicant has provided information on the Personal Injury Collisions (PIC) in the area from Crashmap. This only covers the period from 2014 - 2018 (inclusive) and therefore the LHA would advise the applicant to contact NDI@leics.gov.uk to obtain the most up to date PIC data available (currently 31 August 2019).

Trip Generation / Distribution / Assignment

Trip generation should consist of ATC data from the existing golf club and TRICS data for the proposed development based on similar sites (including any additional facilities i.e. restaurant, gym, conference rooms) as the one being applied for. The LHA note the TRICS outputs include sites in the Republic of Ireland and these should be removed from any analysis / calculations before a planning application is submitted. The details of how many people can be accommodated for a wedding have been noted and will be reviewed if a planning application is forthcoming.

Notwithstanding the above, the LHA does not believe that the golf club could be considered to be

ancillary as this would be unreasonable and unduly restrictive and as such would fail the test of “reasonableness” in the use of planning conditions. Further information on this point should be sort from the LPA however the LHA would advise the applicant that the trip generation should be robust and include guests who would like to use the hotel only and not use the golf club facilities.

Parking

The LHDG advice is that there should be one parking space per bedroom and on that basis there should be an extra 250 parking spaces for the proposed development. The applicant should justify any shortfall and whether guests of the proposed development will be able to use parking facilities at the adjacent golf club if available. The applicant may wish to consider undertaking a series of parking surveys at the adjacent golf club to establish whether there is appropriate spare supply.

As set out in Part 3, paragraph 3.188 of the LHDG, parking spaces should be 2.4m x 5.5m with an additional 0.5m if bounded on one side or 1m if bounded on both sides. Further details on the requirements for different layout of parking spaces can be found in Part 3 Figure DG16 of the LHDG.

Details of any particular arrangements regarding parking, for example signing or other arrangements encouraging hotel residents to park in particular areas or any restrictions in the car park, should be highlighted in the application documents. The LHA would recommend that a robust parking management plan is also submitted with the planning application for review. Notwithstanding the advice given above, the LHA has significant doubts at this stage whether such a level of parking per bedroom can be provided for a hotel in this location.

Highway Impact

The LHA would advise the applicant to assess the proposed impact on the development based on the trip distribution in the AM and PM highway peak hours. Additionally, as is typical for leisure related developments, trips and impacts should also be considered during a Friday evening peak hour.

It should also be noted that the LHA will require any off-site junctions subject to an increase of more than 30 trips in an peak hour to be subject to detailed capacity assessment.

Travel Plan

A robust travel plan will be required to support the planning application. It should be prepared in accordance with best practice and may also need to include measures with respect to the existing golf club if appropriate.

Closing

Finally, the LHA would welcome the pre-application submission of a transport scoping study so that the detailed scope of assessment can be agreed with the applicant in advance of preparation of a TA and TP.

Date Received
1 November 2019

Case Officer
David Hunt

Reviewer
AW

Date issued
03 December 2019

**APPENDIX CB4 – LCC FORMAL OBSERVATIONS DATED
19 MAR 2021**

Substantive response of the Local Highway Authority to a planning consultation received under The Development Management Order.



Response provided under the delegated authority of the Director of Environment & Transport.

APPLICATION DETAILS:

Planning Application Number: 20/01387/OUT

Highway Reference Number: 2020/1387/04/H/R1

Application Address: Forest Hill Golf And Country Club Markfield Lane Botcheston Leicestershire
LE9 9FH

Application Type: Outline (with access)

Description of Application:

Re-consultation. PROPOSED 152 BED HOTEL WITH LEISURE FACILITY & SPA WITHIN USE CLASS C1 (OUTLINE - ACCESS TO BE CONSIDERED)

GENERAL DETAILS

Planning Case Officer: Sharron Wilkinson

Applicant: Sparsis Leisure Ltd

County Councillor: Cllr Peter Bedford

Parish: Desford

Road Classification: Class C

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Highway Authority does not consider that the application as submitted fully assesses the highway impact of the proposed development and further information is required as set out in this response. Without this information the Local Highway Authority is unable to provide final highway advice on this application. Under the current Covid-19 situation we would ask that any such work is carried out in accordance with the latest Government guidance.

Advice to Local Planning Authority

Background

The local Highway Authority has been consulted on an outline application for a 152 bed hotel with a leisure facility and spa at Forest Hill Golf And Country Club, Markfield Lane, Botcheston. All matters other than access are reserved at this stage.

The Applicant has submitted a Transport Assessment (TA) (Rev A, dated June 2020) in support of the proposals as well as a Framework Travel Plan (FTP) dated July 2020.

Site Access

Access to the site is proposed off Markfield Lane, which is a C classified road subject to the national speed limit.

As shown on Bancroft Consultancy drawing number F19109/02, the access would take the form of a new priority junction with a 6.75 metres wide carriageway and 10 metre kerb radii.

In order to ascertain traffic speeds past the site, the Applicant has undertaken a hand radar survey, which took place between 14:00 and 15:15 on Tuesday 20th August 2019 (TA paragraph 4.2.5). This indicated 85%ile speeds of 41.84mph northbound and 45.98mph southbound. It is stated that the speeds are likely to be below the national speed limit due to there being a bend to the north and south of the proposed access (TA paragraph 4.2.8), however a bend in the road does not exist to the north of the proposed access location.

The Applicant has also undertaken a speed survey as part of an Automatic Traffic Count (ATC) on Markfield Lane, which was in place from Wednesday 13th to Tuesday 19th November 2019. The Applicant states that this was in the same location as the manual survey (TA paragraph 4.2.8). This recorded 85%ile speeds of 43.5mph northbound and 46.7mph southbound. The Applicant states these results are marginally higher than the manual speed survey results, which is likely to be because the ATC tubes recorded vehicle speeds on a straight section along Markfield Lane, rather than on approach after vehicles have negotiated bends within the carriageway (TA paragraph 4.2.9).

It is unclear to the LHA precisely where both speed surveys were undertaken as the locations are not shown on Figure 2 within the TA as stated by the Applicant. The LHA also notes the apparent inconsistency in the TA, where paragraph 4.2.8 suggests that the speed and ATC surveys were undertaken in the same location, whereas paragraph 4.2.9 of the TA suggests the locations were different. Furthermore, paragraph 8.1.3 refers to manual speeds of 41.71mph in the northbound direction and 45.85mph in the southbound direction, which slightly differ from those referred to in Part 4 of the TA in paragraph 4.2.5.

The LHA therefore request the Applicant to clearly highlight the locations as to where the speed surveys were undertaken. With regard to the speed survey, this should include the location where the enumerator was positioned as well as the approximate location where vehicles travelling in each direction were located when the readings were taken. It should also be clarified why the ATC survey, which gathered data for a considerably longer period of time than a hand radar survey, and was undertaken more recently, was not undertaken at the same location as the hand radar survey if the locations differ. The LHA will be in a position to consider which survey is most relevant to the proposed access once the locations are provided.

Based on Part 3, Table DG4 of the Leicestershire Highway Design Guide (LHDG), available at <https://resources.leicestershire.gov.uk/lhdg>, where measured vehicle speeds fall between 41-44mph, a visibility splay of 2.4 x 120 metres is required. This is increased to 2.4 x 160 metres where measured speeds fall between 45 - 53mph. The Applicant has proposed 2.4 x 129 metres in a north-westerly direction and 2.4 x 99 metres in a south-easterly direction. While the LHA requires further clarity with regards to the speed survey locations and readings, the visibility splays

are below the requirements of the LHDG for a new access in both directions and therefore need to be increased in line with the most appropriate survey. The LHA is aware that the carriageway drops downhill to the south of the proposed access, so gradients may also need to be taken into consideration.

The existing golf club currently has an existing access point to the west of the proposed hotel access, which falls within the Applicant's blue line boundary of the overall site. While the Applicant states they have addressed the LHA's pre-application comments with regards to why a second point of access is necessary to the site, and that this is in section 8 of the TA, the LHA cannot find a clear justification.

While the internal layout of the site is not for consideration at this stage it is evident within the application documents that the Applicant intends to provide a vehicular link between the existing golf club car park and the proposed hotel/ spa. The proposed new access currently has reduced visibility based on LHDG guidance. At present, the LHA cannot see any reason why the Applicant cannot provide a single point of access to serve the site as a whole, potentially by utilising and improving (if necessary) the existing site access or through a new replacement access. The LHA therefore requests the Applicant to consider utilising a single point of access to serve the site as a whole and, should this not be possible, provide detailed justification as to why this would be unachievable or inappropriate.

The Applicant has considered the provision of a ghost right turn lane and concludes that this is not necessary. The LHA require further information with regard to the trip generation of the site before it can comment further on this matter. Revised access proposals would require submission of an updated Stage 1 Road Safety Audit.

Following a satisfactory response to the various matters and concerns raised above the LHA may be in a position to give further consideration to the site access arrangements.

The LHA notes that a number of drawings within the TA show what appears to be an additional site access to the proposed development off Markfield Lane, which is further south to the one considered above. Paragraph 8.1.2 of the TA suggests that the above access location supersedes the proposed access further south. The LHA requests this is removed from all drawings given that it is no longer proposed.

Highway Safety

The Applicant has obtained Personal Injury Collision (PIC) data from Leicestershire County Council for between 1 January 2014 and 31 December 2019 over a 2.2+ kilometre section of Markfield Lane, between Reservoir Road to the north and Main Street to the south. The Applicant has identified that two PICs have occurred during this time, both being recorded as slight in severity.

The first PIC occurred on 18 April 2016 and occurred approximately 180 metres south of the site access. The Applicant states this appears to be a loss of control type PIC, however from the information available to the LHA, the casualty may have been trying to avoid a vehicle travelling in the opposite direction.

The second PIC occurred on 28 October 2016 at the junction of Thornton Lane/ Markfield Lane/ Reservoir Road. The PIC involved a vehicle travelling northbound colliding with a right turning vehicle.

While the Applicant has not given consideration to any PICs which may have occurred during the whole of 2020, and the application has been submitted in 2021, the LHA is not aware of any additional PICs occurring in the study area during this time.

The Applicant highlights that the PICs have occurred at isolated locations and that there appears to be no correlation in the causation of the accidents. On this basis, the LHA accepts the Applicant's conclusions that there are no on-going road safety concerns within the study area.

Trip Generation

In this section of the response, the LHA consider firstly the existing golf course development and secondly the proposed hotel development. The LHA notes that whilst the golf course is within the blue line, it is not located within the red line application boundary of the proposed hotel development.

Existing Golf Course Development

It is stated within the TA that the existing golf course development consists of an 18-hole golf course along with a 26-bay driving range. The golf centre also hosts a golf academy which offers a variety of lessons for people of all ages and abilities (Paragraph 4.1.1). Membership packages are available for the golf club and the site also includes a number of ancillary facilities including a golf shop.

The TA also sets out that the site is an established venue for wedding ceremonies and functions, private parties and business conferences. The venue has three main function rooms along with a bar and restaurant which are able to cater for groups of between 20 and 150 guests (TA paragraph 4.1.4). The TA also sets out that wedding receptions are held within the function suite which can accommodate up to 180 seated guests (TA paragraph 4.1.5), which appears to conflict with paragraph 4.1.4.

The TA sets out that the club house includes a restaurant and bar which serves food seven days a week. The TA sets out that the restaurant is targeted to group events such as business conferences and offers breakfast meetings and lunch clubs for guests of up to approximately 110 people (TA paragraph 4.1.6).

Further to the above, the LHA finds the precise capacity of the function rooms at the existing golf club, along with the number of function rooms, to be unclear.

Due to the Covid-19 pandemic, the Applicant has utilised TRICS trip rates, as well as staff/ delivery data from the golf club, to establish the level of trips the existing golf club site could generate. As the LHA needs to establish that the calculations are accurate, clarity is requested on the following:

- Maximum capacity of the existing site should all function rooms/ the golf course and driving range be occupied;
- A clear indication as to the capacity of each of the three function rooms and their use;
- Clarity as to whether the 180 seated guest capacity function suite is an additional room to the three referenced in paragraph 4.1.4 or is, for example, the capacity of all three function rooms when opened up together;
- Clarity as to whether the clubhouse including the restaurant and bar referenced in paragraph 4.1.6 also form part of the three function rooms referred to in Paragraph 4.1.4 or are separate;
- It is understood that golf tournaments are held at the site, the maximum number of attendees and any visitors to these tournaments should therefore be provided;
- Clarification as to what facilities on the existing site are open to the general public (e.g. golf course/ driving range/ bar/ restaurant), as well as what are specifically available to members only; and
- Discount hotel accommodation is currently understood to be offered to guests attending events for nearby hotels. The LHA requests any details on the typical level of take up for this offer which the Applicant may hold and also queries whether this offer would be extended to (or limited to) to the hotel proposal.

Proposed Hotel Development

The application as submitted describes the development proposal as a 152 bed hotel with a leisure facility and spa. The Application form states the proposals would require 53 full time employees. Paragraph 6.1 of the TA states that, *"...the proposed development would host various events such as weddings and include a swimming pool with spa facilities..."*. Paragraph 6.4 of the TA states that, *"Whilst events could still take place at the existing golf club following completion of the proposed development, large scale weddings or parties would not take place simultaneously at the site..."*. Paragraph 7.5.3 states that *"...as the hotel would offer better conferencing/banqueting facilities there could be an increased frequency of events taking place as the site becomes more desirable..."*.

While it is appreciated that the layout of the site is not for consideration at this stage, in order for the LHA to consider the full impact of the proposals on the surrounding highway network, it is crucial that the Applicant provides clarity as to precisely what facilities will be on offer within the proposed hotel building, including the spa. In the absence of a floorplan, and based on the above information, it is not currently possible for the LHA to establish whether the Applicant's proposed trip rates / trip distribution for the proposed development is acceptable. The LHA therefore requests clarification on the following points:

- Clarification as to what spa facilities would be available on-site and the maximum capacity of facilities available within the spa;
- Confirmation as to whether the spa would be open to the public. The LHA is aware that golf membership packages would be offered with or without the use of the spa;
- Clarification as to what conference/ wedding/ function/ meeting rooms, restaurants or bars and any other facilities would be provided within the proposed hotel, along with the maximum capacity for each facility; and
- Clarification as to whether any of the hotel facilities (e.g. if a restaurant or bar is provided) would be open to members of the public.

Paragraph 7.5.3 of the TA states that, "...the proposed hotel would be ancillary to the existing uses and would offer overnight accommodation to guests who at present are recommended alternative accommodation in Leicestershire". After considering trip rates for a hotel, the Applicant has calculated a 70% linked trip reduction due to the proposed hotel being ancillary, stating that 30% of trips to the site would be new. The LHA considers this illogical, as why would there be such a high percentage of new trips if the hotel is to be entirely ancillary to the golf club? The LHA considers that a 100% ancillary use would be unlikely (as suggested by the trip split), so will require a strongly evidenced justification of the suggested 70% linked-trip percentage and 30% new trip percentage, otherwise a significant proportion of linked trips is unlikely to be acceptable to the LHA.

The LHA therefore requests the applicant to provide clarification on the following:

- Clarification as to how the hotel and existing golf club would operate at full capacity, along with how the use of the overall site will be restricted in terms of 'large scale events' running simultaneously. Currently it is unclear to the LHA how two function rooms that are capable of holding weddings for example could not be used at the same time or a golf competition occur at the same time as a wedding. The LHA is of the view that conditions restricting the use of the site would need to be imposed, however in the view of the LHA these may be difficult to enforce. The LHA requires the Applicant to provide confirmation from the LPA that conditions restricting the use of the site can be imposed, and what these would be;
- Clarification from the Applicant that the LPA is satisfied for the hotel to be restricted as ancillary to the golf club (and if so, why a separate access is required); and
- If it is not ancillary, reconsideration of the split between linked and new trips as considered earlier in this section of this response.

Following the Applicant submitting satisfactory clarification to the LPA in respect of the above, the LHA should be able to give further consideration to the Applicant's proposed trip generation.

Junction Capacity Assessments

While the Applicant has undertaken a capacity assessment of the site access, the LHA are unable to consider this at present due to the matters raised above.

Off-Site Implications

Following further clarification of the proposals and trip generation by the Applicant, the LHA anticipates it will be able to give consideration to any off-site implications which may arise as a result of the proposals.

Internal Layout

The internal layout of the proposed hotel is not for consideration at this stage. Nevertheless, the LHA notes a vehicular link may be proposed between the existing golf club car park and the proposed development. As per the above, the LHA requests clarification as to why the existing site access cannot be utilised/ improved as part of the proposals, especially if it is to be ancillary. Parking provision for the proposed hotel would need to be designed fully in accordance with Part 3 of the Leicestershire Highway Design Guide.

Transport Sustainability

The LHA advise at this stage that the site is in a remote, rural location which is not linked to the surrounding area with pedestrian footways or street lighting. The nearest bus stop is an approximate 1.5km walk away. As a result, it is unlikely the LHA would be able to request bus passes for new employees for example. The Applicant has submitted a Framework Travel Plan in support of the proposals.

Sustainable Travel will be considered further once the Applicant has responded to the various matters raised by the LHA in this response.

Closing

Currently the Applicant has submitted insufficient evidence to the Local Planning Authority for the LHA to give detailed consideration to the development proposals. The Applicant should address the points raised / queried in this response with respect to the site access, the use of existing golf club, the use of the proposed hotel, and trip generation matters, and submit revised documents, if the LHA is to be able to consider the development proposals further.

Date Received
9 March 2021

Case Officer
Ben Dutton

Reviewer
AW

Date issued
19 March 2021

**APPENDIX CB5 – LCC FORMAL OBSERVATIONS DATED
26 MAY 2021**

Substantive response of the Local Highway Authority to a planning consultation received under The Development Management Order.



Response provided under the delegated authority of the Director of Environment & Transport.

APPLICATION DETAILS:

Planning Application Number: 20/01387/OUT

Highway Reference Number: 2020/1387/04/H/R2

Application Address: Forest Hill Golf And Country Club Markfield Lane Botcheston Leicestershire
LE9 9FH

Application Type: Outline (with access)

Description of Application:

Re-consultation. Proposed 152 Bed Hotel with Leisure Facility & Spa Within Use Class C1 (Outline - Access To Be Considered)

GENERAL DETAILS

Planning Case Officer: Sharron Wilkinson

Applicant: Sparsis Leisure Ltd

County Councillor: Cllr Peter Bedford

Parish: Desford

Road Classification: Class C

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Highway Authority advice is that the residual cumulative impacts of the development are severe in accordance with the National Planning Policy Framework (2019) and the Local Planning Authority is advised to consider refusal on transport/highway grounds for the reasons outlined in this report.

The LHA advises the following reasons for refusal:

- 1. The Applicant has failed to demonstrate that appropriate opportunities to promote sustainable transport modes can be, or have been, taken up, given the type of development and its location which is contrary to paragraph 108 of the National Planning Policy Framework.**
- 2. The Applicant has failed to demonstrate that safe and suitable forms of site access can be achieved for all highway users, contrary to paragraph 108 of the National Planning**

Policy Framework.

3. The Applicant has failed to demonstrate any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be mitigated, contrary to paragraph 108 of the National Planning Policy Framework.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) previously submitted observations to the Local Planning Authority (LPA) on 19 March 2021 requesting additional information in respect of this application for a 152 Bed Hotel with Leisure Facility & Spa. The Applicant has now submitted a Technical Note dated May 2021 with a view to resolving the LHA's comments.

Site Access

The LHA previously requested clarity as to where both the manual speed survey and Automatic Traffic Count (ATC) speed survey were undertaken, as there were discrepancies within the original Transport Assessment (TA) as to exactly where the surveys were undertaken. The Applicant has detailed the surveys were undertaken in the locations detailed in Figure 1.

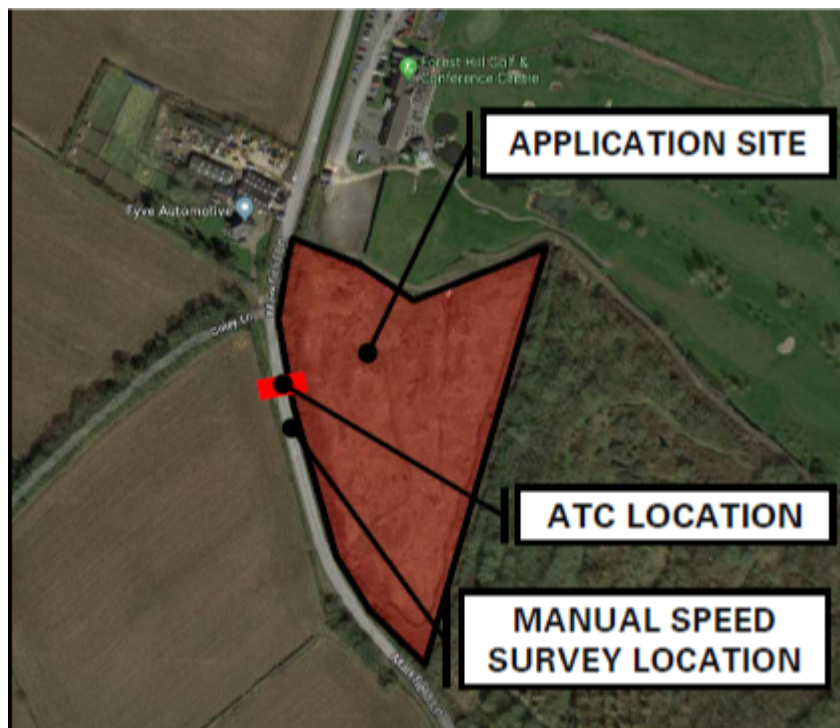


Figure 1: Speed survey locations.

The LHA also requested clarity as to why the hand radar survey had been selected when the ATC survey gathered data over a considerably longer period which would give a more accurate picture of the speeds in this area.

The Applicant has not provided details as to where the enumerator was placed as requested, however it appears both surveys have effectively been undertaken in the same area. The LHA previously advised two different manual speed survey results had been referenced in the TA (85%ile speeds of 41.84mph northbound and 45.98mph southbound and also 41.71mph northbound and 45.85mph southbound). The Applicant has confirmed the latter speeds should be used. The LHA has provided a comparison of the Manual and ATC 85%ile speeds in Table 1.

	Manual survey (20/08/19)	ATC (13/11/19 - 19/11/19)
Northbound	41.71	43.5
Southbound	45.85	46.7

Table 1: Manual and ATC recorded 85%ile speeds (mph)

The Applicant has stated the manual speed survey results are very similar to the results obtained from the ATC speed survey information, with both surveys demonstrating speeds significantly below the national speed limit. The differences in 85% percentile speeds between the surveys of less than 1.8mph and 0.85mph for the northbound and southbound speeds is not considered to be significant in the view of the Applicant.

The LHA considers the recorded ATC 7 day average 85%ile speeds to be more robust than a manual traffic count of 100 vehicles in each direction. It is unclear why the Applicant would not base visibility splay calculations on the more robust ATC data.

Notwithstanding the Applicant's visibility splay calculations, as advised previously, based on Part 3, Table DG4 of the Leicestershire Highway Design Guide (LHDG), available at <https://resources.leicestershire.gov.uk/lhdg>, where measured vehicle speeds fall between 41-44mph, a visibility splay of 2.4 x 120 metres is required. If the measured speeds fall between 45 - 53mph then visibility splays of 2.4 x 160 metres would be required.

The Applicant has proposed 2.4 x 129 metres in a north-westerly direction and 2.4 x 99 metres in a south-easterly direction. Forward visibility of 99 metres for vehicles travelling northbound has also been detailed by the Applicant. The LHA maintains all visibility splays are sub-standard in accordance with the LHDG.

The LHA previously advised that the carriageway drops downhill to the south of the proposed access, so gradients may also need to be taken into consideration at the proposed site access. The Applicant has not clarified whether the gradients would affect the available visibility.

The LHA previously advised the existing golf club has an existing access point to the north of the proposed hotel access, which falls within the Applicant's blue line boundary of the overall site and while the Applicant stated they had addressed the LHA's pre-application comments with regards to why a second point of access is necessary, the LHA could not find a clear justification. The LHA also advised that while the internal layout of the site was not for consideration, it was evident that the Applicant intends to provide a vehicular link between the existing golf club car park and the proposed hotel/ spa. The proposed new access has reduced visibility based on LHDG guidance and the LHA advised it could not see a reason why the Applicant could not provide a single point of

access to serve the site as a whole should that be the case. No justification has been provided by the Applicant to address this point.

The Applicant has now provided further information on the use of the new access in respect of the overall site. It is understood the proposed new access would be the primary point of access to the overall site and serve both the proposed hotel/ spa and the existing golf club with the provision for visitors to the site to turn left to the golf club or right to the hotel/ spa as necessary.

It is stated the Applicant would like to retain the existing access to the golf clubhouse for use by the golf club as a service entrance for its plant / machinery area and for staff only parking. This would be clearly signed as a golf club service / staff only access.

The LHA advise that given the existing golf club access is outside of the red line boundary of the application site, do not believe it would be possible to restrict the use of the existing access as described by the Applicant. Furthermore, it is considered by the LHA that this may be difficult to enforce.

Nevertheless, should the site frontage to the overall site/ existing golf club be included within the red line boundary, the LHA consider that the existing access would be in a more appropriate location to serve the site as a whole, rather than creating a new access on the inside of a bend with visibility below the requirements of the LHDG and also potentially gradients affecting the visibility.

Notwithstanding the existing access to the north and the red/ blue line boundary issues in relation to restricting the use of the existing access, even when considering the new access on a standalone basis the Applicant has advised that it would serve the existing golf club as well as the proposed hotel/ spa. The LHA therefore need to establish the level of use which could be generated by both the existing golf club development (within the blue line boundary) and the proposed hotel/ spa (within the red line boundary).

As detailed within the Trip Generation section below, the LHA are still unable to ascertain the level of traffic which could use the proposed site access. On this basis cannot give any further consideration to whether the access would be safe and suitable, would operate within capacity or agree with the Applicant's conclusion that a ghost right turn lane is not necessary. Provision of a right turn lane was also highlighted as a solution to one of the problems highlighted within the Stage 1 Road Safety Audit. The LHA would however question whether the location of a ghost right turn lane at a bend in the road and close to a gradient is the most appropriate location, given the frontage of the overall site with Markfield Lane and the location of the existing site access to the north.

Overall, the LHA therefore considers that the Applicant has failed to demonstrate that a safe and suitable access to the site could be achieved in accordance with Paragraph 108 of the National Planning Policy Framework.

Trip Generation

As per the previous response, the LHA consider firstly the existing golf course development and secondly the proposed hotel development. Again, whilst the golf course is within the blue line boundary, it is not located within the red line application boundary of the proposed hotel development.

Existing Golf Course Development

As advised previously, due to the Covid-19 pandemic, the Applicant has utilised TRICS trip rates, as well as staff/ delivery data from the existing golf club to establish the level of trips the existing golf course could generate. As the Applicant has now confirmed that the proposed new access to the site would also serve the existing golf course, it is essential the LHA establishes that the calculations for the existing golf course are accurate.

The LHA requested a number of points be clarified in respect of the existing golf course including maximum capacities, what facilities are open to the public and the uptake of discounted hotel vouchers for guests. The Applicant has answered these in turn within Paragraph 2.3.1, points A - G of the Technical Note.

The LHA note points A and B which detail that the refurbished spaces within the current clubhouse building accommodate the following:

- Driving Range 44 people
- Bar area 50 people
- Members room 40 people (former conservatory)
- Restaurant and lobby 80 people (Former function room, server, and dining area. This area is currently not in use)
- The Golf Course, 72 people (typical fourball format playing one hole apart)

The applicant states that this is not the current space, but what it will be when refurbished and that historically the three function rooms were:

- The Conservatory, up to 40 people (to be the new members room)
- The Dining Area, up to 20 people (to be part of the new restaurant)
- The Function Room, up to 120 people (to be part of the new restaurant with some space occupied by new toilet, cloakroom, and storage layout)
- Each of the rooms were historically multi-purpose.

The LHA note that the Applicant does not hold data for the level of take up for the discount accommodation offer available to guests attending events at the current site, however the same offer would be available to golfing visitors at the new hotel. It is therefore unclear how many guests attending current events actually stay in nearby hotels, or would need to return to the site from a nearby hotel the following day as suggested could currently happen.

The Applicant has considered TRICS trip rates for the existing golf course and selected a site where no events such as functions or weddings occurred at the time of the TRICS survey. The Applicant has also calculated a level of trips which the site could generate based on the number of

trips to the site per week by staff and delivery vehicles which was provided by the golf club. Using this data the Applicant has advised on average, the existing golf club could generate up to 396 two-way daily movements. This is higher than their TRICS calculations during a typical weekday, which suggested the existing golf club could generate 198 two-way daily movements.

However, the information from the golf club included higher spikes in traffic during a Saturday and therefore the Applicant advised given the LHA requested an assessment of traffic impacts during the AM and PM weekday peak periods at the pre-application stage, the TRICS data should be used. Calculations for the trip generation provided by the golf club appear to be based on the historic use, however it is unclear to the LHA as to when the refurbishment to the existing golf clubhouse would commence or whether it is currently ongoing. Should the refurbishment happen prior to the hotel development, the trip rates for the refurbished use would need to be considered.

The Applicant has also calculated the level of trips a wedding for 180 guests could generate, however advised that traffic would be unlikely to coincide with weekday peak hours or a Friday evening peak hour. Nevertheless, the LHA is aware that the website for Forest Hill Golf Club currently markets the site for conferences which could typically occur during the week, this does not appear to have been considered by the Applicant.

Given the above, the LHA consider basing trip generation for the existing golf course on the proposed TRICS trip rates could be indicating lower trip rates than what could actually be generated by the operations of the existing golf club.

It should be noted that as of 19th April 2021, the LHA resumed issuing permits to undertake traffic surveys on the network. While the LHA accept some aspect of the existing golf club activities may be restricted, such as weddings and the capacity of restaurant and bar, golf courses have re-opened and traffic counts could be undertaken to gather actual data for the existing golf course and compared to the Applicant's TRICS analysis.

Proposed Hotel Development

While it is clear the proposed development would include a 152 bed hotel and spa, previously it was unclear to the LHA as to what other facilities would be available within the hotel, or the scale of the spa and any other facilities proposed. The Applicant has answered the LHA's previous questions in respect of the proposed hotel development within Paragraph 2.3.1, points F - N of the Technical Note.

It is understood that while a detailed specification of the spa is yet to be determined, it is anticipated that a maximum of 30 guests are proposed for this area at any given time. The spa would be open to golf club members, hotel guests and members of the public. Within the proposed hotel, the total function room capacity would accommodate up to 300 people, with the ability to sub-divide to smaller capacity as required, the restaurant would provide 100 covers and the bar would provide 100 covers. All facilities would be open to the public. In the absence of a floorplan, it is unclear to the LHA whether the 100 covers in the restaurant and bar would be in addition to or included within the total capacity of the function room.

The LHA previously requested clarification on how the Applicant would restrict 'large scale events' at the site so they did not run simultaneously. Confirmation from the Applicant that the LPA would be satisfied that the hotel to be restricted as ancillary to the golf club was also requested. The Applicant has advised:

- The Clubhouse will no longer have a "function room" so all events will be deferred to the hotel;
- The Club will service the golf members and visitors for their specific needs including tournaments. The bar and restaurant will provide ongoing service within this environment;
- Both buildings can operate collectively with shared resource or independently as required by the activities being covered.

Paragraph 6.6 of the original TA states *"Whilst events could still take place at the existing golf club following completion of the proposed development, large scale weddings or parties would not take place simultaneously at the site"*. The LHA advise the original questions regarding ancillary usage and restrictions on use do not appear to have been satisfactorily answered. The LHA remain unconvinced as to how the proposed development could be considered as ancillary to the golf club site.

The Applicant has used TRICS to generate the approximate level of vehicle trips the 152 bed hotel development would generate during the weekday AM and PM peaks (08:00 - 09:00 & 17:00 - 18:00) and Friday PM peak (17:00 - 18:00) as shown in Table 1.

Weekday Traffic Generation

• morning peak hour	46 arrive	16 depart	62 total
• evening peak hour	73 arrive	43 depart	116 total
• daily	427 arrive	371 depart	798 total

Friday Traffic Generation

• evening peak hour	32 arrive	27 depart	59 total
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Table 1: Hotel vehicle trips

The Applicant maintains the conclusion within the original TA that a linked trip reduction of 70% to the proposed hotel with 30% of the anticipated vehicular trips to the site being new is appropriate. It is considered the proposed development would therefore generate the following level of new trips:

Weekday Traffic Generation

• morning peak hour	14 arrive	5 depart	19 total
• evening peak hour	22 arrive	13 depart	35 total
• daily	128 arrive	111 depart	239 total

Friday Traffic Generation

• evening peak hour	10 arrive	8 depart	18 total
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Table 2: Proposed hotel vehicle trips with 70% internalisation reduction factor.

The LHA acknowledge that as part of an event at the proposed function room within the hotel or the overall site, guests that choose to stay in a hotel overnight may opt to stay on-site rather than travel elsewhere. Nevertheless, the LHA is unclear how the Applicant can justify a 70% internalisation factor for the proposed development given the following points:

- The proposed hotel and facilities are all open to the public. In the view of the LHA, the hotel and spa alone could be fully occupied with guests who are not attending any event at the hotel or golf club. Trips on the network to the hotel rooms and spa alone, excluding any additional trips due to an increase in capacity of the function room/ restaurant or bar facilities would be new to the network in such a scenario.
- The function room within the proposed hotel could hold up to 300 guests, where as the 'historic' golf clubhouse could hold 180 this is a 67% increase in capacity over the existing golf clubhouse. The additional 67% capacity in comparison to the current maximum capacity of the golf clubhouse alone could therefore be considered new trips in a scenario where the existing golf clubhouse is vacant during an event in the hotel. Should the proposed restaurant and bar be two separate rooms, this adds potential for a further 200 guests on-site in such a scenario.
- The LHA would be unable to advise a condition to restrict large scale events as the existing golf clubhouse is outside the red line boundary and it would also be considered unreasonable to advise such a condition and difficult to enforce. It is noted that at present golf tournaments and weddings predominantly occur at the site during weekends, however it is clear from the proposed development that it is anticipated that events would become more frequent. The LHA believes that the Applicant would want to operate the overall site at capacity as frequently as possible and conferences could typically occur during the week.

As the proposals do not replace the existing golf clubhouse, the LHA can see no reason why a golf tournament could not be undertaken fully utilising the 'historic' or refurbished golf clubhouse building amenities, while another event such as a wedding or conference is being undertaken simultaneously in the proposed hotel function room. The LHA consider that to hold two large events at the overall site simultaneously at present would clearly be beyond the

capacity of the current site given the size of the existing golf clubhouse, however the proposed development could facilitate this. As an example, should the golf clubhouse be occupied at full capacity (170 people) along with the hotel function room (300 people), and also the spa (30 people) the LHA question how only 30% of trips to the hotel development would be new in such a scenario. This excludes the fact that the 152 bed hotel could also be fully or partially occupied with guests not attending any other event on-site and also any additional trips an additional restaurant/ bar could generate.

Despite the existing golf clubhouse falling outside the red line boundary of the site, it would still remain in operation following the proposals and potentially be refurbished. In the view of the LHA the proposals enable the site as a whole to hold multiple events and/or single events on a much larger scale than at present.

Based on the above, the LHA does not have sufficient evidence to accept the Applicant's conclusion that 70% of trips to the development will be linked with the existing facilities and only 30% of trips be new. It is still unclear as to the level of the trips the site as a whole could generate and the proposed level of trips the site could generate as a whole may be considerably understated. The LHA has therefore not given any further detailed consideration to the applicants trip generation figures.

Junction Capacity Assessments

The LHA has studied the Applicant's capacity assessment of the site access and notes that it includes the full morning and evening peak hour weekday trip generation for the hotel trips detailed in Table 1. The capacity assessment does not appear to take into account the traffic which would use the existing golf club site, or a scenario where the site as a whole was fully occupied. Given the access is to serve the existing golf course, this would be required.

The Applicant has not given consideration to the impact of the development on nearby junctions based on their assumption that the proposed development would not generate above 30 two way trips beyond the site access. The LHA is unable to agree that this would be the case and considers the Applicant has failed to demonstrate the impact of the proposed development on the surrounding highway network.

The LHA is aware of nearby junctions such as the Botcheston Road/ Desford Lane priority junction (Newtown Unthank) and A50 Leicester Road/ Launde Road/ Leicester Road/ Markfield Lane roundabout (Field Head), where queuing and delays currently occur during peak hours. It is considered the majority of the development traffic has the potential to route through either of these junctions during peak hours and the LHA is unable to establish to how much of an impact the proposals could have on these junctions.

Transport Sustainability

The site is considered to be remote for a hotel of such scale. The development is situated on a rural unlit road subject to the national speed limit. Notwithstanding the submitted Travel Plan, there are no pedestrian footways between the site and nearby villages such as Botcheston and Thornton and a considerable (1.5KM) walk to the nearest bus stops. Given there is no public transport provision to the site, it is considered by the LHA to be in a poor location in transport terms for a

development of this scale. While it is acknowledged some guests may travel to the site by coach when attending certain events, members of the public attending the spa/ restaurant and bar facilities and any independent hotel guests have little alternative modes of transport to the site other than by private car. This is also the same for staff who would be working on-site.

Date Received
5 May 2021

Case Officer
Ben Dutton

Reviewer
DH

Date issued
26 May 2021

**APPENDIX CB6 – LCC FORMAL OBSERVATIONS DATED
5 OCT 2022**

Substantive response of the Local Highway Authority to a planning consultation received under The Development Management Order.



Response provided under the delegated authority of the Director of Environment & Transport.

APPLICATION DETAILS:

Planning Application Number: 22/00752/OUT

Highway Reference Number: 2022/0752/04/H/R1

Application Address: Forest Hill Golf And Country Club Markfield Lane Botcheston Leicester
Leicestershire LE9 9FH

Application Type: Outline (with access)

Description of Application:

Re-consultation. Proposed 98 bed hotel with leisure facility & spa (Class C1) (outline - access to be considered only)

GENERAL DETAILS

Planning Case Officer: Matt Jedruch (HBBC)

Applicant: Sparsis Leisure Ltd

County Councillor: Cllr Peter Bedford

Parish: Desford

Road Classification: Class C

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Highway Authority advice is that the residual cumulative impacts of the development are severe in accordance with the National Planning Policy Framework (2021) and the Local Planning Authority is advised to consider refusal on transport/highway grounds for the reasons outlined in this report.

The LHA advises the following reasons for refusal:

- 1. The Applicant has failed to demonstrate that appropriate opportunities to promote sustainable transport modes can be, or have been, taken up, given the type of development and its location which is contrary to paragraph 110 of the National Planning Policy Framework 2021.**
- 2. The Applicant has failed to demonstrate that a safe and suitable site access can be achieved for all highway users, contrary to paragraph 110 of the National Planning Policy Framework 2021.**

- 3. The Applicant has failed to demonstrate any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be mitigated, contrary to paragraph 110 of the National Planning Policy Framework 2021.**

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) are in receipt of a consultation for an outline application to construct a 98 bed hotel with leisure facility & spa at Forest Hill Golf And Country Club, Markfield Lane, Botcheston. All matters other than access are reserved at this stage.

The Applicant has submitted a Transport Assessment (TA) and Travel Plan (TP) both dated July 2022 in support of the proposed development.

The LHA are aware of application reference 20/01387/OUT for the construction of a 152 bed hotel at the site. The LHA advised refusal of the application on 26 May 2021 on three grounds, with the Local Planning Authority (LPA) refusing the application for several reasons on 27 October 2021.

The LHA notes a number of similarities with the TA submitted in support of this current application in comparison to that submitted in support of the previous application. On this basis, the LHA advises a number of concerns raised as part of the previous application within the 19 March 2021 and 26 May 2021 observations remain.

Site Access

Access to the site is proposed off Markfield Lane, which is a C classified road subject to the national speed limit. The LHA are aware that Leicestershire County Council will be reducing the speed limit of the road to 50mph in late October 2022. This includes Markfield Lane, Whittington Lane and Thornton Lane between the existing 40mph speed limits in both Botcheston and Markfield.

As shown on Bancroft Consulting drawing number F19109/06 Rev C, the access would take the form of a new priority junction with a 6.75 metres wide carriageway and 10 metre kerb radii. It is intended that the proposed access would act as the primary access to both the existing golf club and clubhouse as well as the proposed hotel.

In order to ascertain traffic speeds at the proposed access location, the Applicant has undertaken a speed survey as part of an Automatic Traffic Count (ATC) which was undertaken between Friday 20 - Thursday 26 May 2022. The results of the speeds survey indicated 85%ile vehicle speeds of 45.3mph northbound and 46.7mph southbound. The speed survey results therefore suggest that vehicles should be travelling within the new 50mph speed limit at the location of the speed survey, once the speed limit is reduced.

The Applicant has compared these to speed surveys undertaken as part of the previous application, as detailed in Table 1.

Direction	2019 Manual Speed Survey	2019 ATC	2022 ATC
Northbound	41.84mph	43.5mph	45.3mph
Southbound	45.98mph	46.7mph	46.7mph

Table 1: Speed survey comparisons.

It should be noted the LHA did not accept results of the manual speed survey as part of the previous application and advised the ATC data was considered to be more robust. The locations of the surveys are shown in Figure 1.

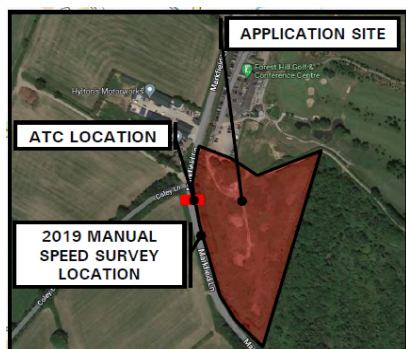


Figure 1: Speed survey location.

The Applicant has used the 2022 speeds in order to calculate visibility. Based on Part 3, Table DG4 of the Leicestershire Highway Design Guide ([LHDG], available at <https://resources.leicestershire.gov.uk/lhdg>), where measured vehicle speeds fall between 45 - 53mph, visibility splays of 2.4 x 160 metres would be required. The Applicant has stated that Manual for Streets 2 (MfS2) guidance has been used and proposed splays of 2.4 x 133 metres in a north-westerly direction and 2.4 x 126 metres in a south-easterly direction. Forward visibility of 126 metres for vehicles travelling northbound has also been detailed by the Applicant.

Given the rural location of the site as well as the recorded speeds and the fact there is an existing access to the site within land under the Applicants control with much greater visibility available, the LHA does not accept the use of MfS2 and advises splays should be provided in accordance with the LHDG.

The Applicant has also submitted Bancroft Consultancy drawing number F19109/12 Rev A, however this does not extend to the length required within the LHDG. The LHA advises the LPA that in order to provide the visibility splays on the bend a considerable amount of vegetation would need to be removed, which does not fall within the extents of the public highway.

Vehicle swept path analysis has been submitted detailing both a refuse collection vehicle and a coach turning left in to the site and left out of the site. It should be noted that a vehicle turning right both in to and out of the site has not been provided. Nevertheless, the swept path assessments shows that for both the refuse vehicle and coach, the vehicle would encroach considerably into path of opposing traffic flows on both ingress and egress of the new access. This raises concerns

when taking into account the potential for high vehicle speeds and restricted forward visibility due to the bend in the road.

The Applicant has submitted an independent Stage 1 Road Safety Audit (RSA) of the site access arrangements along with a designer's response, which raises four problems. The first problem relates to the location of the proposed access and that drivers would need to look over their shoulders in order to see approaching traffic. The RSA advises that this could decrease reaction time and therefore increase the risk of pull out type collisions occurring at the access and recommends an alternative location should be proposed to avoid this from occurring.

The Applicant has stated that they agree with the recommendation and have relocated the access to the location shown on Bancroft Consulting drawing number F19109/06 Rev C. The LHA do not believe the minimal distance the access has been relocated resolves the concerns outlined within the RSA, given the site access is still proposed on the inside of a bend in the road.

The second problem identifies that street lighting would be required to cover the access, which the Applicant has accepted and stated could be dealt with at detailed design. This is accepted by the LHA.

The third problem recommends a ghost right turn lane should be installed at the access in order to cater for peak times and avoid queuing, as well as due to the restricted visibility to the south and lack of street lighting. The Applicant has disagreed with the recommendation due to capacity assessments and on the basis they believe the above two points have been or can be resolved. The LHA are currently unable to comment on the level of trips which the site may generate as detailed below, however regardless of trip rates the issues raised in the RSA, notably in respect of visibility are of concern.

The fourth problem relates to a lack of crossing facilities to the existing bridleway opposite the proposed hotel with a recommendation that an assessment should be undertaken to assess the whether the bridleway is likely to be used and whether crossing facilities should be provided at an appropriate location with good visibility. The Applicant has disagreed to this recommendation on the basis that the proposed access has been relocated and on the basis the number of pedestrian movements are considered to be low, as well as the relatively low traffic flows on Markfield Lane that a crossing facility is not required. Given the limited distance at which the access has been moved, it is unclear to the LHA whether this would now be considered acceptable within a revised RSA.

The existing golf club/ clubhouse currently has an existing access point to the north of the purposed access. The Applicant is proposing to retain the existing access to the site for use by the golf club as a service entrance for its plant/machinery area and staff-only parking and that this would be signed as such. It is stated the existing access would be within the planning 'redline', therefore any future use could be conditioned as necessary. The submitted location plan of the site do not however include the existing access within the red line.

As per the previous application, the LHA maintain that the existing access to the golf club would be in a more appropriate location to serve the site as a whole as opposed to creating the new access

on the inside of a bend where a number of road safety concerns have been raised within the RSA. The LHA consider that using and improving the existing access could resolve a number of the issues raised above, in particular those in respect of visibility and vehicle tracking. It is unclear why improvements could not be made to that access, if necessary and as suggested as part of the previous application. The LHA therefore advise the construction of the new access could create an additional and unnecessary conflict point on the network to the detriment of highway safety.

Highway Safety

The Applicant has obtained Personal Injury Collision (PIC) data from Leicestershire County Council for the between 1 January 2017 - 31 December 2021. The study area covers over 2.2 kilometre section of Markfield Lane, between Reservoir Road to the north and Main Street to the south. No PIC's have been identified.

While this does not cover the most recent five years, the LHA is not aware of any additional PIC's which have occurred within the study area. The LHA would advise the Applicant that it has no highway safety concerns with the existing access to the site.

Trip Generation

The Applicant has stated that the scale of the proposals has been reduced by 30% in comparison to the previous proposals.

In this section of the response, the LHA consider firstly the existing golf course development and secondly the proposed hotel development. As advised above, the LHA notes that whilst the golf course is within the blue line, it is not located within the red line application boundary of the proposed hotel development.

Existing Golf Course Development

It is stated within the TA that the existing golf course development consists of an 18-hole golf course along with a 26-bay driving range. The golf centre also hosts a golf academy which offers a variety of lessons for people of all ages and abilities (Paragraph 4.1.1). Membership packages are available for the golf club and the site also includes a number of ancillary facilities including a golf shop.

The TA also sets out that the site is an established venue for wedding ceremonies and functions, private parties and business conferences. The venue has three main function rooms along with a bar and restaurant which are able to cater for groups of between 20 and 150 guests (TA paragraph 4.1.4). The TA also sets out that wedding receptions are held within the function suite which can accommodate up to 180 seated guests (TA paragraph 4.1.5), which appears to conflict with paragraph 4.1.4.

The TA sets out that the club house includes a restaurant and bar which serves food seven days a week. It is stated that the restaurant is targeted to group events such as business conferences and offers breakfast meetings and lunch clubs for guests of up to approximately 110 people (TA paragraph 4.1.6).

As part of the previous application the submitted TA provided an identical description of the existing site. The LHA stated that the precise capacity of the function rooms at the existing golf club, along with the number of function rooms was unclear within its observations dated 19 March 2021. On this basis, it is unclear precisely what the capacity of the existing golf club is.

It should be noted that within the 26 May 2021 observations for the previous application, the LHA advised the Applicant had stated that the refurbished spaces within the current clubhouse building accommodate the following:

- Driving Range - 44 people;
- Bar area - 50 people;
- Members room - 40 people (former conservatory);
- Restaurant and lobby - 80 people (Former function room, server, and dining area. This area is currently not in use);
- The Golf Course, - 72 people (typical fourball format playing one hole apart).

The Applicant did however state that this was not the current space, but what it would be when refurbished and that historically the three function rooms were:

- The Conservatory, up to 40 people (to be the new members room);
- The Dining Area, up to 20 people (to be part of the new restaurant);
- The Function Room, up to 120 people (to be part of the new restaurant with some space occupied by new toilet, cloakroom, and storage layout);
- Each of the rooms were historically multi-purpose.

The LHA are aware refurbishments have been undertaken at the existing golf clubhouse and given the above, it is not clear what the capacity/ facilities are available within the existing site.

In order to ascertain the level of trips which the existing site could generate, the Applicant has initially undertaken a TRICS assessment as per the previous application. It is stated that no events such as a function or wedding occurred at the time of the chosen survey. The Applicant has also undertaken an ATC at the site access in order to demonstrate the actual level of traffic which could be generated. The survey was undertaken on Friday 10 June 2022 with the results indicating 29 arrivals and 4 departures in the AM peak (08:00 - 09:00) and 29 arrivals and 41 departures in the PM peak (17:00 - 18:00). The Applicant has highlighted that a 'foot golf' tournament was held on the day of the survey and therefore indicates increased activity in comparison to typical conditions. It is however unclear as to the number of attendees for the 'foot golf' event.

The Applicant has highlighted that the TRICS assessment predicts lower trip rates in comparison to the actual survey data and therefore have undertaken a sensitivity test. It is stated that as part of the previous application that the Applicant provided data on the number of deliveries, staff shift patterns and revenue generated by the site. The Applicant has undertaken the same analysis as per the previous application as to the level of daily traffic which the site could generate, with an assumption that approximately 396 two way trips (198 arrivals & 198 departures) could be generated by the proposed development. It is highlighted by the Applicant that this is higher than the TRICS assessment which suggests the existing golf club could generate 198 two way trips.

The previous methodology was undertaken due to the Covid-19 pandemic and difficulties in undertaking actual traffic surveys at the time. Given the Applicant has now undertaken an actual survey of the site access during peak hours and government Covid-19 restrictions have been fully lifted, it is unclear to the LHA why the survey would not be undertaken throughout the entire day in order to provide actual data for a full day. Surveys could also be undertaken over a number of days to demonstrate typical variations in traffic levels depending on whether or not an event is being held at the site. The LHA consider actual surveys would be more robust to compare against the TRICS data.

Proposed Hotel Development

The application as submitted describes the development proposal as a 98 bed hotel with a leisure facility and spa. The application form states the proposals would require 40 full time employees. Similar to the TA for the previous application, paragraph 6.1 of the TA states that, *"...the proposed development could host various events such as weddings and include spa facilities..."*.

Paragraph 6.4 of the TA states that, *"Whilst events could still take place at the existing golf club following completion of the proposed development, large scale weddings or parties would not take place simultaneously at the site..."*.

Paragraph 7.2.1 states *"The site already hosts weddings and the new facility would be an improvement to what currently exists. However, the site would not host two large wedding events on the same day and therefore the impacts of an event should not significantly change."*

As part of the previous application the submitted TA gave similar descriptions of the proposed hotel building and the LHA advised within its 19 March 2021 observations it was unclear precisely what facilities would be on offer within the hotel. Within the 26 May 2021 observations, it was advised that the Applicant had confirmed:

- The hotel and facilities would be open to the public;
- The spa could hold 30 people;
- The function room within the proposed hotel could hold up to 300 guests; and
- It was unclear to the LHA whether the proposed restaurant and bar with a capacity of 200 people would be separate rooms.

While it is appreciated that the layout of the site is not for consideration at this stage, in order for the LHA to consider the full impact of the proposals on the surrounding highway network, it is crucial that the Applicant provides clarity as to precisely what facilities will be on offer within the proposed hotel building, including the spa. It is unclear whether given the reduction in the scale of the hotel building whether any of the previously proposed facilities would remain, also be reduced in scale in line with the reduction in bedrooms or be fully removed from the proposals.

Paragraph 7.4.2 of the TA states that, *"...the proposed hotel would be ancillary to the existing uses and would offer overnight accommodation to guests who at present are recommended alternative accommodation in Leicestershire..."*.

After considering trip rates for a hotel, the Applicant has calculated a 50% linked trip reduction due to the proposed hotel being ancillary, stating that 50% of trips to the site would be new. This is higher than the 30% new trips suggested previously by the Applicant.

The Applicant has also suggested that the proposals could reduce the number of people departing from the site after an event to alternative hotels and returning the next day, however no evidence has been provided as to the level of existing customers which may do this. Information on the number of guests whom take up the discounted accommodation offer for partner hotels for example could be provided as evidence.

Given it is unclear to the LHA as to precisely what the hotel development would consist of e.g. whether additional function rooms would be provided and the scale of these along with the spa, the LHA are unable to advise whether the level of trip generation suggested is considered to be acceptable. As per the previous application in the event the hotel has capacity for functions or events, it is unclear how the site as a whole would operate at capacity and why two function rooms capable of holding weddings or other events would not be used at the same time for two weddings or a wedding and a golf tournament for example. The LHA is of the view that conditions restricting the use of the site would need to be imposed, however these may be difficult to enforce and the golf club site falls outside of the red line boundary.

As part of the previous application, the LHA requested clarification from the Applicant that the LPA were satisfied the site could be conditioned as ancillary, however it was advised this was not satisfactorily answered. In addition based on ancillary use it is unclear why the existing site access to the overall golf club could not be used/ improved. How the site could remain ancillary to the existing golf club is therefore unclear to the LHA.

In the absence of a floorplan and based on the above information, it is not possible for the LHA to establish whether the Applicant's proposed trip rates for the development, or the 50% linked trips. The LHA also cannot advise whether it is satisfied with the Applicant stating that a ghost right turn lane to the site is not required. The LHA therefore advise the Applicant has failed to demonstrate any significant impacts from the development on the transport network in terms of capacity and congestion could be mitigated.

Junction Capacity Assessments

The Applicant has undertaken a capacity assessment of the site access, however given the highway safety concerns over the proposed access location, the lack of clarity as to what facilities would be included within the hotel and the resultant uncertainty in respect of the level of trips the site could generate, this has not been assessed in detail.

Off-Site Implications

The LHA are unable to advise whether the proposed development could have any off-site implications and whether these could be mitigated until clarification has been provided on the issues highlighted above.

Internal Layout

The internal layout of the proposed hotel is not for consideration at this stage. Nevertheless, the Applicant states the new access would be the primary access for both the new hotel and existing golf club. As per the above, the LHA requests clarification as to why the existing site access cannot be utilised/ improved as part of the proposals, especially if the development is to be ancillary and would remain open for use by staff/ maintenance vehicles. It is also unclear whether the existing access would still provide a vehicular link to the remainder of the site and could therefore be used by anyone accessing the site, or if it would be separated with a barrier. Any proposals to separate the existing access would fall outside of the red line of this application

Parking provision for the proposed hotel would need to be designed fully in accordance with Part 3 of the Leicestershire Highway Design Guide.

Transport Sustainability

The LHA has reviewed the submitted Travel Plan and considers the measures proposed to be acceptable. Given the reduction in scale of the hotel, a Travel Plan may not be required by the LHA, however it is unclear on what additional facilities could be available within the proposed development other than bedrooms.

The site is considered to be remote for a hotel of such scale. The development is situated on a rural unlit road subject to the national speed limit. Notwithstanding the submitted Travel Plan, there are no pedestrian footways between the site and nearby villages such as Botcheston and Thornton and a considerable (1.5km) walk to the nearest bus stops. Given there is no public transport provision to the site, it is considered by the LHA to be in a poor location in transport terms for a development of such scale.

While it is acknowledged some guests may travel to the site by coach when attending certain events and the use of the private car may be more convenient for those carrying golf equipment or attending a wedding, where it is acknowledged some car sharing may occur, others using the existing and proposed facilities along with any independent hotel guests have little alternative modes of transport to the site other than by private car, as would attendees of any additional function room/ dining facilities within the new hotel. This is also considered the same for staff who would be working on-site.

It is stated that the Applicant would establish an electric minibus service between Botcheston and Markfield with a bus stop at the hotel. This would operate on demand. No further details have been provided in respect of the service, for example how it would integrate with local bus service times, the number of customers necessary for a trip, any costs for users or whether members of the public living in Botcheston and Markfield would be able to request the service to pick them up for a day trip to the spa for example. It is therefore unclear how this would work in practice.

Date Received
12 September 2022

Case Officer
Ben Dutton

Reviewer
DH

Date issued
5 October 2022

APPENDIX CB7 – BCL LETTER DATED 22 NOV 2022

Planning Department
Hinckley and Bosworth Borough Council

FAO: Mr Matt Jedruch

BY EMAIL ONLY

Our Ref: CJB/F19109/221122
Date: 22 November 2022

Dear Matt,

**PROPOSED 98 BED HOTEL WITH LEISURE FACILITY AND SPA DEVELOPMENT AT
MARKFIELD LANE, BOTCHESTON, LEICESTERSHIRE: LPA APP REF 2022/007520681**

I write further to receiving details of LCC's latest Formal Observations in respect of the above, which were dated 5 October 2022. Following careful consideration of the points raised I wish to provide our formal response to the outstanding issues in the hope that we can allay any concerns you might have in respect of granting planning permission.

We have sought to work with the Highway Authority during the course of this and the previous application. Although the latest comments are disappointing, the following seeks to break down the issues corresponding to each of the three advised reasons for refusal, which are as follows:

1. The Applicant has failed to demonstrate that appropriate opportunities to promote sustainable transport modes can be, or have been, taken up, given the type of development and its locations which is contrary to paragraph 110 of the National Planning Policy Framework 2021.
2. The Applicant has failed to demonstrate that a safe and suitable site access can be achieved for all highway users, contrary to paragraph 110 of the National Planning Policy Framework 2021.
3. The Applicant has failed to demonstrate any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be mitigated, contrary to paragraph 110 of the National Planning Policy Framework 2021.

I will therefore respond to each of the above points as follows.

Point 1 – Sustainable Transport

The Highway Authority's comments (page 9) clearly state how the measures proposed within the submitted Travel Plan are considered to be "acceptable" and even raise the question of whether it should be required to accompany this application for a reduced hotel size. This is helpful in so far as it allows us to focus on the principle of the infrastructure that serves the site and proposed development.

In reviewing the first reason for refusal, whilst the Highway Authority has correctly quoted paragraph 110, it has in my opinion considered the policy guidance set out within the NPPF overly simplistically. Paragraph 105 of the NPPF provides greater explanation on the "*type of development and its location*" part of paragraph 110, recognising how "*opportunities to maximise sustainable transport solutions will vary between urban and rural areas*". This proposed scheme is to enhance the adjacent golf course facility and provide an improved leisure destination for existing and future visitors, thereby reducing the need for travel between that and other hotel complexes in the area. Reducing the need to travel is a well-established function of sustainable travel and will only be achieved by locating the two developments adjacent to one another.

In terms of offering a "*genuine choice of transport modes*", as required by paragraph 105, it is recognised within the Transport Assessment how opportunities for pedestrian and bus access are limited due to the rural location. However, the report also explains how cycling would be a viable option for staff and on-site cycle parking would be provided to fully facilitate access. It is important to note that the term 'sustainable travel' also includes high occupancy vehicles and time-managed journeys to avoid peak periods of congestion. The strategy for dealing with this management-led aspect of travel is set out within the agreed Travel Plan. The Travel Plan also includes proposals for delivering a bespoke electric minibuss service at the site which could be conditioned as part of the application and represents a standard approach for delivering access in this way.

This point is also covered by paragraph 85 of the NPPF, which states how "*Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport*". It is clear throughout the policy guidance that there is no longer a specific requirement to deliver access by all these alternative modes, merely demonstrate reasonable options for a choice of something different to single occupancy car travel.

The LTP3 places emphasis on making better use of the County's road network and avoiding overloading already congested areas with unnecessary trips. It is hard to see how visitors would realistically visit a golf course resort on foot, taking into consideration the baggage requirements and nature of the 'leisure visit'. Hence, it must be reasonable to conclude that this development would in fact offer the reasonable "choice of transport modes" that is required by the NPPF.

Point 2 – Safe and Suitable Access

The Highway Authority clearly doesn't wish to see a new access onto Markfield Road and to some extent I understand this position. However, in this instance the proposed access needs to be located centrally, adjacent to the golf club buildings and the hotel, with additional car parking located to the south of the site. If the proposed scheme were to rely on the existing golf course access, all movements would be required to pass through a tight junction layout and lengthy link (circa 350 metres in length) between the junction and car park area. It is understood that the existing access could not accommodate two

passing coaches within its layout without a major reconfiguration of the current internal layout, which would remove a substantial number of car parking spaces serving the golf course. In considering this, Part (c) of paragraph 110 from the NPPF clearly states how we should strive to achieve high quality design within our applications and the proposals would deliver a much more efficient and 'conflict free' scenario for the ongoing activities.

In reviewing the Formal Observations it is evident that the Highway Authority is raising concerns regarding achievable visibility splays and need for a right turn lane. The issue of contention with the visibility would appear to be the use of Manual for Streets based splays, which the Highway Authority states it does not accept in this location. Drawing Number F19109/06 Revision C (as supplied within the TA) demonstrates a splay of 133 metres to the north to address the observed 2022 approach speed of 46.7 mph and 126 metres to the south to address the 45.3 mph 2022 approach speed. These have been calculated using standard formula within Manual for Streets, which advises its application on roads with 50+ mph, subject to local context.

Notwithstanding the difference of opinion regarding the source of application for Manual for Streets visibility splays, **Drawing Number F19109/13 Revision C** shows the proposed site access layout with 160 metres visibility splays achievable in each direction, in both the horizontal and vertical axes. This is based on topographical survey information and the latest site landscaping plan. Importantly these splays are achievable within land that is either public highway or owned by the applicant. This should now allay the Highway Authority's concerns in this regard.

As regards the need for a ghost island right turn lane, there is clear research that widening carriageways to accommodate right turn lanes only serves to increase vehicle speeds and make conditions for pedestrians and cyclists more dangerous. Section 8 of the Transport Assessment also explains why the level of traffic on Markfield Lane would not trigger the need for a right turn lane, in line with published design guidance. Notwithstanding this, the conventional test for establishing whether a right turn is required would be the capacity assessment. Section 8 of the Transport Assessment has proved how there is very little chance of any significant queuing building up on Markfield Road with right turners into the site (peak hour maximum average queue length of 0.3 vehicles). On this point, it is interesting to note that the Highway Authority clearly states how *"it has no highway safety concerns with the existing access to the site"*, which is also a simple T-junction without a right turn lane.

One other concern raised by the Highway Authority relates to the angle of driver position as they emerge from the site, primarily for drivers looking south for oncoming vehicles. This is a point that was picked up on the Road Safety Audit. Although it is fair to say that the junction layout does not follow the conventional straight approach for the major and minor arms, this is not an uncommon situation and there is ample visibility both for emerging drivers and approaching drivers to safely facilitate the manoeuvre. Interestingly Figure DG2a of the published Leicestershire Highways Design Guide even presents an almost identical scenario in how to deal with the delivery of splays at T-junctions, with Table DG5 presenting numerous examples of 'skewed junctions' within its representation of *"Broad junction types"*. It is therefore considered unreasonable to simply conclude that the splay alignment to the south will lead to any specific highway safety problem at this access.

Taking the above into account, it should be perfectly reasonable the alternative access and visibility splay assessment presented in **Drawing Number F19109/13 Revision C** to be considered suitable to address the Highway Authority's outstanding concerns. There should be no reason to presume that the proposed new access, which would align with

the Highway Authority's standard design requirements, presents a justifiable reason for refusal on highway safety grounds.

Point 3 – Off-site Impact

In responding to this point, I should highlight how paragraph 110 of the NPPF does not relate to off-site impact issues as alluded to in the third reason for refusal offered by the Highway Authority. Paragraph 111 of the NPPF clearly states how *“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or if the residual cumulative impacts would be severe”*.

Figure 4 of the Transport Assessment demonstrates how there have been no recorded incidents on Markfield Lane within a kilometre of the proposed site access location, despite numerous private access junctions and major/minor T-junctions. Table 9 of the TA demonstrates how a maximum of 59 peak hour movements would occur during the weekday morning peak hour with 75% (44 two-way movements) being associated with the north and 25% (15 two-way movements) the south. There is no evidence to suggest that this level of peak hour increase (less than one two-way movement per minute) would lead to any capacity issues within the surrounding highway network, nor would it create any problems where none currently exist.

The Highway Authority clearly has ongoing issues with the trip generation calculations which we have sought to address through numerous submissions over the course of both planning applications. In the latest Formal Observations the Highway Authority goes into great detail regarding the way in which the existing golf course could operate, seeking clarification on specific operational details. Whilst the details presented in this regard are to the best of my knowledge accurate, it is also extremely important to recognise that this is an established detail that does not form part of the planning application. If anything, the existence of the proposed hotel development should serve to reduce trip generation associated with the golf course due to linked activities. These details are all clearly set out within the Transport Assessment and it is unclear why the Highway Authority is placing so much weight on the points raised.

Similarly, the Highway Authority has provided almost two pages of comments in respect of the proposed hotel trip generation details. The process of determining the peak hour trip generation details has been clearly presented within the Transport Assessment (see Section 7) where reference was made to the established TRICS database alongside further research into other similar planning applications for hotel/golf club applications elsewhere. These sites all included a similar range of facilities within the hotel developments and the predicted peak hour trip generation calculations must be viewed as reasonable to support the planning application and Transport Assessment. What is clear from this exercise, and the site access capacity assessments presented in the Transport Assessment, that the predicted peak hour trip generation could substantially increase (the modelled results indicate this could potentially quadruple) before any evidence of capacity issues would exist at the junction or for that matter further afield within the surrounding highway network.

Moving forward

From reviewing the Highway Authority's latest Formal Observations I remain content that the proposed development would in fact align satisfactorily with the NPPF, in particular policies 85, 110, and 111. There are clearly minor areas for resolution and clarification but these should all be resolvable through either consultation and/or planning condition. I



do not believe refusing the application on the grounds stated by LCC would be reasonable or justified as the information already exists within the Transport Assessment to support this application to demonstrate otherwise.

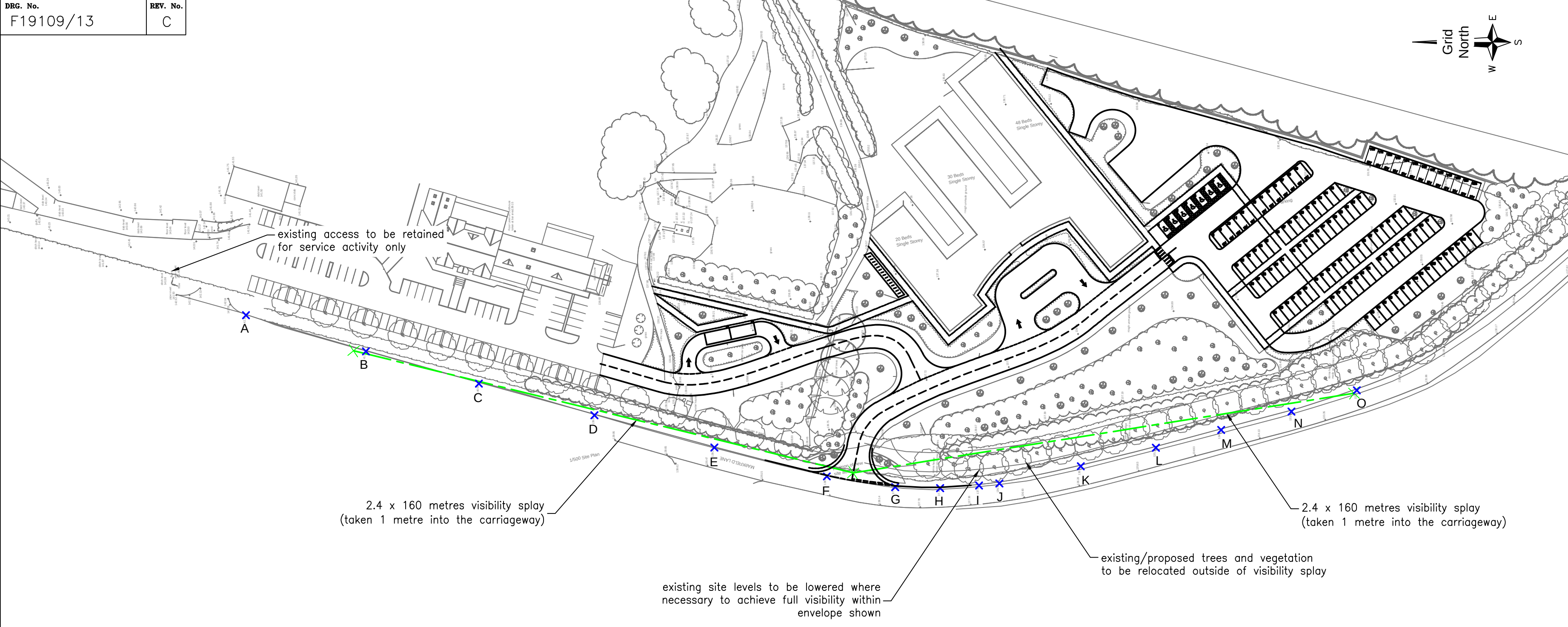
I trust that the above details are helpful and enable you to fully consider the implications of this scheme in the context of the NPPF and in particular paragraphs 85, 110, and 111. Please feel free to contact me directly if you have any questions regarding the points covered or if you would like us to liaise further with the Highway Authority on any specific technical details.

Yours sincerely

Chris Bancroft
Director
Bancroft Consulting Limited
t: 0115 9602919
e: chris@bancroftconsulting.co.uk

enc. **Drawing Number F19109/13 Revision C** – Proposed access layout with
alternative visibility assessment

cc	Mr David Daniels	-	Sparsis Leisure
	Ms Aida McManus	-	AM Planning



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NOTES:

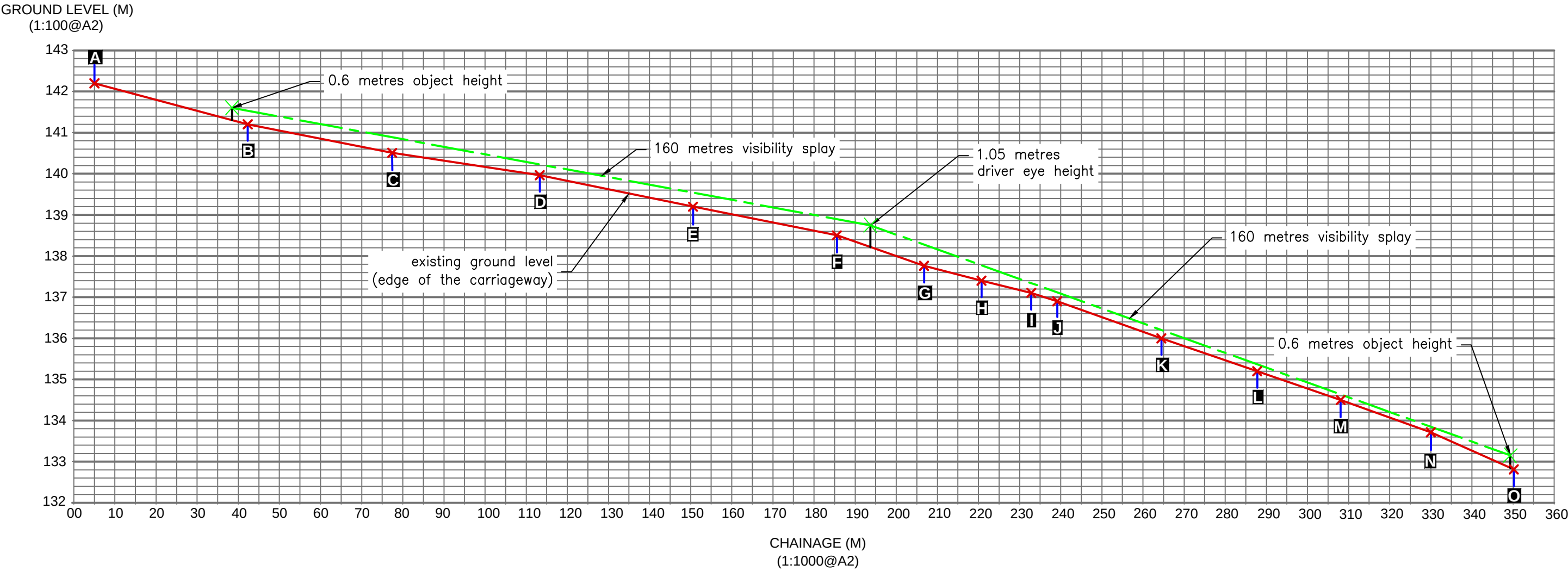
Existing levels along Markfield Lane

- POINT A = 142.18M
- POINT B = 141.23M
- POINT C = 140.54M
- POINT D = 139.93M
- POINT E = 139.20M
- POINT F = 138.48M
- POINT G = 137.76M
- POINT H = 137.40M
- POINT I = 137.09M
- POINT J = 136.90M
- POINT K = 136.02M
- POINT L = 135.21M
- POINT M = 134.50M
- POINT N = 133.66M
- POINT O = 132.81M

Topographical survey overlaid onto latest site masterplan as best as possible

Drawing based on access design in Drawing Number F19109/06 Rev C

C	21.11.22	REVISION LETTER UPDATED	MB	CJB	
B	10.11.22	CONTRACT NAME UPDATED	MB	CJB	
A	07.11.22	REVISED WITH LATEST SITE MASTERPLAN	MB	CJB	
REV.	DATE	DESCRIPTION	DWN	CHK'D	
CLIENT					
SPARSIS LEISURE LTD (T/A FOREST HILL GOLF CLUB)					
CONTRACT					
FOREST HILL GOLF CLUB, BOTCHESTON					
TITLE					
PROPOSED ACCESS LAYOUT WITH ALTERNATIVE VISIBILITY ASSESSMENT					
					
Bancroft Consulting Ltd Jarodale House 7 Gregory Boulevard Nottingham NG7 6LB					
t 0115 9602919 f 0115 9648201 e office@bancroftconsulting.co.uk					
DRAWN BY					
NAME (PRINT)			DATE		
MB			02.11.22		
CHECKED BY					
NAME (PRINT)			DATE		
CJB			02.11.22		
SCALE 1:1000@A2		STATUS		PRELIMINARY	
DRG. NO.		F19109/13			REV
					C



**APPENDIX CB8 – LCC FORMAL OBSERVATIONS DATED
12 DEC 2022**

Substantive response of the Local Highway Authority to a planning consultation received under The Development Management Order.



Response provided under the delegated authority of the Director of Environment & Transport.

APPLICATION DETAILS:

Planning Application Number: 22/00752/OUT

Highway Reference Number: 2022/0752/04/H/R2

Application Address: Forest Hill Golf And Country Club Markfield Lane Botcheston Leicester
Leicestershire LE9 9FH

Application Type: Outline (with access)

Description of Application:

Re-consultation. Proposed 98 bed hotel with leisure facility & spa (Class C1) (outline - access to be considered only)

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: Sparsis Leisure Ltd

County Councillor: Cllr Peter Bedford

Parish: Desford

Road Classification: Class C

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Highway Authority advice is that the residual cumulative impacts of the development are severe in accordance with the National Planning Policy Framework (2021) and the Local Planning Authority is advised to consider refusal on transport/highway grounds for the reasons outlined in this report.

The LHA advises the following reasons for refusal:

- 1. The Applicant has failed to demonstrate that appropriate opportunities to promote sustainable transport modes can be, or have been, taken up, given the type of development and its location which is contrary to paragraph 110 of the National Planning Policy Framework 2021.**
- 2. The Applicant has failed to demonstrate that a safe and suitable site access can be achieved for all highway users, contrary to paragraph 110 of the National Planning Policy Framework 2021.**

3. **The Applicant has failed to demonstrate any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be mitigated, contrary to paragraph 110 of the National Planning Policy Framework 2021.**

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) previously advised refusal of the proposed development within its observations dated 5 October 2022. The Applicant has submitted a letter dated 22 November 2022 (Ref CJB/F19109/221122) with the view to resolving the LHA's concerns.

Site Access

The Applicant has submitted Bancroft Consulting drawing number F19109/13 Rev C detailing 2.4 x 160m visibility splays in each direction. While the splays are now considered to be in accordance with Part 3, Table DG4 of the Leicestershire Highway Design Guide in terms of the length, the LHA advise that the concerns raised within the previous observations remain. This includes swept path analysis, the location of the access on the inside of the bend and further consideration of a ghost right turn lane, the last two points of which were raised within the Stage 1 Road Safety Audit.

Whilst the Applicant states it is necessary to provide an access central to the site, the LHA advise this should not come at the expense of highway safety. The Applicant states that it would not be possible to enable two way coach access at the existing access point without major reconfiguration of the internal layout of the site, which would remove a substantial number of parking spaces for the golf course.

Nevertheless, the Applicant has not provided any details as to how many parking spaces would be lost and the LHA consider that the access would only need to be of suitable width for a minimum of 15m behind the highway boundary to allow for two coaches to pass at the access and clear of the highway. It is unclear how this widening could not be undertaken at the existing access given the land to the south.

The LHA therefore maintain previous comments in respect of the site access arrangements, and also emphasise that an alternative access location was also suggested in the Stage 1 Road Safety Audit.

Trip Generation/ Junction Capacity Assessments/ Off-Site Implications

The Applicant states it is "...important to recognise that the existing golf club is an established detail that does not form part of the planning application. If anything, the existence of the proposed hotel development should serve to reduce trip generation associated with the golf course due to linked activities. These details are all clearly set out within the Transport Assessment and it is unclear why the Highway Authority is placing so much weight on the points raised."

The LHA advise as it is proposed for the hotel to share a new access with the existing golf club, the combined level of traffic the site as a whole could generate must be established in order for the

LHA to determine whether or not the access design is considered appropriate and whether or not the additional development necessitates a ghost right turn lane.

As per the LHA's previous observations it is unclear precisely what facilities are available in the existing golf club. The LHA also advised that the methodology used to calculate the Applicant's sensitivity test was undertaken at a time when Covid-19 restrictions limited actual surveys from being undertaken on-site. It was highlighted to the Applicant that they could undertake a traffic count at the site access over a number of days in order to demonstrate the level of traffic when various events were being held for a robust assessment.

In terms of the proposed hotel development the Applicant has still not confirmed precisely what facilities would be available. As per the LHA's previous advice, it is unclear exactly what is proposed within the new hotel and the advice remains in full.

The Applicant proposes a 50% linked trip reduction due to the proposed hotel being ancillary, stating that 50% of trips to the site would be new. As per the previous observations the LHA cannot accept this factor as it is unclear precisely what is proposed within the new hotel. In the event the hotel has capacity for functions or events, it is unclear how the site as a whole would operate at capacity and why two function rooms capable of holding weddings or other events would not be used at the same time for two weddings or a wedding and a golf tournament for example. The LHA is of the view that conditions restricting the use of the site would need to be imposed, however these may be difficult to enforce and the golf club site falls outside of the red line boundary.

As per the previous observations, in the absence of a floorplan and based on the above information, it is not possible for the LHA to establish whether the Applicant's proposed trip rates for the development, or the 50% linked trips are reasonable. The LHA also cannot advise whether it is satisfied with the Applicant stating that a ghost right turn lane to the site is not required.

For these reasons, the Applicant's capacity assessment of the site access has also not been studied in detail and the LHA maintains it is unable to advise whether the proposed development could have any off-site implications on nearby junctions for example, or whether any impact could be mitigated until clarification has been provided on the issues highlighted above.

Internal Layout

Previous comments in respect of the internal layout remain in full.

Transport Sustainability

Previous comments in respect of transport sustainability remain in full. While it is unclear precisely what facilities are proposed within the hotel, the principle of the development being in a remote location remains. Further information in respect of the proposed bus service has also not been provided.

Date Received
24 November 2022

Case Officer
Ben Dutton

Reviewer
DH

Date issued
12 December 2022

APPENDIX CB9 – BCL LETTER DATED 25 JAN 2023

Planning Department
Hinckley and Bosworth Borough Council

FAO: Mr Matt Jedruch

BY EMAIL ONLY

Our Ref: CJB/F19109/250123
Date: 25 January 2023

Dear Matt,

**PROPOSED 98 BED HOTEL WITH LEISURE FACILITY AND SPA DEVELOPMENT AT
MARKFIELD LANE, BOTCHESTON, LEICESTERSHIRE: LPA APP REF 2022/007520681**

I write further to receiving details of LCC's latest Formal Observations in respect of the above, which were dated 12 December 2022. These were provided in response to my previous letter of 17 November 2022, also in respect of the above. I would like to take this opportunity to provide further clarity in our detailed response to the additional points raised in anticipation that this can now draw matters to a positive conclusion in respect of the outstanding highway issues.

The three supplementary points relate to Sustainable Transport, Safe and Suitable Access, and off-site impact, which I have addressed below using these areas as headings.

We appreciate the opportunity to provide further clarity.

Point 1 – Sustainable Transport

Electric Bus Provision

In terms of the proposed bus service, paragraph 3.12 of the Framework Travel Plan (July 2022) explains how my Client will commit, by way of a suitably worded condition if necessary. For clarity I confirm that the Client will provide an electric minibus service linking with existing county bus routes (26, 29, and 120) in both Botcheston and

Markfield/Fieldhead (the nearest stops for any of the routes is within a few miles of the proposed Hotel). This will be a user oriented programme through the provision of two Electric Buses to facilitate an 'on-demand service' the details of which will be established via ongoing travel surveys during and post construction of the Hotel. On completion of the Hotel this service would be provided to serve both the Golf Club and the Hotel supporting the requirements of the NPPF paragraph 110, whilst also aligning with paragraph 85 by linking public transport modes.

Site activity

I have summarised below the latest details of the Hotel and Golf Club capacity as provided by my Client, which are updated to reflect the current significantly reduced Hotel proposals and the recently completed Clubhouse refurbishment. Please note that these are presented as the full capacities for each element, so it is highly unlikely that these would all be realised at any single time throughout the site.

Clubhouse

- All rooms inc bar -102 persons
- Function room - 120 persons
- Range 26 bays
- Players 72 (max on course, assuming competition with shotgun start at 4 persons per hole)

Hotel

- Rooms 98 max -196 persons
- Dining / Bar / Function max - 150 persons
- Spa - 30 persons

Staff

- 60 persons across both facilities

Point 2 – Safe and Suitable Access

The latest comments clearly state how we now have agreement on the principle of satisfactory visibility splays being achievable within the current proposed site access layout (Drawing Number F19109/13 Revision C). However, the Highway Authority maintains an objection to the principle of the layout shown on the basis that it is on the inside of the bend and should provide a right turn lane facility. I believe it is reasonable to conclude that the geometric layout of the site access is also now acceptable to the Highway Authority, save for these points.

In response to these outstanding points, I have previously explained how the Highway Authority's own design guidance (Figure DG2a and Table GD5 Broad Junction Types) uses an example of skewed junctions located at the inside of a bend within its examples of good practice for plotting visibility splays. I would also mention how the Highway Authority has confirmed it would accept the existing access layout/location to serve the proposed development, without the need for any right turn lane facilities. I find this position confusing and would again stress how current planning policy requires that there must be clear evidence of a specific problem for an application to be refused.

Notwithstanding the above, I have prepared an indicative layout showing how the existing site access arrangement would need to be improved to accommodate both Golf Club and

Hotel traffic, which includes potential coaches associated with the Hotel use. The details of this layout are shown in the enclosed Drawing Number F19109/14 and Plan A – indicative overlay using Google Earth imagery, which includes a 6.75 metres wide carriageway, 10 metres kerb radii, and internal widening to ensure two vehicles can safely pass at the bend (as confirmed by swept path assessment). I believe this represents the minimum layout dimensions necessary to safely serve the combined scheme.

I trust you will see how significant an impact the new road would have upon the existing Golf Club site. As the road extends into the site it will require the removal of an existing marquee, a 2500 litre waste tank, and the hedgerow, alongside a considerable impact on the buggy parking facilities. Furthermore, it would also involve a substantial loss/reconfiguration of spaces within the car park area. I also understand there are significant level issues between the buggy parking area, car park area and clubhouse, and the new road alignment would likely require significant engineering works to address the situation. At this stage I would expect to see the loss of between 20 and 25 parking spaces following any subsequent redesign exercise.

A further point that I also believe has been overlooked here is in how the access road would operate. Our trip generation calculations/surveys have shown how at its busiest peak hour the golf course could generate up to 70 peak hour movements. People playing golf at the course will typically be expected to arrive and park their vehicles facing forward within the space, specifically so they have scope to access equipment and prepare for their round of golf from the rear of the vehicle within the access road. The layout shown would include a minimum of 26 spaces being served directly from the access road, which would place visitors in direct conflict with the significantly increased traffic flow that also comprises coaches and other service vehicles associated with the hotel activities.

Whilst I fully appreciate the Highway Authority's desire to see the existing access utilised, I trust that this point helps to underline why I firmly believe the proposed scheme needs to have a new access such that activity can be split. This is clearly in accordance with the requirements of part (c) of Paragraph 110 of the NPPF, as set out in my previous submission.

If however the Highway Authority would accept an alternative proposal with the proposed Hotel solely being served by a new access then please advise?

Point 3 – Off-site Impact

From reviewing the Highway Authority's comments I believe it is fair to conclude that the main issue on this matter relates to application of the 50% trip reduction aspect of the proposed hotel trip generation. In response to this concern I have sought to undertake a further set of two sensitivity tests that should hopefully provide the Highway Authority with confidence that, firstly, there should be no requirement for a right turn lane and, secondly, the off-site impact should not warrant any further concern in terms of congestion, capacity, or highway safety. On this I would note that there are no existing concerns within the surrounding highway network.

To address this point I have taken the 'unadjusted' traffic generation figures for the proposed hotel use from Table 8 of the Transport Assessment. This provides the following arrival and departures.

▪ morning peak hour	30 arrive	10 depart	40 total
▪ evening peak hour	47 arrive	28 depart	75 total

I have then extracted the surveyed golf club flows from the access, which were presented as part of the sensitivity test within the Transport Assessment. These were significantly higher than the TRICS assessment and included activity from a tournament being held at the course that day. The results can be summarised as follows:

▪ morning peak hour	29 arrive	4 depart	33 total
▪ evening peak hour	29 arrive	41 depart	70 total

The above peak hour trip generation for each uses therefore provide a combined total trip generation for site as follows:

▪ morning peak hour	59 arrive	14 depart	73 total
▪ evening peak hour	76 arrive	69 depart	145 total

These flows are summarised within the enclosed Figure CB1, assigned to the network in accordance with the established turning proportions from the survey. Whilst I maintain the view that a significant proportion of hotel trips would be associated with the existing golf course, the removal of any trip reduction factors will, we hope, help to allay the Highway Authority's concerns. Nevertheless, in lieu of any outstanding concerns the officer might have regarding trip generation, I have also undertaken a further sensitivity test whereby all development turning movements associated with the site access have been doubled, so existing golf club and proposed hotel trips (unadjusted) are modelled at 200% of the likely worst-case scenario.

The results of this PICADY/Junctions9 modelling exercise are presented within the enclosed Table CB1, using the previous established 2027 flow scenario. The results clearly demonstrate how even with 200% of the potential trip generation turning to and from the proposed access, the junction would operate satisfactorily in each scenario and well within the standard theoretical limits. Importantly, at no point is the right turn into the site predicted to exceed 0.1 vehicles, which indicates there would be no need for this in terms of capacity.

Moving on from the above, using the unadjusted peak hour flows for the proposed hotel development (as summarised above from Table 8 of the Transport Assessment), it is possible to conclude that the proposed Hotel use (unadjusted) would create up to 57 peak hour movements to the north of the site access on Markfield Lane, or 18 to the south. It is also therefore reasonable to conclude that an increase of up to one vehicle per minute in either direction passing through the surrounding highway network would not create a capacity, or highway safety problem where none already exists.

Summary

By submission of the above details I trust that we have now addressed any concerns the Highway Authority might have regarding the suitability of the proposed development to deliver a scheme that is in accordance with the requirements of paragraph 110 and 111 of the NPPF. I have sought to demonstrate how the use of the existing access would require substantial reconfiguration of the golf club site and the loss of car parking spaces. The resulting access would also create a serious safety concern for golfers coming onto conflict with increased traffic flows. The modelling we have undertaken takes the previously established trip rates, derived using the industry standard methodology, and applies extremely robust and unrealistic upward adjustment factors to create two further sensitivity tests. Each of these junction modelling exercises has shown how the proposed site access layout would work well within its theoretical limits of capacity without any need for a right turn lane.



I trust that the above details are helpful and enable you to fully consider the implications of this scheme in the context of the NPPF and in particular paragraphs 110 and 111. Please feel free to contact me directly if you have any questions regarding the points covered or if you would like us to liaise further with the Highway Authority on any specific technical details.

Yours sincerely

Chris Bancroft

Director

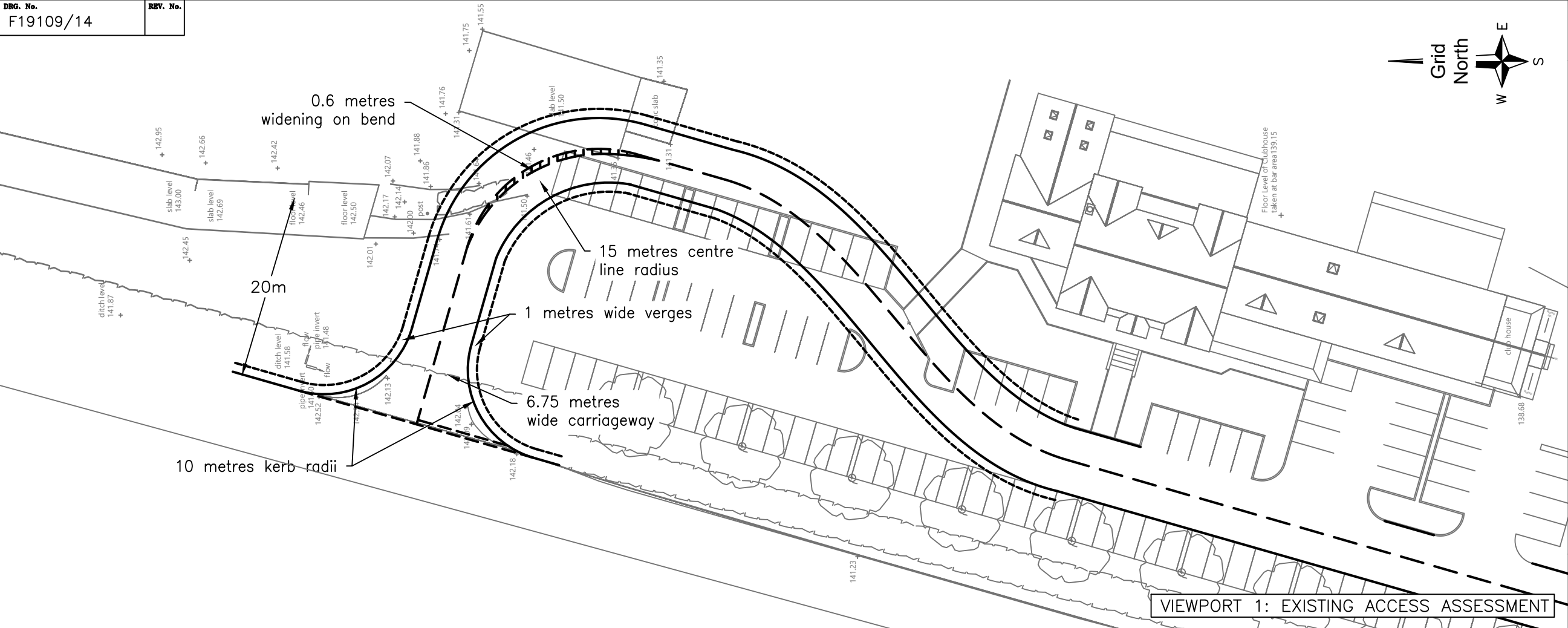
Bancroft Consulting Limited

t: 0115 9602919

e: chris@bancroftconsulting.co.uk

enc Drawing Number F19109/14
PLAN A – Implications of Potential Improvements to Existing Golf Course Access
Figure CB1 - 2027 Design Year Flows (Prop Dev @100% + MCC Golf Club)
Figure CB2 – 2027 Design Year Flows (Prop Dev x 2 + MCC Golf Club flows)
Table CB1 – PICADY Assessment Summary – Prop Site Access (Sens Test)
PICADY Output details

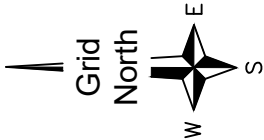
cc	Mr David Daniels	-	Sparsis Leisure
	Ms Aida McManus	-	AM Planning
	Mr Ben Dutton	-	Leicestershire County Council



VIEWPORT 1: EXISTING ACCESS ASSESSMENT



VIEWPORT 2: SWEEP PATH ASSESSMENT



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NOTES:

- Topographical survey overlaid on latest site masterplan as best as possible.

15m 6WS Luxury Coach

Overall Length	15.000m
Overall Width	2.500m
Overall Body Height	4.157m
Min Body Ground Clearance	0.397m
Track Width	2.500m
Lock to lock time	5.00s
Wall to Wall Turning Radius	12.490m

REV.	DATE	DESCRIPTION	BY	CHECKED

CLIENT

SPARSIS LEISURE LTD
(T/A FOREST HILL GOLF CLUB)

CONTRACT

FOREST HILL GOLF CLUB,
BOTCHESTON

TITLE

IMPROVEMENTS TO EXISTING
SITE ACCESS NECESSARY FOR
PROPOSED DEVELOPMENT

BANCROFT CONSULTING

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Jarodale House
7 Gregory Boulevard
Nottingham
NG7 6LB

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e office@bancroftconsulting.co.uk

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NAME (PRINT)	DATE
MB	05.01.23

CHECKED BY	
NAME (PRINT)	DATE
CJB	05.01.23

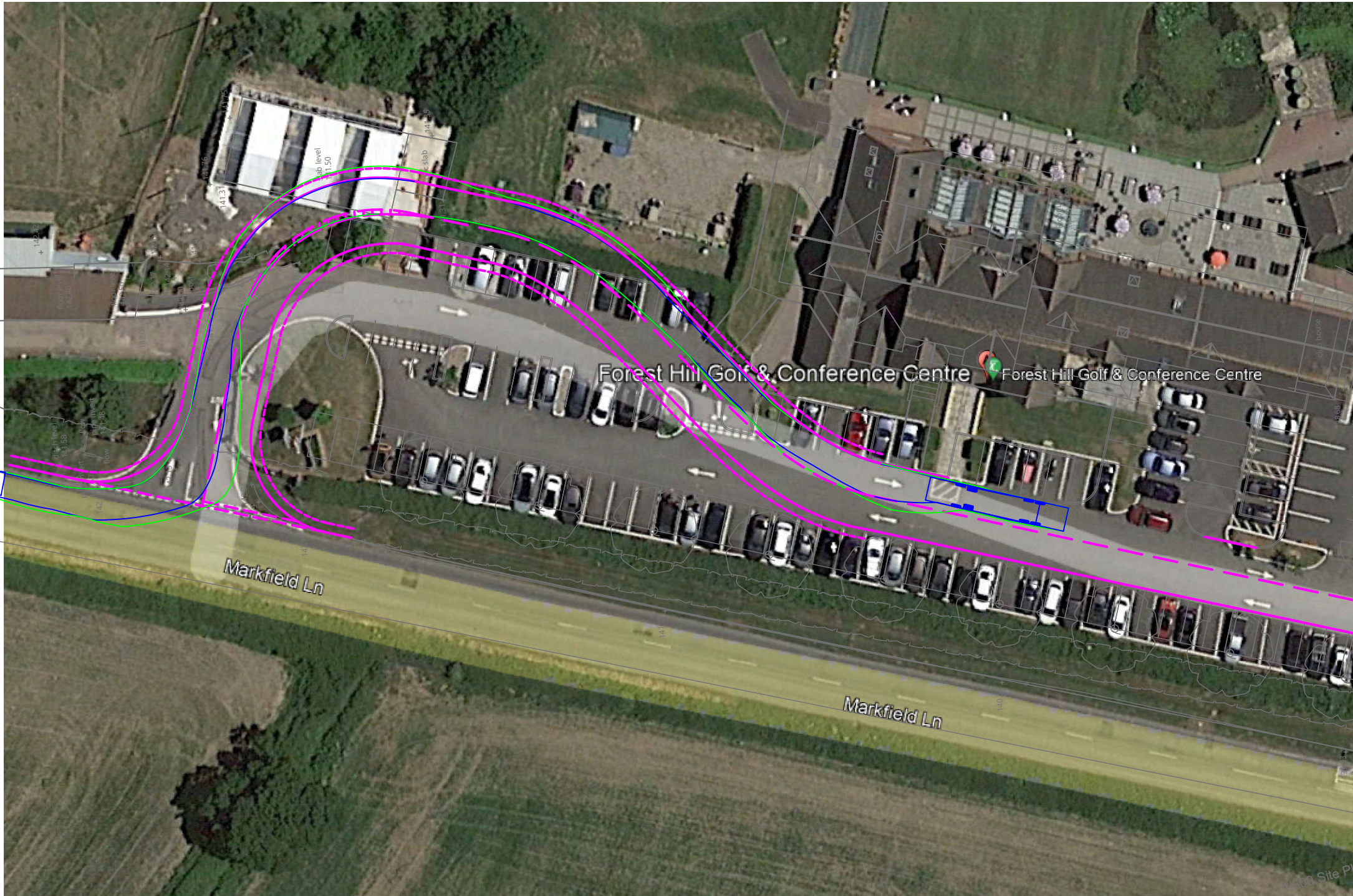
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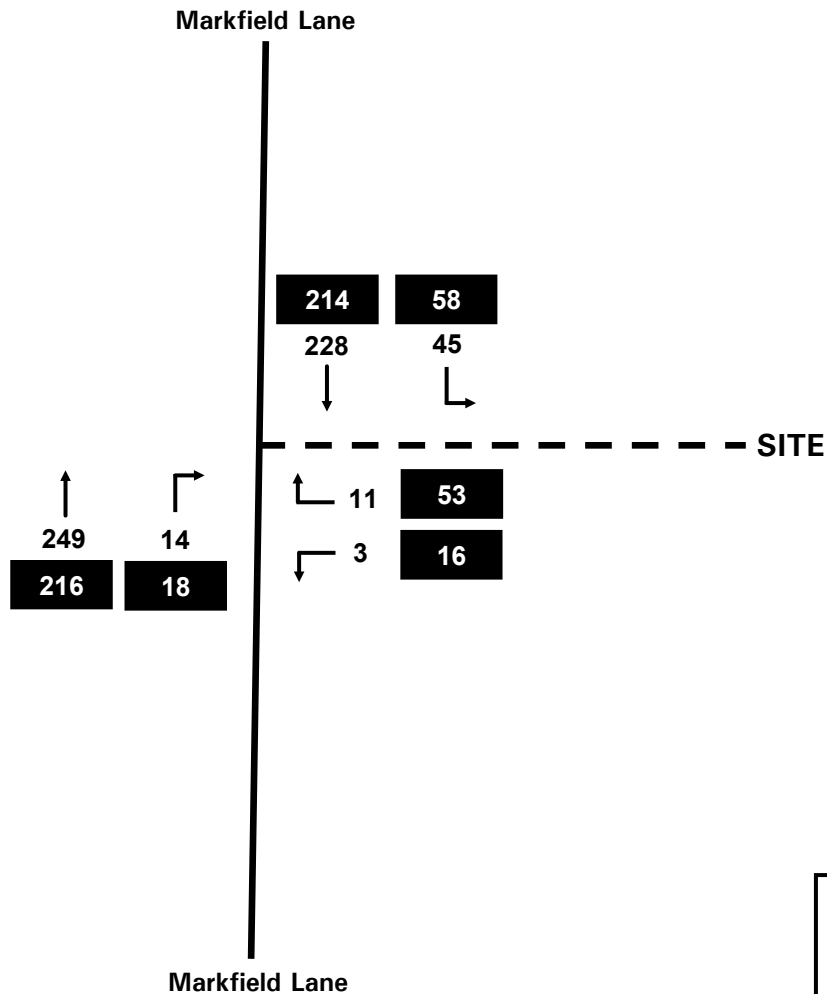
F19109/14

REV

PLAN A – IMPLICATIONS OF POTENTIAL IMPROVEMENTS TO EXISTING
GOLF COURSE ACCESS (OVERLAID ONTO GOOGLE EARTH MAPPING)
[INDICATIVE ONLY – DO NOT SCALE]



- ability to grow



Numbers have been rounded

KEY

XX = AM PEAK HOUR (0800 to 0900)

XX = PM PEAK HOUR (1700 to 1800)

SCALE: **Do Not Scale**

DATE: **17.01.23**

DRAWN: **WM**

CLIENT:

SPARSIS LEISURE LIMITED

TITLE:

2027 DESIGN YEAR TRAFFIC FLOWS (PROPOSED DEV @100% + MCC GOLF CLUB FLOWS)

JOB TITLE:

FOREST HILL GOLF CLUB, BOTCHESTON

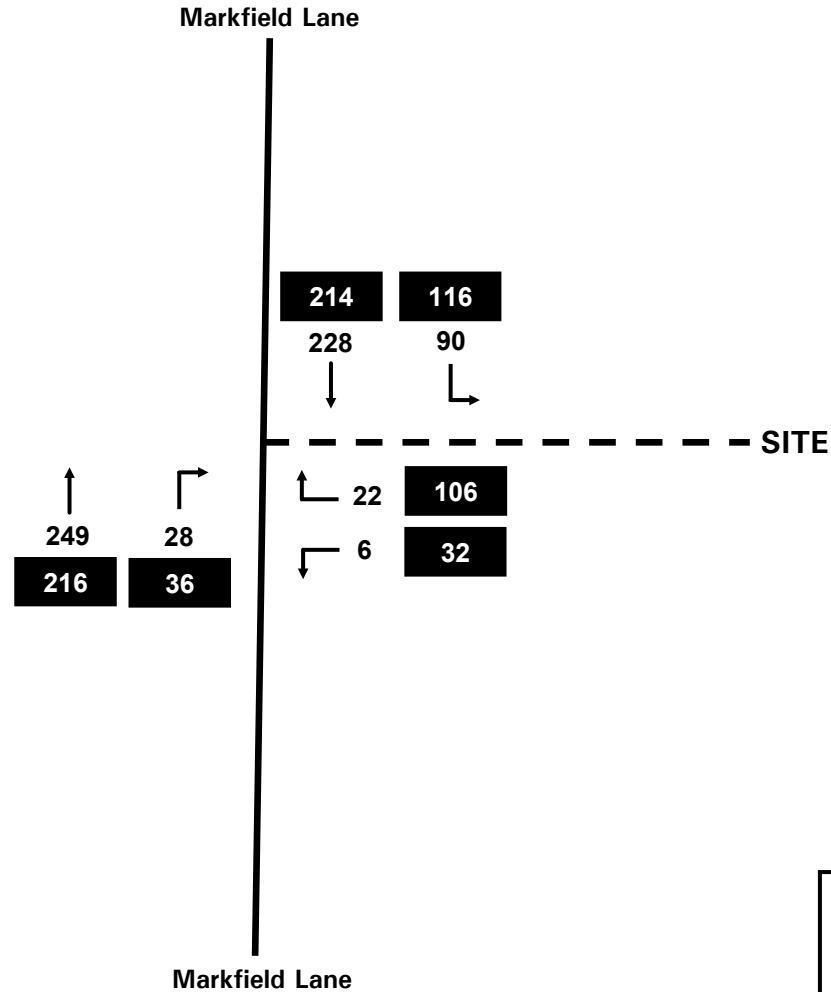
**bc BANCROFT
CONSULTING**

JOB NUMBER:

F19109

FIGURE:

CB1



Numbers have been rounded.
Note – development traffic (shown
in Figure CB1) has been doubled.

KEY

XX = AM PEAK HOUR (0800 to 0900)
XX = PM PEAK HOUR (1700 to 1800)

SCALE: **Do Not Scale**

DATE: **17.01.23**

DRAWN: **WM**

CLIENT:

SPARSIS LEISURE LIMITED

TITLE:

2027 DESIGN YEAR TRAFFIC FLOWS (PROPOSED DEV TRAFFIC X 2 + MCC GOLF CLUB FLOWS)

JOB TITLE:

FOREST HILL GOLF CLUB, BOTCHESTON

bc **BANCROFT**
CONSULTING

JOB NUMBER:
F19109

FIGURE:
CB2

		Site Access	Markfield Lane (S)
Traffic scenario		Left / Right (B-AC)	Right (C-AB)
2027 Design Year Traffic Flows (Proposed Dev @ 100% and MCC Golf Club Flows) - AM Peak	max queue (vehs)	0.0	0.0
	av. delay (s)	7.43	4.82
	RFC value	0.03	0.03
2027 Design Year Traffic Flows (Proposed Dev @ 100% and MCC Golf Club Flows) - PM Peak	max queue (vehs)	0.2	0.1
	av. delay (s)	8.22	4.90
	RFC value	0.15	0.04
2027 Design Year Traffic Flows (Proposed Dev X 2 and MCC Golf Club Flows) - AM Peak	max queue (vehs)	0.1	0.1
	av. delay (s)	7.87	4.97
	RFC value	0.06	0.06
2027 Design Year Traffic Flows (Proposed Dev X 2 and MCC Golf Club Flows) - PM Peak	max queue (vehs)	0.4	0.1
	av. delay (s)	10.35	5.14
	RFC value	0.30	0.08

TABLE CB1: PICADY ASSESSMENT SUMMARY - PROPOSED SITE ACCESS (SENSITIVITY TEST - JAN 2023)

Junctions 9							
PICADY 9 - Priority Intersection Module							
Version: 9.5.0.6896							
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The users of this computer program for the solution of an engineering problem are in no way relieved of their responsibility for the correctness of the solution							

Filename: Proposed Site Access PICADY Model (Sensitivity Test - January 2023).j9

Path: Z:\2019 Projects\F19109 Forest Hill Golf Club, Bothcheston\Capacity Analysis\2023

Report generation date: 20/01/2023 14:55:04

- »2027 Design Year Traffic Flows (Proposed Dev @ 100% and MCC Golf Club Flows), AM
- »2027 Design Year Traffic Flows (Proposed Dev @ 100% and MCC Golf Club Flows), PM
- »2027 Design Year Traffic Flows (Proposed Dev X 2 and MCC Golf Club Flows), AM
- »2027 Design Year Traffic Flows (Proposed Dev X 2 and MCC Golf Club Flows), PM

Summary of junction performance

	AM				PM			
	Queue (Veh)	Delay (s)	RFC	LOS	Queue (Veh)	Delay (s)	RFC	LOS
2027 Design Year Traffic Flows (Proposed Dev @ 100% and MCC Golf Club Flows)								
Stream B-AC	0.0	7.43	0.03	A	0.2	8.22	0.15	A
Stream C-AB	0.0	4.82	0.03	A	0.1	4.90	0.04	A
2027 Design Year Traffic Flows (Proposed Dev X 2 and MCC Golf Club Flows)								
Stream B-AC	0.1	7.87	0.06	A	0.4	10.35	0.30	B
Stream C-AB	0.1	4.97	0.06	A	0.1	5.14	0.08	A

Values shown are the highest values encountered over all time segments. Delay is the maximum value of average delay per arriving vehicle.

File summary

File Description

Title	Proposed Hotel
Location	Forest Hill Golf Club
Site number	
Date	17/01/2023
Version	
Status	Preliminary
Identifier	WM
Client	Sparsis Leisure Limited
Jobnumber	F19109
Enumerator	BANCROFT\wmorgan
Description	

Units

Distance units	Speed units	Traffic units input	Traffic units results	Flow units	Average delay units	Total delay units	Rate of delay units
m	kph	Veh	Veh	perHour	s	-Min	perMin

Analysis Options

Vehicle length (m)	Calculate Queue Percentiles	Calculate detailed queueing delay	Calculate residual capacity	RFC Threshold	Average Delay threshold (s)	Queue threshold (PCU)
5.75				0.85	36.00	20.00

Demand Set Summary

ID	Scenario name	Time Period name	Traffic profile type	Start time (HH:mm)	Finish time (HH:mm)	Time segment length (min)	Run automatically
D1	2027 Design Year Traffic Flows (Proposed Dev @ 100% and MCC Golf Club Flows)	AM	ONE HOUR	07:45	09:15	15	✓
D2	2027 Design Year Traffic Flows (Proposed Dev @ 100% and MCC Golf Club Flows)	PM	ONE HOUR	16:45	18:15	15	✓
D3	2027 Design Year Traffic Flows (Proposed Dev X 2 and MCC Golf Club Flows)	AM	ONE HOUR	07:45	09:15	15	✓
D4	2027 Design Year Traffic Flows (Proposed Dev X 2 and MCC Golf Club Flows)	PM	ONE HOUR	16:45	18:15	15	✓

Analysis Set Details

ID	Include in report	Network flow scaling factor (%)	Network capacity scaling factor (%)
A1	✓	100.000	100.000

2027 Design Year Traffic Flows (Proposed Dev @ 100% and MCC Golf Club Flows), AM

Data Errors and Warnings

No errors or warnings

Junction Network

Junctions

Junction	Name	Junction type	Major road direction	Use circulating lanes	Junction Delay (s)	Junction LOS
1	Proposed Site Access	T-Junction	Two-way		0.33	A

Junction Network Options

Driving side	Lighting
Left	Normal/unknown

Arms

Arms

Arm	Name	Description	Arm type
A	Markfield Lane (N)		Major
B	Site Access		Minor
C	Markfield Lane (S)		Major

Major Arm Geometry

Arm	Width of carriageway (m)	Has kerbed central reserve	Has right turn bay	Visibility for right turn (m)	Blocks?	Blocking queue (PCU)
C - Markfield Lane (S)	6.00			250.0	✓	0.00

Geometries for Arm C are measured opposite Arm B. Geometries for Arm A (if relevant) are measured opposite Arm D.

Minor Arm Geometry

Arm	Minor arm type	Lane width (m)	Visibility to left (m)	Visibility to right (m)
B - Site Access	One lane	3.38	160	130

Slope / Intercept / Capacity

Priority Intersection Slopes and Intercepts

Junction	Stream	Intercept (Veh/hr)	Slope for A-B	Slope for A-C	Slope for C-A	Slope for C-B
1	B-A	620	0.113	0.285	0.180	0.408
1	B-C	732	0.112	0.284	-	-
1	C-B	719	0.278	0.278	-	-

The slopes and intercepts shown above do NOT include any corrections or adjustments.

Streams may be combined, in which case capacity will be adjusted.

Values are shown for the first time segment only; they may differ for subsequent time segments.

Traffic Demand

Demand Set Details

ID	Scenario name	Time Period name	Traffic profile type	Start time (HH:mm)	Finish time (HH:mm)	Time segment length (min)	Run automatically
D1	2027 Design Year Traffic Flows (Proposed Dev @ 100% and MCC Golf Club Flows)	AM	ONE HOUR	07:45	09:15	15	✓

Vehicle mix varies over turn	Vehicle mix varies over entry	Vehicle mix source	PCU Factor for a HV (PCU)
✓	✓	HV Percentages	2.00

Demand overview (Traffic)

Arm	Linked arm	Profile type	Use O-D data	Average Demand (Veh/hr)	Scaling Factor (%)
A - Markfield Lane (N)		ONE HOUR	✓	273	100.000
B - Site Access		ONE HOUR	✓	14	100.000
C - Markfield Lane (S)		ONE HOUR	✓	263	100.000

Origin-Destination Data

Demand (Veh/hr)

	To			
		A - Markfield Lane (N)	B - Site Access	C - Markfield Lane (S)
From	A - Markfield Lane (N)	0	45	228
	B - Site Access	11	0	3
	C - Markfield Lane (S)	249	14	0

Vehicle Mix

Heavy Vehicle Percentages

	To			
		A - Markfield Lane (N)	B - Site Access	C - Markfield Lane (S)
From	A - Markfield Lane (N)	0	0	13
	B - Site Access	0	0	0
	C - Markfield Lane (S)	15	0	0

Results

Results Summary for whole modelled period

Stream	Max RFC	Max Delay (s)	Max Queue (Veh)	Max LOS	Average Demand (Veh/hr)	Total Junction Arrivals (Veh)
B-AC	0.03	7.43	0.0	A	13	19
C-AB	0.03	4.82	0.0	A	18	28
C-A					223	334
A-B					41	62
A-C					209	314

Main Results for each time segment

07:45 - 08:00

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	11	3	545	0.019	10	0.0	0.0	6.737	A
C-AB	14	3	764	0.018	14	0.0	0.0	4.797	A
C-A	184	46			184				
A-B	34	8			34				
A-C	172	43			172				

08:00 - 08:15

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	13	3	526	0.024	13	0.0	0.0	7.012	A
C-AB	18	4	775	0.023	18	0.0	0.0	4.741	A
C-A	219	55			219				
A-B	40	10			40				
A-C	205	51			205				

08:15 - 08:30

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	15	4	500	0.031	15	0.0	0.0	7.434	A
C-AB	24	6	790	0.030	24	0.0	0.0	4.677	A
C-A	266	66			266				
A-B	50	12			50				
A-C	251	63			251				

08:30 - 08:45

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	15	4	500	0.031	15	0.0	0.0	7.434	A
C-AB	24	6	790	0.030	24	0.0	0.0	4.695	A
C-A	266	66			266				
A-B	50	12			50				
A-C	251	63			251				

08:45 - 09:00

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	13	3	526	0.024	13	0.0	0.0	7.014	A
C-AB	18	4	775	0.023	18	0.0	0.0	4.779	A
C-A	219	55			219				
A-B	40	10			40				
A-C	205	51			205				

09:00 - 09:15

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	11	3	545	0.019	11	0.0	0.0	6.741	A
C-AB	14	3	764	0.018	14	0.0	0.0	4.816	A
C-A	184	46			184				
A-B	34	8			34				
A-C	172	43			172				

2027 Design Year Traffic Flows (Proposed Dev @ 100% and MCC Golf Club Flows), PM

Data Errors and Warnings

No errors or warnings

Junction Network

Junctions

Junction	Name	Junction type	Major road direction	Use circulating lanes	Junction Delay (s)	Junction LOS
1	Proposed Site Access	T-Junction	Two-way		1.11	A

Junction Network Options

Driving side	Lighting
Left	Normal/unknown

Traffic Demand

Demand Set Details

ID	Scenario name	Time Period name	Traffic profile type	Start time (HH:mm)	Finish time (HH:mm)	Time segment length (min)	Run automatically
D2	2027 Design Year Traffic Flows (Proposed Dev @ 100% and MCC Golf Club Flows)	PM	ONE HOUR	16:45	18:15	15	✓

Vehicle mix varies over turn	Vehicle mix varies over entry	Vehicle mix source	PCU Factor for a HV (PCU)
✓	✓	HV Percentages	2.00

Demand overview (Traffic)

Arm	Linked arm	Profile type	Use O-D data	Average Demand (Veh/hr)	Scaling Factor (%)
A - Markfield Lane (N)		ONE HOUR	✓	272	100.000
B - Site Access		ONE HOUR	✓	69	100.000
C - Markfield Lane (S)		ONE HOUR	✓	234	100.000

Origin-Destination Data

Demand (Veh/hr)

	To			
		A - Markfield Lane (N)	B - Site Access	C - Markfield Lane (S)
From	A - Markfield Lane (N)	0	58	214
	B - Site Access	53	0	16
	C - Markfield Lane (S)	216	18	0

Vehicle Mix

Heavy Vehicle Percentages

From	To			
		A - Markfield Lane (N)	B - Site Access	C - Markfield Lane (S)
	A - Markfield Lane (N)	0	0	10
	B - Site Access	0	0	0
	C - Markfield Lane (S)	11	0	0

Results

Results Summary for whole modelled period

Stream	Max RFC	Max Delay (s)	Max Queue (Veh)	Max LOS	Average Demand (Veh/hr)	Total Junction Arrivals (Veh)
B-AC	0.15	8.22	0.2	A	63	95
C-AB	0.04	4.90	0.1	A	23	34
C-A					192	288
A-B					53	80
A-C					196	295

Main Results for each time segment

16:45 - 17:00

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	52	13	555	0.094	52	0.0	0.1	7.141	A
C-AB	17	4	754	0.023	17	0.0	0.0	4.886	A
C-A	159	40			159				
A-B	44	11			44				
A-C	161	40			161				

17:00 - 17:15

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	62	16	538	0.115	62	0.1	0.1	7.560	A
C-AB	22	5	762	0.029	22	0.0	0.0	4.852	A
C-A	189	47			189				
A-B	52	13			52				
A-C	192	48			192				

17:15 - 17:30

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	76	19	514	0.148	76	0.1	0.2	8.208	A
C-AB	29	7	774	0.037	29	0.0	0.1	4.815	A
C-A	229	57			229				
A-B	64	16			64				
A-C	236	59			236				

17:30 - 17:45

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	76	19	514	0.148	76	0.2	0.2	8.217	A
C-AB	29	7	774	0.037	29	0.1	0.1	4.830	A
C-A	229	57			229				
A-B	64	16			64				
A-C	236	59			236				

17:45 - 18:00

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	62	16	538	0.115	62	0.2	0.1	7.569	A
C-AB	22	5	762	0.029	22	0.1	0.0	4.879	A
C-A	189	47			189				
A-B	52	13			52				
A-C	192	48			192				

18:00 - 18:15

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	52	13	555	0.094	52	0.1	0.1	7.159	A
C-AB	17	4	754	0.023	17	0.0	0.0	4.899	A
C-A	159	40			159				
A-B	44	11			44				
A-C	161	40			161				

2027 Design Year Traffic Flows (Proposed Dev X 2 and MCC Golf Club Flows), AM

Data Errors and Warnings

No errors or warnings

Junction Network

Junctions

Junction	Name	Junction type	Major road direction	Use circulating lanes	Junction Delay (s)	Junction LOS
1	Proposed Site Access	T-Junction	Two-way		0.62	A

Junction Network Options

Driving side	Lighting
Left	Normal/unknown

Traffic Demand

Demand Set Details

ID	Scenario name	Time Period name	Traffic profile type	Start time (HH:mm)	Finish time (HH:mm)	Time segment length (min)	Run automatically
D3	2027 Design Year Traffic Flows (Proposed Dev X 2 and MCC Golf Club Flows)	AM	ONE HOUR	07:45	09:15	15	✓

Vehicle mix varies over turn	Vehicle mix varies over entry	Vehicle mix source	PCU Factor for a HV (PCU)
✓	✓	HV Percentages	2.00

Demand overview (Traffic)

Arm	Linked arm	Profile type	Use O-D data	Average Demand (Veh/hr)	Scaling Factor (%)
A - Markfield Lane (N)		ONE HOUR	✓	318	100.000
B - Site Access		ONE HOUR	✓	28	100.000
C - Markfield Lane (S)		ONE HOUR	✓	277	100.000

Origin-Destination Data

Demand (Veh/hr)

	To			
		A - Markfield Lane (N)	B - Site Access	C - Markfield Lane (S)
From	A - Markfield Lane (N)	0	90	228
	B - Site Access	22	0	6
	C - Markfield Lane (S)	249	28	0

Vehicle Mix

Heavy Vehicle Percentages

	To			
		A - Markfield Lane (N)	B - Site Access	C - Markfield Lane (S)
From	A - Markfield Lane (N)	0	0	13
	B - Site Access	0	0	0
	C - Markfield Lane (S)	15	0	0

Results

Results Summary for whole modelled period

Stream	Max RFC	Max Delay (s)	Max Queue (Veh)	Max LOS	Average Demand (Veh/hr)	Total Junction Arrivals (Veh)
B-AC	0.06	7.87	0.1	A	26	39
C-AB	0.06	4.97	0.1	A	37	56
C-A					217	326
A-B					83	124
A-C					209	314

Main Results for each time segment

07:45 - 08:00

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	21	5	537	0.039	21	0.0	0.0	6.971	A
C-AB	28	7	756	0.037	28	0.0	0.1	4.943	A
C-A	181	45			181				
A-B	68	17			68				
A-C	172	43			172				

08:00 - 08:15

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	25	6	517	0.049	25	0.0	0.1	7.323	A
C-AB	36	9	765	0.047	36	0.1	0.1	4.919	A
C-A	213	53			213				
A-B	81	20			81				
A-C	205	51			205				

08:15 - 08:30

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	31	8	488	0.063	31	0.1	0.1	7.867	A
C-AB	48	12	779	0.061	48	0.1	0.1	4.905	A
C-A	257	64			257				
A-B	99	25			99				
A-C	251	63			251				

08:30 - 08:45

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	31	8	488	0.063	31	0.1	0.1	7.869	A
C-AB	48	12	779	0.061	48	0.1	0.1	4.926	A
C-A	257	64			257				
A-B	99	25			99				
A-C	251	63			251				

08:45 - 09:00

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	25	6	517	0.049	25	0.1	0.1	7.325	A
C-AB	36	9	765	0.047	36	0.1	0.1	4.965	A
C-A	213	53			213				
A-B	81	20			81				
A-C	205	51			205				

09:00 - 09:15

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	21	5	537	0.039	21	0.1	0.0	6.977	A
C-AB	28	7	756	0.037	28	0.1	0.1	4.966	A
C-A	180	45			180				
A-B	68	17			68				
A-C	172	43			172				

2027 Design Year Traffic Flows (Proposed Dev X 2 and MCC Golf Club Flows), PM

Data Errors and Warnings

No errors or warnings

Junction Network

Junctions

Junction	Name	Junction type	Major road direction	Use circulating lanes	Junction Delay (s)	Junction LOS
1	Proposed Site Access	T-Junction	Two-way		2.21	A

Junction Network Options

Driving side	Lighting
Left	Normal/unknown

Traffic Demand

Demand Set Details

ID	Scenario name	Time Period name	Traffic profile type	Start time (HH:mm)	Finish time (HH:mm)	Time segment length (min)	Run automatically
D4	2027 Design Year Traffic Flows (Proposed Dev X 2 and MCC Golf Club Flows)	PM	ONE HOUR	16:45	18:15	15	✓

Vehicle mix varies over turn	Vehicle mix varies over entry	Vehicle mix source	PCU Factor for a HV (PCU)
✓	✓	HV Percentages	2.00

Demand overview (Traffic)

Arm	Linked arm	Profile type	Use O-D data	Average Demand (Veh/hr)	Scaling Factor (%)
A - Markfield Lane (N)		ONE HOUR	✓	330	100.000
B - Site Access		ONE HOUR	✓	138	100.000
C - Markfield Lane (S)		ONE HOUR	✓	252	100.000

Origin-Destination Data

Demand (Veh/hr)

	To			
		A - Markfield Lane (N)	B - Site Access	C - Markfield Lane (S)
From	A - Markfield Lane (N)	0	116	214
	B - Site Access	106	0	32
	C - Markfield Lane (S)	216	36	0

Vehicle Mix

Heavy Vehicle Percentages

	To			
		A - Markfield Lane (N)	B - Site Access	C - Markfield Lane (S)
From	A - Markfield Lane (N)	0	0	10
	B - Site Access	0	0	0
	C - Markfield Lane (S)	11	0	0

Results

Results Summary for whole modelled period

Stream	Max RFC	Max Delay (s)	Max Queue (Veh)	Max LOS	Average Demand (Veh/hr)	Total Junction Arrivals (Veh)
B-AC	0.30	10.35	0.4	B	127	190
C-AB	0.08	5.14	0.1	A	45	68
C-A					186	279
A-B					106	160
A-C					196	295

Main Results for each time segment

16:45 - 17:00

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	104	26	545	0.190	103	0.0	0.2	8.119	A
C-AB	35	9	743	0.047	34	0.0	0.1	5.080	A
C-A	155	39			155				
A-B	87	22			87				
A-C	161	40			161				

17:00 - 17:15

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	124	31	526	0.236	124	0.2	0.3	8.938	A
C-AB	44	11	749	0.058	44	0.1	0.1	5.093	A
C-A	183	46			183				
A-B	104	26			104				
A-C	192	48			192				

17:15 - 17:30

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	152	38	500	0.304	151	0.3	0.4	10.323	B
C-AB	58	14	759	0.076	58	0.1	0.1	5.121	A
C-A	220	55			220				
A-B	128	32			128				
A-C	236	59			236				

17:30 - 17:45

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	152	38	500	0.304	152	0.4	0.4	10.354	B
C-AB	58	14	759	0.076	58	0.1	0.1	5.137	A
C-A	220	55			220				
A-B	128	32			128				
A-C	236	59			236				

17:45 - 18:00

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	124	31	526	0.236	125	0.4	0.3	8.974	A
C-AB	44	11	749	0.058	44	0.1	0.1	5.123	A
C-A	183	46			183				
A-B	104	26			104				
A-C	192	48			192				

18:00 - 18:15

Stream	Total Demand (Veh/hr)	Junction Arrivals (Veh)	Capacity (Veh/hr)	RFC	Throughput (Veh/hr)	Start queue (Veh)	End queue (Veh)	Delay (s)	Unsignalised level of service
B-AC	104	26	545	0.191	104	0.3	0.2	8.165	A
C-AB	35	9	743	0.047	35	0.1	0.1	5.098	A
C-A	155	39			155				
A-B	87	22			87				
A-C	161	40			161				

**APPENDIX CB10 – LCC FORMAL OBSERVATIONS DATED
13 MAR 2023**

**Substantive response of the Local Highway
Authority to a planning consultation received
under The Development Management Order.**



Response provided under the delegated authority of the Director of Environment & Transport.

APPLICATION DETAILS:

Planning Application Number: 22/00752/OUT

Highway Reference Number: 2022/0752/04/H/R4

Application Address: Forest Hill Golf And Country Club Markfield Lane Botcheston Leicester
Leicestershire LE9 9FH

Application Type: Outline (with access)

Description of Application:

Re-consultation. Proposed 98 bed hotel with leisure facility & spa (Class C1) (outline - access to be considered only)

GENERAL DETAILS

Planning Case Officer: Matt Jedruch

Applicant: Sparsis Leisure Ltd

County Councillor: Cllr Peter Bedford

Parish: Desford

Road Classification: Class C

Substantive Response provided in accordance with article 22(5) of The Town and Country Planning (Development Management Procedure) (England) Order 2015:

The Local Highway Authority advice is that the residual cumulative impacts of the development are severe in accordance with the National Planning Policy Framework (2021) and the Local Planning Authority is advised to consider refusal on transport/highway grounds for the reasons outlined in this report.

The LHA advises the following reasons for refusal:

1. The Applicant has failed to demonstrate that appropriate opportunities to promote sustainable transport modes can be, or have been, taken up, given the type of development and its location which is contrary to paragraph 110 of the National Planning Policy Framework 2021.
2. The Applicant has failed to demonstrate that a safe and suitable site access can be achieved for all highway users, contrary to paragraph 110 of the National Planning Policy Framework 2021.
3. The Applicant has failed to demonstrate any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be mitigated, contrary to paragraph 110 of the National Planning Policy Framework 2021.

Advice to Local Planning Authority

Background

The Local Highway Authority (LHA) have previously advised refusal of the proposed development within its observations dated 5 October 2022 and 12 December 2022.

The Applicant has subsequently submitted a letter to the Local Planning Authority dated 25 January 2023 with the view of providing further clarity in respect of the proposals.

The LHA can confirm that since submission of its previous observations, the speed limit on Markfield Lane has been reduced from the national speed limit to 50mph. The Applicants seven day automatic speed survey results indicate 85thile speeds below 50mph at the proposed new access location. As such, the LHA has no requirement for the Applicant to undertake further speed surveys at the location of the proposed new access.

Site Access

The LHA previously advised that while visibility splays of 2.4 x 160m were in accordance with Part 3, Table DG4 of the Leicestershire Highway Design Guide in terms of the 160m length, previous concerns in respect of the access which were raised within the 5 October 2022 observations remained. In summary, these are:

- **Swept path analysis of a refuse vehicle and coach**, which has detailed the vehicles would encroach considerably into the path of opposing traffic flows on both access and egress of the new access. This raised concerns when taking into account the potential for high vehicle speeds and restricted forward visibility due to the bend in the road;
- **The location of the access on the inside of the bend**, which is raised in the Applicants own Stage 1 Road Safety Audit (RSA). Concerns have been raised that drivers would need to look over their shoulders in order to see approaching traffic. The RSA advised that this could decrease reaction time and therefore increase the risk of pull out type collisions occurring at the access and recommended an alternative location should be proposed to avoid this from occurring. The LHA previously advised it did not believe the minimal distance the access has been relocated resolved the concerns outlined within the RSA, given the site access was still proposed on the inside of a bend in the road;
- **Further consideration of a ghost right turn lane**, which is also raised within the Applicants RSA; and
- **The lack of crossing facilities to the existing bridleway**, which was raised as a problem within the Applicants RSA. The LHA advised it was unclear whether this would be considered acceptable with a revised RSA given the minimal distance the proposed site access has been moved.

The Applicants letter states that it is reasonable to conclude that the geometric layout of the site access is now acceptable to the Highway Authority, except for the location and right turn lane considerations. The letter also highlights how the Applicant believes the LHA has confirmed it would accept the existing access layout/location to serve the proposed development without the need for any right turn lane facilities and that they find the LHA's stance confusing.

Notwithstanding this, the Applicant has provided an indicative layout showing how the existing site access arrangement would need to be improved to accommodate both the golf club and hotel traffic, which includes potential coaches associated with the hotel. This is shown on Bancroft Consultancy drawing number F19109/14. The drawing includes a 6.75m wide carriageway, 10 metres kerb radii, and internal widening to enable two vehicles to pass at the bend.

The Applicant has advised that as the road extends into the site it will require the removal of an existing marquee, a 2500 litre waste tank, the hedgerow, alongside a considerable impact on the buggy parking facilities. It is also stated the proposals would involve a substantial loss/reconfiguration of spaces within the car park area and that there are significant level issues between the buggy parking area, car park area, clubhouse, and the new road alignment with the new road alignment likely to require significant engineering works to address the situation. It is considered that between 20 and 25 parking spaces would be lost following any subsequent redesign exercise.

It is also stated that the Applicants trip generation calculations/surveys have shown how at its busiest peak hour the golf course could generate up to 70 two way peak hour trips. People playing golf at the course will typically be expected to arrive and park their vehicles facing forward within the space, specifically so they have scope to access equipment and prepare for their round of golf from the rear of the vehicle within the access road. The layout shown would include a minimum of 26 spaces being served directly from the access road, which would place visitors in direct conflict with an increase in traffic including coaches and other service vehicles associated with the hotel activities.

The Applicant believes that the above information demonstrates why they consider the proposed development should have a new access whereby both activities can be split. In addition they have stated if the LHA would accept an alternative proposal with the proposed hotel solely being served by a new access then can this be advised.

Within the 5 October 2022 observations, the LHA stated:

"The LHA consider that using and improving the existing access could resolve a number of the issues raised above, in particular those in respect of visibility and vehicle tracking. It is unclear why improvements could not be made to that access, if necessary and as suggested as part of the previous application. The LHA therefore advise the construction of the new access could create an additional and unnecessary conflict point on the network to the detriment of highway safety."

For clarity, the LHA has not stated it would accept use of the existing access without the need for a ghost right turn lane and it is advised that *any* shared access to serve both the existing golf club and proposed development whether new or existing would need consideration of such a facility. The LHA has advised in all responses as part of both this application and application reference 20/01387/OUT that it is not possible to confirm whether it is satisfied that a ghost right turn lane is/ is not required until the trip generation of both the proposed hotel development and the existing golf club has been established by the Applicant. This is on the basis that a shared access between both the existing golf club and proposed hotel development is proposed.

The LHA are not in a position to advise the Applicant on what access arrangements to propose, or whether both the proposed hotel and existing golf club should be accessed off shared or individual access points. Under the site specific circumstances however and given the golf club falls within the Applicants blue line, the LHA has suggested the most appropriate location for an access could be in the vicinity of the existing access to the golf club in order to resolve its concerns, or use the existing access, as this is on a relatively straight section of road and not on the inside of a bend. A single point of access to serve the site as a whole would also keep the number of junctions (and therefore conflict points) on Markfield Lane to a minimum, hence why improvements to the existing access were suggested. Given the potential level of traffic which could use a shared access and RSA recommendations, consideration of a ghost right turn lane has also been advised.

In respect of Bancroft Consultancy drawing number F19109/14, the LHA advise that given the Applicant considers the proposed improvements at the existing site access not to be feasible, the access has not been included within the red line boundary of the application site and in the absence of any other options being presented, the Applicant has failed to demonstrate that a safe and suitable access to the hotel development could be provided. No further information has been provided by the Applicant in respect of the above four concerns listed by the LHA respect of the proposed new access, and the Applicants own RSA has suggested an alternative location should be proposed.

While the Applicant has stated up to 25 existing car parking spaces could be lost as a result of improvements being made to the existing access, the LHA advise it is unable to verify this as a re-designed car park layout has not been provided. It is also unclear why any spaces lost for the site could not be relocated as part of a future reserved matters application. In respect of the need for drivers to park forward and the potential for an increase in conflicts between pedestrians and vehicles on the access road, in the absence of a site layout design, it is unclear how much of an issue this would be, or whether the Applicant could design out any concerns. Nevertheless, the LHA's primary concern is for all users of the public highway (Markfield Road) and ensuring that any proposed access would not result in a danger to highway safety.

Finally, on the basis the Applicant considers it is not appropriate to amend the existing access to the golf club to serve the proposed development as well and in the absence of any other proposals, the LHA believe the Applicant is still proposing to retain the existing access to the site for use by the golf club as a service entrance for its plant/machinery area and staff-only parking. The LHA advise the submitted location plan of the site does not include the existing access within the red line. It is unclear how the LHA would condition the use of the existing access as a service entrance and staff only parking area when the access and any amendments to the existing layout of the golf club site fall outside the Applicants red line boundary. It is unclear if the exiting access and car park layout could remain as at present and link through to the hotel development, as advised in within the 5 October 2022 observations. Identical concerns were raised by the LHA as part of application 20/01387/OUT and the Applicant has not provided any further information to resolve the issue.

Trip Generation/ Trip Distribution/ Junction Capacity Assessments

The LHA previously advised that as it is proposed for the hotel to share a new access with the existing golf club, the combined level of traffic the site as a whole could generate must be

established in order for the LHA to determine whether or not the access design is considered appropriate and whether or not the additional development necessitates a ghost right turn lane.

To date, the LHA has been unable to ascertain a clear explanation from the Applicant as to precisely what, if any, additional facilities will be provided within the hotel other than the spa. Notably, it has been unclear whether a function room would be provided. The LHA has consistently requested clarity on this matter in its responses to both this application and application reference 20/01387/OUT.

The LHA also advised that the methodology used to calculate the Applicant's sensitivity test was undertaken at a time when Covid-19 restrictions limited actual surveys from being undertaken on-site. It has been highlighted to the Applicant that they could now undertake a traffic count at the site access over several days to demonstrate the level of traffic when various events were being held for a robust assessment. The LHA began permitting traffic surveys on the network following the lifting of Government Covid-19 restrictions on 19 April 2021, over a year prior to this current application being submitted.

To date, the above has prevented the LHA in providing any further advice in respect of trip generation.

The Applicant has now confirmed the following capacities of the existing clubhouse and the proposed hotel as follows.

Existing Clubhouse:

- All rooms including bar - 102 persons
- Function Room - 120 persons
- Range - 26 bays
- Players - 72 (max on course, assuming competition with a shotgun start at 4 persons per hole)

Hotel:

- Rooms - 98 max (196 persons)
- Dining/ Bar/ Function - 150 persons max
- Spa - 30 persons

For clarity, it is assumed by the LHA that in the existing clubhouse the 'all rooms including bar' and 'function room' could result in a total of 222 people on-site. The LHA welcome the clarity as to what facilities would be provided within the hotel as this enables further consideration of the Applicant's trip generation for the proposed hotel and suggestion that 50% of trips would be linked to the existing golf club.

Based on the information provided, the LHA advise it can see no reasonable reason why the Applicant could not hold two independent functions/ conferences etc, or one larger scale event with multiple rooms at the same time on the overall site (hotel and existing clubhouse). The proposed hotel clearly offers substantial (150 people) additional dining/ bar and function facilities over and above those available at the clubhouse at present. The LHA has advised as part of both this application and application reference 20/01387/OUT that it is unclear how the development

could be conditioned as ancillary. The existing clubhouse falls outside the Applicants red line and in the event the hotel development was granted planning permission, appropriate parking for the scale of development would be required as part of a reserved matters application. It is also considered members of the public would be able to stay at the hotel and/ or spa who may not have any association with the other activities on-site. The LHA therefore considers restricting the use of the site as a whole so that only one event can be held at any one time to be unreasonable, difficult to enforce and in any case not possible given the clubhouse is outside the Applicants red line. The LHA understand that the LPA share similar views in respect of conditioning restrictions on use.

While it is accepted the hotel could also cater for those attending an event in the existing clubhouse, the Applicant has been unable to confirm the number of guests attending events that currently take up discounted hotel accommodation for existing nearby hotels. It is therefore unclear how many guests currently have a realistic need to return to site the next day as suggested or have a requirement to stay in hotel accommodation nearby.

Given the above, the LHA will not accept a 50% internalisation factor and advise that the hotel should be assessed on a standalone basis for a robust assessment. The LHA can see no reason why the proposed development could not generate 100% new trips.

Within the Applicants letter, they have considered the 'unadjusted' weekday traffic flow figures for the proposed hotel, which are based on TRICs trip rates for a 56 bed hotel located in Hopwood, Birmingham. This was selected due to the similar rural location of the site, with the hotel being described as 'relatively isolated'. Furthermore, the hotel offers several function rooms and a 260-seat restaurant. The survey was undertaken on a Monday. It has not been clarified by the Applicant if any events were being held at the venue on the date of the survey and therefore it is unclear to the LHA how representative the site would be. After applying those trip rates for the proposed 98 bed hotel, the Applicant suggests the following level of weekday trips could be generated:

▪ morning peak hour	30 arrive	10 depart	40 total
▪ evening peak hour	47 arrive	28 depart	75 total

Following this, the trips associated with the golf club have been extracted which were presented within Part 7 of the Transport Assessment. The Applicant states these were significantly higher than the TRICS assessment outputs for a golf club and included activity from a tournament being held at the course that day. These trips were as follows:

▪ morning peak hour	29 arrive	4 depart	33 total
▪ evening peak hour	29 arrive	41 depart	70 total

The number of forecast hotel trips with the number of existing trips have then been combined to form a combined trip generation for the site as a whole (clubhouse and proposed hotel development), without any internalisation factor, as follows:

▪ morning peak hour	59 arrive	14 depart	73 total
▪ evening peak hour	76 arrive	69 depart	145 total

The Applicant has then doubled the combined trips and undertaken a capacity assessment, which they have stated demonstrates that the proposed new access would operate within capacity, with no need for a ghost right turn lane.

For the LHA to consider the necessity of a ghost right turn lane further, Annual Average Daily Traffic (AADT) for both the site access and Markfield Lane need to be considered, not just peak hours. Daily counts for Markfield Lane have been provided by the Applicant.

Within the 5 October 2022 observations, the LHA stated the Applicant had undertaken an actual survey of the site access during peak hours, however as government Covid-19 restrictions had been fully lifted, it was unclear why a full day's data was not collected. . It was also suggested surveys could be undertaken over a few days to demonstrate typical variations in traffic levels depending on whether an event is being held at the site. The LHA advise actual surveys for the existing golf club would be more robust to compare against TRICS data for a golf club. The LHA also do not accept the Applicants sensitivity test calculations outlined within Part 7 of the Transport assessment suggesting a daily flow of 396 two way trips for the site. This is on the basis they were calculated during the Covid-19 pandemic at a time the site may not have been able to operate as normal due to government restrictions. No further traffic surveys have been provided by the Applicant.

The LHA also previously advised it was unclear how many attendees there were at the 'foot golf' event. This has still not been clarified by the Applicant and it is therefore unclear how many additional visitors were on-site compared to 'typical' conditions.

It should also be noted that the Applicants TRICS trip rates for a hotel on a Friday are based on trip rates over a much wider and different timescale in comparison to those obtained for the weekday trips (01/01/00 to 16/10/19 as opposed to 01/01/14 to 12/11/21). Those trip rates also include hotels from more built up areas and therefore are not a direct comparison to the trip rates used for the weekday.

Given the above, the LHA are still unable to confirm the Applicants trip rates for the proposed development.

On the basis that the LHA considers the proposals should be considered on a standalone basis however and based on the information available at present, it is considered in excess of 30 two way trips could be generated by the proposed development to the north of the site in the direction of Markfield. Consideration of the impact of the proposals further afield would therefore be required. The LHA advised as part of application reference 20/01387/OUT that it is aware of nearby junctions such as the Botcheston Road/ Desford Lane priority junction (Newtown Unthank) and A50 Leicester Road/ Launde Road/ Leicester Road/ Markfield Lane roundabout (Field Head/ Markfield), where queuing and delays currently occur during peak hours. Further consideration is therefore required in respect of at least the impact of the proposed development at the Field Head roundabout.

Transport Sustainability

The LHA previously advised it was unclear how the proposed electric minibus service would work in practice.

The Applicants letter states that paragraph 3.12 of the Framework Travel Plan (July 2022) explains how the Applicant would commit to providing an electric bus service to/ from the site by way of a suitably worded condition if necessary.

The Applicant has stated in the letter they would provide an electric minibus service linking with existing county bus routes (26, 29, and 120) in both Botcheston and Markfield/Fieldhead (the nearest stops for any of the routes is within a few miles of the proposed hotel). This will be a user oriented programme through the provision of two Electric Buses to facilitate an 'on-demand service' the details of which will be established via ongoing travel surveys during and post construction of the hotel. On completion of the Hotel this service would be provided to serve both the golf club and the hotel .

The LHA advise that it could only consider the hotel in respect of any electric bus service given the golf club is an existing situation, however such a proposal would not usually be required for similar type/ scale of developments as they are usually situated in a better location which is more suited to all modes of sustainable travel.

The LHA maintains that the site is located poorly in terms of transport sustainability and has doubts as to whether an electric bus service could reasonably be required by means of condition to serve the site. It is unclear how much the service could cost for example and when the LHA have conditioned bus services as part of major developments, they have usually been for a minimum of five years.

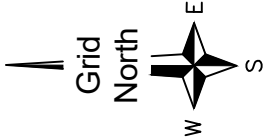
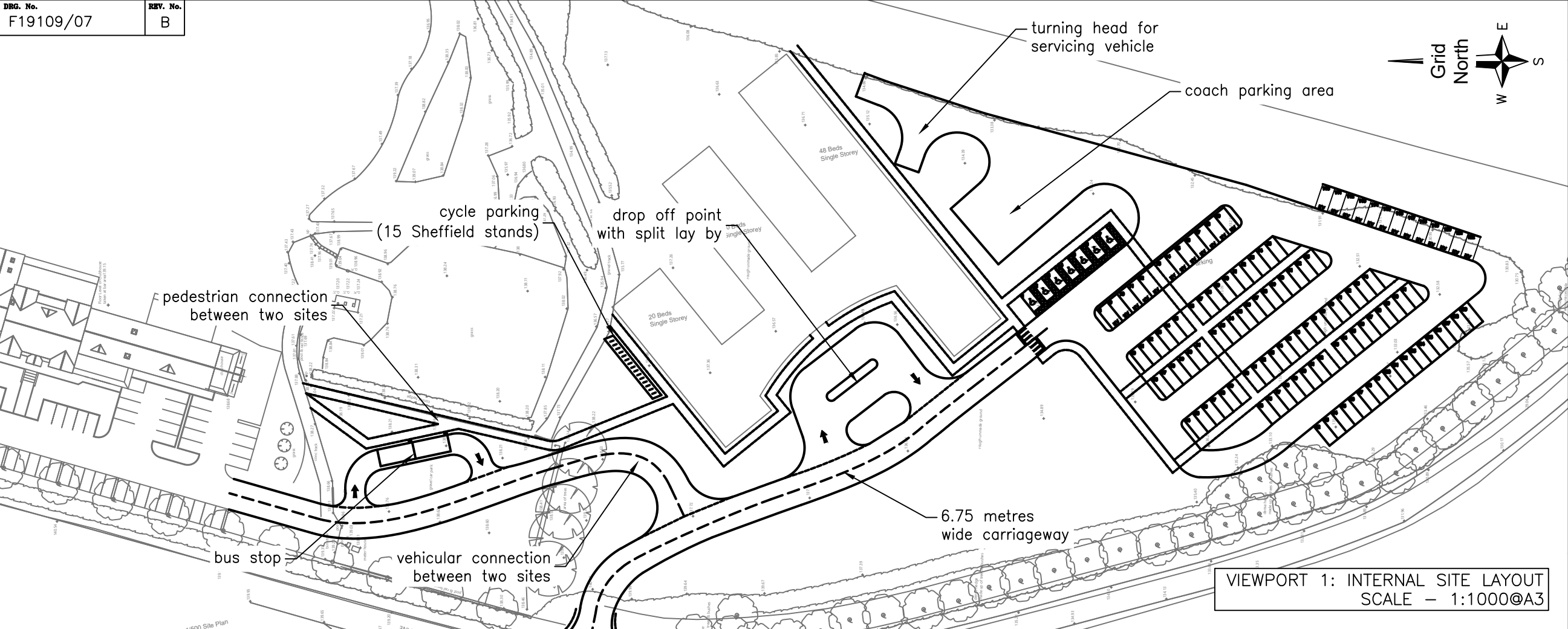
Date Received
15 February 2023

Case Officer
Ben Dutton

Reviewer
DH

Date issued
13 March 2023

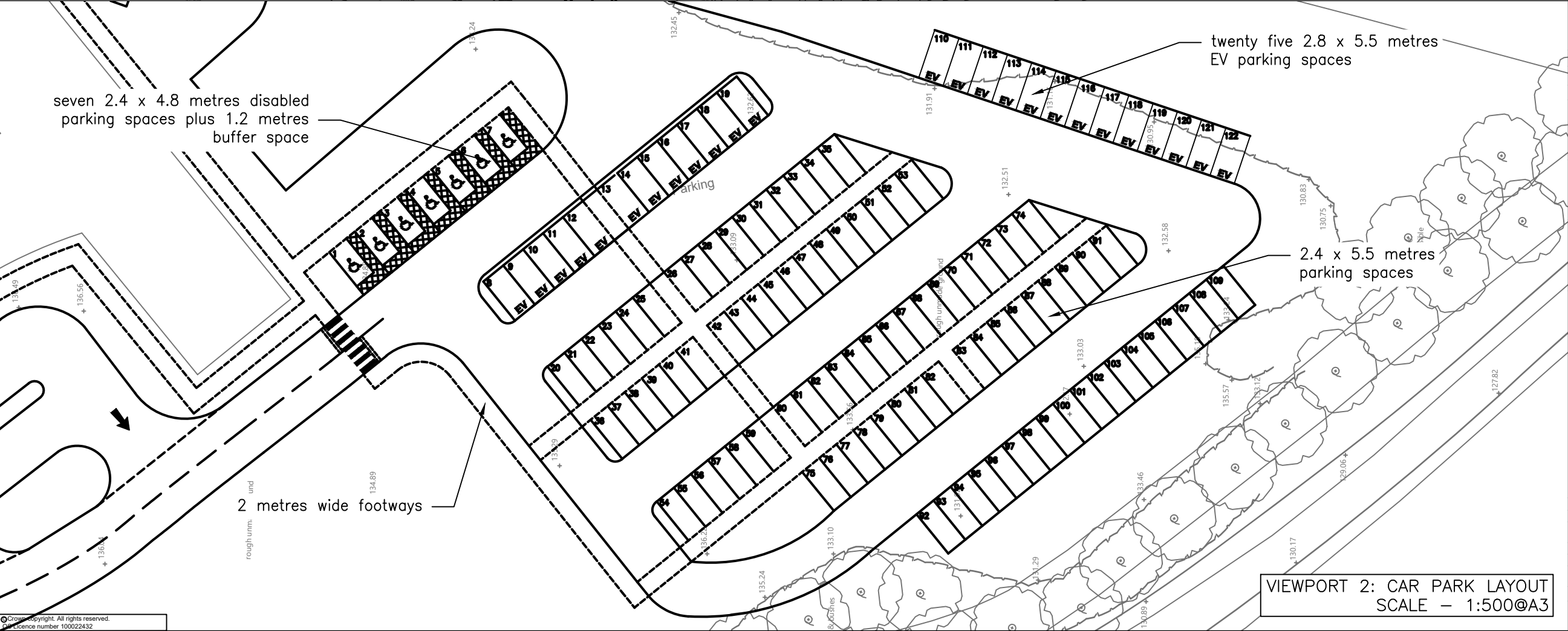
**APPENDIX CB11 – DRAWING NUMBER F19109/07
REVISION B 'INTERNAL SITE LAYOUT OPTION A'**



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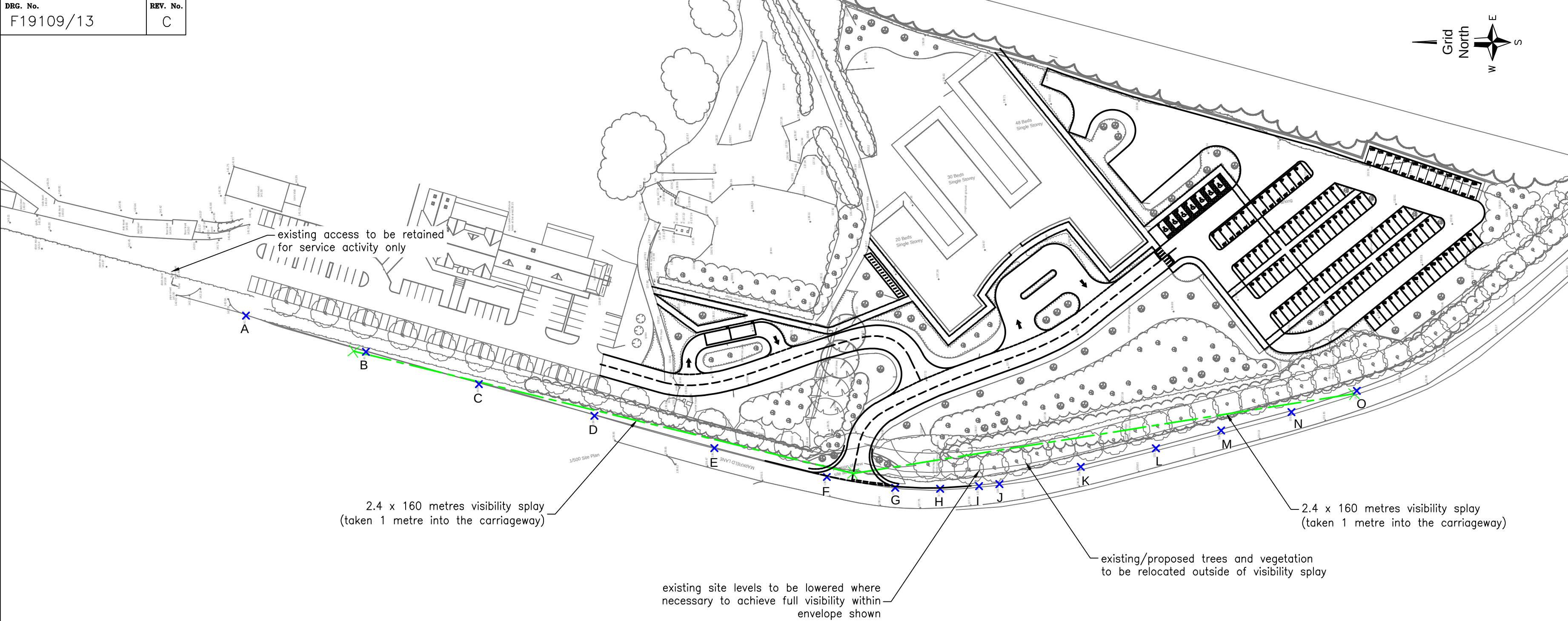
NOTES:

1. Topographical survey overlaid on latest site masterplan as best as possible.
2. Caballing provision for all parking bays to be electric charging points, subject to demand.



B	24.06.22	UPDATED WITH RESPOSITIONED ACCESS		MB	RT
A	06.05.22	UPDATED FOLLOWING CLIENTS COMMENTS		MB	RT
REV.	DATE	DESCRIPTION		BY	CHK'D
CLIENT					
SPARSIS LEISURE LTD (T/A FOREST HILL GOLF CLUB)					
CONTRACT					
FOREST HILL GOLF CLUB, BOTCHESTON					
TITLE					
INTERNAL SITE LAYOUT — OPTION A					
bc BANCROFT CONSULTING Bancroft Consulting Ltd Jarodale House 7 Gregory Boulevard Nottingham NG7 6LB t 0115 9602919 f 0115 9648201 e office@bancroftconsulting.co.uk					
DRAWN BY					
NAME (PRINT)			DATE		
MB			19.04.22		
CHECKED BY					
NAME (PRINT)			DATE		
RT			19.04.22		
SCALE AS SHOWN		STATUS		PRELIMINARY	
DRG. NO.				REV	
F19109/07				B	

**APPENDIX CB12 – DRAWING NUMBER F19109/13
REVISION C ‘PROPOSED SITE ACCESS LAOYOUT WITH
ALTERNATIVE VISIBILITY ASSESSMENT’**



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- NOTES:
- Existing levels along Markfield Lane
- POINT A = 142.18M
 - POINT B = 141.23M
 - POINT C = 140.54M
 - POINT D = 139.93M
 - POINT E = 139.20M
 - POINT F = 138.48M
 - POINT G = 137.76M
 - POINT H = 137.40M
 - POINT I = 137.09M
 - POINT J = 136.90M
 - POINT K = 136.02M
 - POINT L = 135.21M
 - POINT M = 134.50M
 - POINT N = 133.66M
 - POINT O = 132.81M
- Topographical survey overlaid onto latest site masterplan as best as possible

Drawing based on access design in Drawing Number F19109/06 Rev C

REV.	DATE	DESCRIPTION	DWN	CHK'D
C	21.11.22	REVISION LETTER UPDATED	MB	CJB
B	10.11.22	CONTRACT NAME UPDATED	MB	CJB
A	07.11.22	REVISED WITH LATEST SITE MASTERPLAN	MB	CJB

CLIENT

SPARSIS LEISURE LTD
(T/A FOREST HILL GOLF CLUB)

CONTRACT

FOREST HILL GOLF CLUB,
BOTCHESTON

TITLE

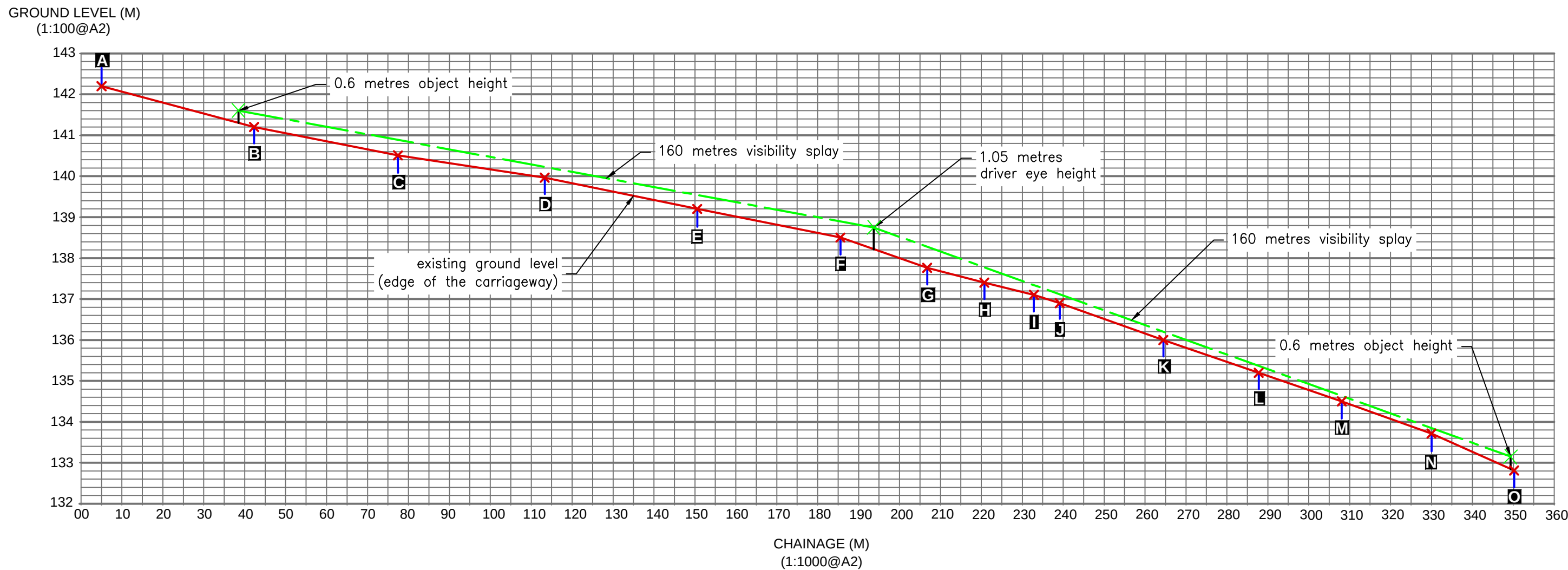
PROPOSED ACCESS LAYOUT
WITH ALTERNATIVE VISIBILITY
ASSESSMENT

bc BANCROFT CONSULTING

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DRAWN BY	
NAME (PRINT)	DATE
MB	02.11.22
CHECKED BY	
NAME (PRINT)	DATE
CJB	02.11.22
SCALE 1:1000@A2	STATUS PRELIMINARY
DRG. NO.	REV
F19109/13	C





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