

Delegated Report

Planning Ref: 23/00751/FUL

Applicant: Richard Knott

Ward: Cadeby, Carlton, M Bosworth and Shackerstone

Site: 11 Gatehouse Lodges, Cadeby Lane, Cadeby

Proposal: Conversion of 3no. chalets, 1no. lodge and a store into 2no. 2 bed lodges and alterations to the building



Hinckley & Bosworth
Borough Council

1. **Recommendations**

1.1. **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report

2. **Planning application description**

- 2.1. The proposal seeks the conversion of 3 chalets and 1 lodge and store into 2 two bedroom lodges, including some minor alterations to the exterior to amend the existing doors.

3. **Description of the site and surrounding area**

- 3.1. The site is located off Cadeby Lane, Cadeby and is situated within the Countryside. The development is well screened from the highway by an existing hedgerow and is separated by the existing parking which it to remain in situ. The site contains existing holidays lets and a caravan site.

4. **Relevant planning history**

11/00890/FUL- Extension to existing building to form 6 no. chalets

Various applications relating to the use of surrounding buildings/land for holidays lets and camping/caravanning

5. **Publicity**

- 5.1. The application has been publicised by posting letters to neighbours.
5.2. No responses have been received.

6. **Consultation**

- 6.1. HBBC Pollution: No objections.
6.2. Market Bosworth Society: No comments to make.
6.3. HBBC Drainage: No objections.
6.4. HBBC Waste: No objections.
6.5. LCC Highways: No objection.

7. **Policy**

7.1. **Site Allocations and Development Management Policies DPD (2016)**

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation

- Policy DM18: Vehicle Parking Standards
- Policy DM24: Cultural and Tourism Facilities

7.2. **Core Strategy (2009)**

- Policy 23: Tourism Development

7.3. **National Planning Policies and Guidance**

- National Planning Policy Framework (NPPF) (2019)
- Planning Practice Guidance (PPG)

7.4. **Other relevant guidance**

- Good Design Guide (2020)
- National Design Guide (2019)

8. **Appraisal**

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety

Assessment against strategic planning policies

8.2. Paragraph 2 of the National Planning Policy Framework (NPPF) identifies that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 2 of the NPPF also identifies that the NPPF is a material planning consideration in planning decisions. Paragraph 12 of the NPPF states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where planning applications conflict with an up-to-date plan, permission should not usually be granted unless other material considerations indicate otherwise.

8.3. The development plan in this instance consists of the Core Strategy (2009) and the Site Allocations and Development Management Policies (SADMP) Development Plan Document (2016).

8.4. The application site is located within the countryside. Policy DM4 states that to protect its intrinsic value, beauty, open character and landscape character, the countryside will first and foremost be safeguarded from unsustainable development.

8.5. According to Policy DM4 of the SADMP, development in the countryside will be considered sustainable where:

- a) 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
- b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or diversification of rural businesses; or
- c) It significantly contributes to economic growth, job creation and/or

- d) It relates to the provision of stand-alone renewable energy developments in line with Policy DM2: Renewable Energy and Low Carbon Development; or
 - e) It relates to the provision of accommodation for a rural worker in line with Policy DM5 -Enabling Rural Worker Accommodation.
- 8.6. Policy DM4 of the SADMP supports development in the countryside where it is considered to be for the change of use, re-use or extension of existing building which lead to the enhancement of the immediate setting. The following sections of this report will assess the proposal in relation to its impacts upon the setting and as such will be assessed against Policy DM4 of the SADMP.
- 8.7. Policy 23 of the Core Strategy supports tourism development for new and extended holiday accommodation including holiday lodges in suitable locations where:
- The development can help to support existing local community services and facilities and
 - Is of a design and at a scale which is appropriate to minimise impact and assimilate well with the character of the surrounding area with acceptable landscaping and
 - The development adds to Hinckley & Bosworth's local distinctiveness and
 - Complements the tourism themes of the borough and The development adds to the economic wellbeing of the area
- 8.8 Policy 24 of the SADMP seeks to support the development of new tourism facilities where is demonstrated that they can be accessed by a range of sustainable transport modes. Furthermore the policy seeks to resist the loss of or change of use of cultural and tourism facilities.
- 8.9 The site is surrounded by existing tourist accommodation including holiday lets and a caravan site. The existing building which is set amongst these other tourist uses was granted planning permission by application 11/00890/FUL for use as 6 holiday chalets, this tourism use was considered acceptable in this location as it was considered to offer an expansion of, and complement the existing tourism/leisure facilities in accordance with Core Strategy Policy 23. Therefore, a tourism use of this building has already been found to be acceptable in principle. The proposal would result in the loss of two holiday lets through the consolidation of the units to form larger units, however, this would not lead to a significant loss of tourism provision with the applicant stating larger units are more attractive for customers. Overall the proposal is judged to comply with Policy 23 of the Core Strategy and Policy 24 of the SADMP.
- 8.10 The proposal is judged to be acceptable in principle as tourism accommodation and has not been assessed on the basis of providing market housing which would lead to differing impacts and considerations. A condition was placed on the original consent 11/00890/FUL to ensure the accommodation is retained as tourist accommodation, such a condition is still judged to be necessary to ensure compliance with the Development Plan and for the avoidance of doubt.

Design and impact upon the character of the area

- 8.11 Policy DM4 of the SADMP seek to protect the intrinsic value, beauty, open character and landscape character of the countryside.
- 8.12 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 DM10 also seeks to safeguard the amenity of future occupiers of the development.
- 8.13 The proposal seeks to convert the existing building from 3 chalets and 1 lodge into 2 two bedroom lodges. The external alterations are considered minor in nature, mainly relating to the bricking up of two doorways which would be made redundant through the conversion. The internal alterations would have no impact upon the design or character of the area.
- 8.14 It is considered that the proposal would, in terms of design and impact of the character of the area and countryside, be acceptable, as such is considered to be in accordance with Policies DM4 and DM10 of the adopted SADMP.

Impact upon neighbouring residential amenity

- 8.15 Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.16 The site consists of existing holiday lodges and chalets, and there are no immediate neighbours to the site. The proposal does not include significant external changes and as such it would not be considered to cause detrimental impacts upon neighbouring amenity.
- 8.17 As such it is considered that the proposal is in general accordance with Policy DM10 of the SADMP and the guidance set out within the Good Design Guide.

Impact upon highway safety

- 8.18 Policies DM17 and DM18 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety and requires new development to provide an appropriate/justified level of parking provision.
- 8.19 The proposal does not seek to make any alterations to the on-site parking facilities and no objections were received from Leicestershire County Council Highways department.
- 8.20 The development is not considered to cause detrimental impacts to highway safety nor vehicle parking and as such it is considered that the proposal is in general accordance with Policies DM17 and DM18 of the SADMP.

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. It is considered that the proposal has limited impacts on the character of the area and countryside, neighbouring amenity and highways safety. The proposal therefore complies with Policies DM4, DM10, DM17, DM18 and DM24 of the SADMP and Policy 23 of the Core Strategy.
- 11. **Recommendation**
- 11.1 **Grant planning permission** subject to:
 - Planning conditions outlined at the end of this report
- 11.2 **Conditions and Reasons**
- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.
- 2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

Location and site plan Drg No. 03a
Proposed plans Drg No. 02
Planning, Design and Access Statement

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).
- 2. The holiday accommodation units shall be for holiday purposes only and shall not be used as the sole or main residence of the occupiers. No person shall occupy any part of the accommodation for a period exceeding four weeks. Furthermore, no person shall occupy the accommodation within a period of two weeks following the end of a previous period of occupation by that same person. The owners/operators of the holiday accommodation shall maintain

an up-to-date register of the names and main home addresses of all the individual occupiers and shall make this information available for inspection within 7 days of any request in writing from the Local Planning Authority.

Reason: The site of the permission is outside any area where planning permission would normally be forthcoming for residential development and is permitted only as lodges for holiday purposes in the interests of contributing to tourism and the economy of the area and to ensure compliance with Policy DM4 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Notes to applicant

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.