



PLANNING STATEMENT

Site: Land South of Bosworth Road, Bull In The Oak, Cadeby, Leicestershire

Proposal: Change of use of land from agricultural to sui generis (siting of caravans and motorhomes on serviced hardstanding and grass pitches) and associated works (resubmission of 23/00927/FUL), including amendment to the 'tents only' restriction on pitches 1-3 and variation of the occupancy restriction (Retrospective)

Client: Mr and Mrs J Knott

Prepared by: LB Planning

February 2026



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1. INTRODUCTION

- 1.1. On behalf of Mr and Mrs John Knott ("the applicants"), this Full Planning Application is submitted to regularise the existing development at Land South of Bosworth Road, Bull in the Oak, Cadeby, Leicestershire. The development is already operational and the application therefore seeks retrospective planning permission.
- 1.2. The development subject to this application comprises the siting and operation of eight caravan pitches which are installed and in use on the site. The caravans are occupied on longer-term holiday-style letting arrangements and are not used as permanent residential accommodation.
- 1.3. This application follows the withdrawal of a previous application submitted under Section 73 of the Town and Country Planning Act 1990 and instead seeks retrospective planning permission for the development as implemented and for its current mode of operation, including occupation controls to ensure that the use remains non-residential.
- 1.4. The Section 73 application was withdrawn because the variations sought could not be lawfully addressed through that type of application, necessitating the submission of a full planning application.
- 1.5. The original permission (23/00927/FUL) imposed restrictions which do not reflect how the development has been implemented or how the site currently operates.
- 1.6. During discussions relating to the withdrawn Section 73 application, officers indicated that the use of pitches 1, 2 and 3 for caravans, rather than tents, may be acceptable in principle, reflecting the absence of market demand for tent-based accommodation. Officers also advised that longer-term letting arrangements could be considered acceptable, provided the occupation of the caravans remained clearly non-residential in nature.
- 1.7. The purpose of this Planning Statement is to set out the relevant background and context of the site and to provide a planning assessment to support the retrospective application.
- 1.8. Outstanding conditions attached to the original permission are also addressed within this application. Details relating to drainage (Condition 3), landscaping

(Condition 4) and lighting (Condition 6) have been submitted to regularise the development as constructed.

1.9. This Planning Statement supports the application alongside the following plans and supporting documents:

- **Site Location Plan - 25-30-PL01 A** (showing pitches 1-8 and the boundaries) prepared by Haywards Architects.
- **Landscape Plan - 25-30-PL04** (showing site plan, hard and soft landscaping) prepared by Haywards Architects.
- **Drainage Plan - 25-30-PL05** (showing utilities and lighting) prepared by Haywards Architects.
- **Bosworth Caravan Park Housing Need Technical Note** (HNTN) prepared by Marrons Planning.

2. SITE CHARACTERISTICS AND CONTEXT

- 2.1. The application site is located to the south of Bosworth Road and to the north of Cadeby Lane, within open countryside outside of any defined settlement boundary. The site is accessed via the established Bosworth Caravan Park.
- 2.2. The site forms part of Bosworth Caravan Park, which is a long-established accommodation site comprising lodges and caravan plots. There are no comparable occupancy restrictions applied to the majority of existing pitches within the wider caravan park.
- 2.3. The nearest settlement is Market Bosworth, which is identified as a Key Rural Centre (Stand Alone) within the Core Strategy (Policy 7).
- 2.4. The site is located adjacent to the Market Bosworth Conservation Area. The character of the adjacent land is defined by parkland associated with Bosworth Hall, which contributes positively to the significance of the Conservation Area. The Officer Report accompanying the original permission (23/00927/FUL) concluded that the development resulted in less than substantial harm to the setting of the

Conservation Area, specifically at the lower end of minor harm, which was considered acceptable in the planning balance having regard to public benefits.

- 2.5. The principle of accommodation development within this sensitive location is further supported by planning permission 22/00896/FUL, which granted permission for three timber lodges on land immediately adjacent to the application site. These lodges are materially larger than the caravans subject to this application and are located closer to the Conservation Area boundary. This establishes a clear precedent for accommodation development in this immediate area.
- 2.6. The visual impact of the development is substantially mitigated through established landscape screening. The site benefits from mature hedgerows and tree planting. In addition, approximately 300 trees have been planted since the original planning assessment, between the site, the Conservation Area and Bosworth Road, further reinforcing visual containment. The existing toilet block within the wider caravan park provides servicing facilities for the eight pitches.
- 2.7. The original application related to the retrospective change of use of land from agricultural to sui generis, which was granted planning permission on 21 December 2023 under application reference 23/00927/FUL.
- 2.8. Prior to submission of the withdrawn Section 73 application, the site was subject to a Planning Enforcement complaint, following which the applicants were requested to complete a Planning Contravention Notice (PCN). The complaint related to allegations that occupation of the caravans was not fully compliant with Condition 8 of planning permission 23/00927/FUL.
- 2.9. For clarity, Condition 8 of planning permission 23/00927/FUL states:
"The pitches, hereby approved, shall be for holiday purposes only, with pitch 1, 2 and 3 being strictly for tents only. The pitches shall not be used as the sole or main residence of the occupiers. No person shall occupy any pitch for a period exceeding four weeks within a 12 month period. Furthermore, no person shall occupy any pitch within a period of two weeks following the end of a previous period of occupation by that same person. The owners/operators of the camp site 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 at all reasonable times to the Local Planning Authority following prior written notification."

- 2.10. Following the PCN process, a Section 73 application was submitted seeking to vary Condition 8. During the course of that application, it became apparent that outstanding conditions attached to the original permission could not be lawfully addressed through a Section 73 submission. The application was therefore withdrawn and replaced with this full retrospective planning application.
- 2.11. This application seeks to regularise the development as implemented and the associated occupation arrangements, comprising eight caravan pitches operated on a longer-term holiday letting basis, subject to restrictions to ensure that the use does not become permanent residential accommodation. Details relating to Conditions 3, 4 and 6 of planning permission 23/00927/FUL have also been submitted as part of this application to regularise the development and avoid duplication of conditions on any new permission.

3. RELEVANT PLANNING POLICY

- 3.1. An assessment has been carried out of relevant national and local planning policies, having regard to the adopted Hinckley & Bosworth Local Development Plan and the National Planning Policy Framework (NPPF) 2024.

National Planning Policy Framework (NPPF) 2024

- 3.2. The core objective is the 'presumption in favour of sustainable development'. Key sections relating to economic growth (Section 6) and conserving and enhancing the historic environment (Section 16) are paramount.

Hinckley & Bosworth Core Strategy 2009

- 3.3. Policy 7: Key Rural Centres: Supports a range of employment opportunities and local facilities within Key Rural Centres.
- 3.4. Policy 23: Tourism Development: Encourages new and extended visitor attractions and holiday accommodation where it supports local services and adds to the economic wellbeing of the area.

Site Allocations and Development Management Policies DPD

- 3.5. DM1: Presumption in Favour of Sustainable Development: Requires approval of proposals that accord with the Local Plan without delay.
- 3.6. DM4: Safeguarding the Countryside and Settlement Separation: Seeks to protect the intrinsic value, beauty, open character, and landscape character of the countryside and generally restricts development outside defined settlement boundaries.
- 3.7. DM10: Development and Design: Requires developments to complement or enhance the surrounding area's character, regarding design, materials, and amenity protection.
- 3.8. DM11: Protecting and Enhancing the Historic Environment: Requires proposals affecting designated heritage assets (or their setting) to demonstrate an understanding of significance and assess impact.
- 3.9. DM12: Heritage Assets: Expects development affecting heritage assets and their setting to secure their continued protection or enhancement.
- 3.10. DM17: Highways and Transportation: Supports proposals that ensure convenient and safe access and do not have a significant adverse impact upon highway safety.
- 3.11. DM24: Cultural and Tourism Facilities: Supports the development and retention of new cultural and tourism facilities.

4. PLANNING ASSESSMENT AND JUSTIFICATION

- 4.1. This planning application relates to the previously approved application (23/00927/FUL), which granted retrospective permission for the change of use of land from agricultural to sui generis, comprising the siting of caravans, motorhomes and tents on serviced hard standing and grass pitches.
- 4.2. The development currently comprises eight caravan pitches, including pitches 1-3 which are occupied by caravans rather than tents. This reflects operational requirements and market demand and forms part of the development which this application seeks to regularise. The development responds to established demand

and is supported by enhanced landscape screening through recent tree planting, ensuring that the visual integrity of the surrounding area is preserved.

- 4.3. The use of pitches 1-3 for caravans is justified by commercial viability. The restriction to tent-based accommodation has proven unviable due to the absence of market demand. The siting of caravans, as defined within the Caravan Sites and Control of Development Act 1960 (as amended), represents a logical and proportionate evolution of the established and successful accommodation business. The continued operation and viability of the site supports the objectives of Policy DM24, which seeks to support tourism and cultural facilities.
- 4.4. The application demonstrates that the development is successfully assimilated into its surroundings and preserves the setting of the adjacent Market Bosworth Conservation Area. The principle of accommodation development within this location is established, including by planning permission 22/00896/FUL, which approved three timber lodges within the immediately adjacent field. Those lodges are materially larger in scale than the caravans and are located closer to the Conservation Area. In addition, the application site benefits from effective screening through established woodland, mature hedgerows and the planting of approximately 300 additional trees since the original approval, which collectively minimise visual impacts.
- 4.5. The caravans are currently occupied on longer-term holiday-style letting arrangements. This application seeks to regularise this established form of occupation, subject to appropriate restrictions to ensure that the caravans are not used as sole or main residences. The proposal therefore maintains the established tourism and accommodation function of the site whilst providing additional flexibility in how the accommodation is occupied.
- 4.6. The proposed occupation arrangements deliver social and economic benefits by providing a form of accommodation that is accessible to local workers and visitors to the area. The Housing Need Technical Note demonstrates that there is a significant shortage of affordable accommodation within the local area. The Council has delivered only 27% of identified affordable housing need over the last decade and the Housing Register has increased significantly. The accommodation provided

by the site assists in addressing this shortfall by offering lower-cost, flexible accommodation options, whilst remaining non-residential in planning terms. This accommodation also supports visitor stays associated with tourism and business activity within the wider area.

- 4.7. The proposal also supports the role of Market Bosworth as a Key Rural Centre under Core Strategy Policy 7 by supporting local employment, services and facilities. By providing accommodation within proximity to local employment opportunities, the development assists in reducing the need for longer-distance commuting and contributes to more sustainable travel patterns.
- 4.8. Whilst the original condition sought to restrict occupation to short-term tourism use in order to protect the countryside (Policy DM4), the evidence demonstrates that longer-term holiday-style occupation can be accommodated without resulting in permanent residential use. The proposed occupation controls, including the maintenance of an occupier register and restrictions preventing use as a sole or main residence, ensure that the use remains consistent with the approved sui generis tourism and accommodation use. The development would not result in any material harm to the character of the countryside or to neighbouring amenity, consistent with Policy DM10.
- 4.9. It is recognised that proposals involving longer-term occupation of holiday accommodation can give rise to concerns regarding potential encroachment into residential use. However, national policy and appeal decisions consistently recognise that the planning status of holiday accommodation is determined by the nature of occupation and the presence of effective occupancy controls, rather than the length of individual stays in isolation. In this instance, the development would remain part of a managed accommodation site, with conditions preventing use as a sole or main residence and requiring the retention of a register of occupiers and their principal home addresses. The caravans would not be capable of functioning as unrestricted residential units and would continue to operate as part of the established tourism and accommodation offer of the site. As such, the proposal does not represent the introduction of permanent residential development within the

countryside and remains consistent with relevant Development Plan policies and the National Planning Policy Framework.

- 4.10. The proposal represents sustainable development in accordance with the Development Plan when read as a whole. The development regularises an established accommodation use on a site that already benefits from planning permission for tourism-related purposes. The physical presence of eight caravan pitches results in limited visual and landscape impact, mitigated by established and enhanced planting, and preserves the setting of the adjacent Market Bosworth Conservation Area, giving rise to no more than less than substantial harm. The development supports rural economic activity through the continuation of an established accommodation business and provides flexible and comparatively affordable accommodation which assists in meeting locally identified accommodation needs. The proposed occupation restrictions ensure that the development remains non-residential in nature and therefore compatible with countryside and tourism policies. Having regard to the economic, social and environmental dimensions of sustainable development set out within the National Planning Policy Framework, the overall benefits of the development are considered to outweigh any limited harm and the proposal is therefore considered acceptable in planning terms.

Submission of Technical Details

- 4.11. Planning permission 23/00927/FUL imposed conditions relating to drainage, landscaping and lighting. As these conditions were not formally discharged, the required technical details have been submitted as part of this application in order to regularise the development as constructed and to avoid duplication of conditions.
- 4.12. Compliance with Condition 3 (Drainage) is demonstrated by Plan No. 25-30-PL05, which identifies the installed 160mm surface water sewer together with the 100mm fresh water supply and waste drainage arrangements.
- 4.13. Compliance with Condition 4 (Hard and Soft Landscaping) is demonstrated by Plan No. 25-30-PL04. The implemented landscaping scheme includes areas of mown

grass, mixed native species hedgerows up to 2 metres in height, and mature native tree planting. The pitches and access road are surfaced in granite gravel. The landscaping provides a significant enhancement to the visual character of the site and is maintained to a high standard.

- 4.14. Compliance with Condition 6 (External Lighting) is demonstrated by Plan No. 25-30-PL05, which shows the installation of four Europa multi-service bollards located between the pitches. These bollards provide low-level lighting appropriate to the rural character of the site. The granite gravel surfacing of the access road also satisfies the requirements of Condition 7 relating to a hard bound porous surface and accords with Policy DM17 in respect of highway safety and access arrangements.

5. CONCLUSION

- 5.1. This application seeks retrospective planning permission for the use of land as eight caravan pitches operating on a longer-term holiday letting basis, together with associated infrastructure, landscaping, drainage and lighting which have already been implemented on site.
- 5.2. The development is established and operational. This application therefore seeks to regularise the site in its current form, subject to appropriate occupation controls to ensure that the use remains non-residential and does not result in permanent residential accommodation.
- 5.3. The occupation of the caravans on a longer-term letting basis is supported by the evidence contained within the Housing Need Technical Note, which demonstrates a clear need for stable and comparatively affordable accommodation to support the local workforce within this highly unaffordable rural area. The proposed letting arrangements provide accommodation that is fit for purpose while maintaining compliance with planning policy through the retention of a register of occupiers and restrictions preventing use as a sole or main residence.
- 5.4. The development supports local economic activity, assists in maintaining the viability of an established tourism and accommodation business, and contributes to meeting identified local accommodation needs. The proposal accords with the

objectives of the National Planning Policy Framework in promoting sustainable rural economic development and supporting mixed and balanced communities, whilst maintaining an established tourism and visitor accommodation use.

- 5.5. Having regard to the planning history, the established use of the site, the supporting technical evidence and the proposed occupation controls, it is considered that the development represents sustainable development in accordance with the Development Plan when read as a whole.
- 5.6. For these reasons, it is respectfully requested that retrospective planning permission is granted.

APPENDIX A

23/00927/FUL Decision Notice

Hinckley & Bosworth Borough Council

Town and Country Planning Act 1990

Planning Permission

Name and Address of Applicant

Mr John Knott
Gatehouse Lodges
Cadeby Lane
Cadeby
Leicestershire

Name and Address of Agent (if any)

Richard Newey
Brown & Co
5 Geoff Monk Way
Birstall
Leicester
LE4 3BU

Part I - Particulars of Application

Date of Application

21 September 2023

Application No.

23/00927/FUL

Particulars and location of development :

Change of use of land from agricultural to sui generis (siting of caravans, motorhomes and tents on serviced hard standing and grass pitches) (Retrospective)

Gatehouse Lodges Cadeby Lane Cadeby Leicestershire

Part II - Particulars of decision

In dealing with the application, through ongoing negotiation the local planning authority have worked 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 and this has resulted in the approval of the application. The Local Planning Authority has therefore acted pro-actively to secure a sustainable form of development in line with the requirements of the National Planning Policy Framework (paragraph 38) and in accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).

In pursuance of its powers under the Town and Country Planning Act 1990, the Hinckley and Bosworth Borough Council grants permission for the carrying out of the development referred to in Part I hereof in accordance with the application form and plans submitted, subject to the following conditions :-

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 19 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 except in complete accordance with the details shown on the submitted plans:

Location Plan - received by the LPA on 21/09/2023

Site plan - received by the LPA on 16/10/2023

Layout Plan with landscaping received by the LPA on 14/11/2023

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

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

3. Within 6 months of this permission a scheme to dispose of both surface water drainage and foul water must be submitted to, and approved in writing by, the local planning authority.

Reason: To ensure the development does not adversely impact the water environment in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document.

4. Within 3 months of this permission comprehensive details of hard and soft landscape works must be submitted to and approved in writing by the Local Planning Authority and the works shall be implemented in accordance with the approved details. These details shall include:
- a) Planting plans
 - b) Written specifications
 - c) Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate
 - d) Details of any outdoor sitting area for each pitch
 - e) Details of any fencing/gates to be erected
 - f) Details of boundary treatments and surface finishes for any sitting out areas;
 - g) Treatment of hard surfaced areas (including the car parking area, footpaths, access and service road)
 - h) Implementation programme
 - i) Maintenance schedule

Reason: To ensure that the development has a satisfactory external appearance to accord with Policy DM4, DM10, DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document.

5. The approved soft and hard landscaping scheme shall be carried out in accordance with the submitted and approved implementation schedule within the approved landscaping scheme, required by condition 4 of this permission. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

Reason: To ensure that the development has a satisfactory external appearance to accord with Policy DM4, DM10, DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document.

6. Prior to the installation of an external lighting, details of external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority. This information shall include a layout plan with beam orientation and a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and local residents from nuisance from artificial light in accordance with Policies DM7 and DM4, DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

7. Within 3 months of the date of this permission the full access drive leading to the pitches shall be surfaced in a hard bound porous material which shall be maintained at all times.

Reason: To reduce the possibility of deleterious material being deposited in the highway (loose stones, etc) in the interests of highway safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document.

8. The pitches, hereby approved, shall be for holiday purposes only, with pitch 1, 2 and 3 being strictly for tents only. The pitches shall not be used as the sole or main residence of the occupiers, no person shall occupy any pitch for a period exceeding four weeks within a 12 month period. Furthermore, no person shall occupy any pitch within a period of two weeks following the end of a previous period of occupation by that same person. The owners/operators of the camp site 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 at all reasonable times to the Local Planning Authority following prior written notification.

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 tourism use for short term letting purposes in the interests of contributing to tourism and the economy of the area. Furthermore to protect the visual amenity of the area, including the Conservation Area. And to ensure compliance with Policy DM4, DM10, DM11 and DM12 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 email at buildingcontrol@hinckley-bosworth.gov.uk or call 01455 238141.
2. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.
3. The suitability of the ground for soakaways should be ascertained by using the test in B R E Digest No. 365 before development is commenced. The porosity test and soakaway design requires the approval of the Building Control Section. The soakaway must be constructed using concrete ring sections with a liftable cover or other approved materials to the satisfaction of the Local Authority.



Christopher Brown MRTPI
Head of Planning

Date : 21 December 2023

NOTES

1. It will be most helpful if the application number shown overleaf is quoted in 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 grant permission subject to conditions, you may appeal to the Secretary of State for the Environment in accordance with Section 78 of the Town and Country Planning Act 1990 within six months (see para 2a below) of the date of this notice. (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/appeal-planning-decision>). 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 the 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 the directions given under the order. He does not in practice refuse to entertain appeals solely because the decision by 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, 5th September 2003 must be made within six months of the date of this notice.
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 granted subject to conditions, 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 or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.
7. This permission covers only consent under the Town and Country Planning Acts and does not give permission to demolish a Listed Building, for which separate consent is required. Amongst other things the consent of the Council of the district in which the land is situated may be required under the Building Regulations and if the proposals affect land within the limits of the highway (that is between the highway fences or hedges) the separate consent of the Highway Authority may also be required. Steps to obtain the necessary further consents should be taken before proceeding with the development.

SHOPS, OFFICES, FACTORIES, EDUCATIONAL BUILDINGS & BUILDINGS TO WHICH THE PUBLIC ARE TO BE ADMITTED : ACCESS AND PROVISION FOR THE DISABLED PERSONS

- 1 The Local Planning Authority is required to bring to your attention the requirements of the Disabled Persons 1981, Building Regulations 1991 "Access and facilities for Disabled People" document M and the Chronically Sick & Disabled Act 1970 (as amended 1976) (Sections 4.7.8 and 8A) requiring the provision of access facilities, car parking and toilets for the disabled and the provision of signing indicating what provision has been made for disabled persons within the building. Your attention is also drawn to the Code of Practice B.S 5619 "Design of Housing for the convenience of Disabled People", 1978 and Code of Practice, B.S. 5810 : 1979, "Access for the Disabled to buildings" available from the British Standards Institution, 2 Park Street, London W1A 2BS. (Tel 071-629-9000) and (in so far as educational buildings are concerned), to Design Note 18 "Access for the Physically Disabled to Educational Buildings."
- 2 The buildings to which these requirements apply are :-
 - a) Buildings to which the public are to be admitted to which Section 4 of the Chronically Sick & Disabled Act 1970 (as amended 1976) applies.
 - b) Offices, Shops & Railway Premises as defined in the Offices, Shops & Railway Premises Act 1963 or premises deemed to fall within the Act.
 - c) Factories as defined by Section 175 of the Factories Act 1961.
Educational Buildings as defined by Section 29B of the Disabled Persons Act 1981.

PPNOTES (02/07/2014)



Hinckley & Bosworth
Borough Council

Start Notice

Important Information – Please keep this with your decision notice

Please read the above decision notice carefully and ensure that you understand and comply with the requirements of any planning conditions imposed.

If you require any further information about why a particular planning condition has been imposed or in respect of what information is needed to discharge your condition please contact the case officer who will be happy to advise of the requirements and information required.

We carry out a programme of site monitoring to check compliance with conditions in order to proactively manage the development and to ensure development is carried out in accordance with the planning permission granted.

Please ensure that any application for the discharge of pre-commencement conditions are carried out in a timely manner as this may take up to 8 weeks depending on the requirements of the condition. Please also be aware there is a charge to discharge conditions per request which means you can discharge conditions individually or group details together as a single request to discharge multiple planning conditions. The fee for discharging these pre-commence conditions, can be found on the [planning portal](#).

We would be grateful if you could email the development address and application reference number with your contact details and the intended start date by email to planning@hinckley-bosworth.gov.uk or complete the form on the reverse.

Hinckley & Bosworth Borough Council
Hinckley Hub, Rugby Road, Hinckley, Leicestershire, LE10 0FR
TEL: 01455 238141 EMAIL: planning@hinckley-bosworth.gov.uk



Hinckley & Bosworth
Borough Council

Development Details

Planning application ref:	23/00927/FUL
Proposal:	Change of use of land from agricultural to sui generis (siting of caravans, motorhomes and tents on serviced hard standing and grass pitches) (Retrospective)
Site Location:	Gatehouse Lodges Cadeby Lane Cadeby Leicestershire

Date when work is intended to start:	
Have all pre-commencement conditions been discharged?	
Signed:	Print Name:

Your contact details (or attach letterhead/business card):

Name:	
Address:	
Telephone:	
Mobile:	
Email:	

Hinckley & Bosworth Borough Council
Hinckley Hub, Rugby Road, Hinckley, Leicestershire, LE10 0FR
TEL: 01455 238141 EMAIL: planning@hinckley-bosworth.gov.uk

APPENDIX B

23/0092/FUL Officer Report

Officer Planning Report

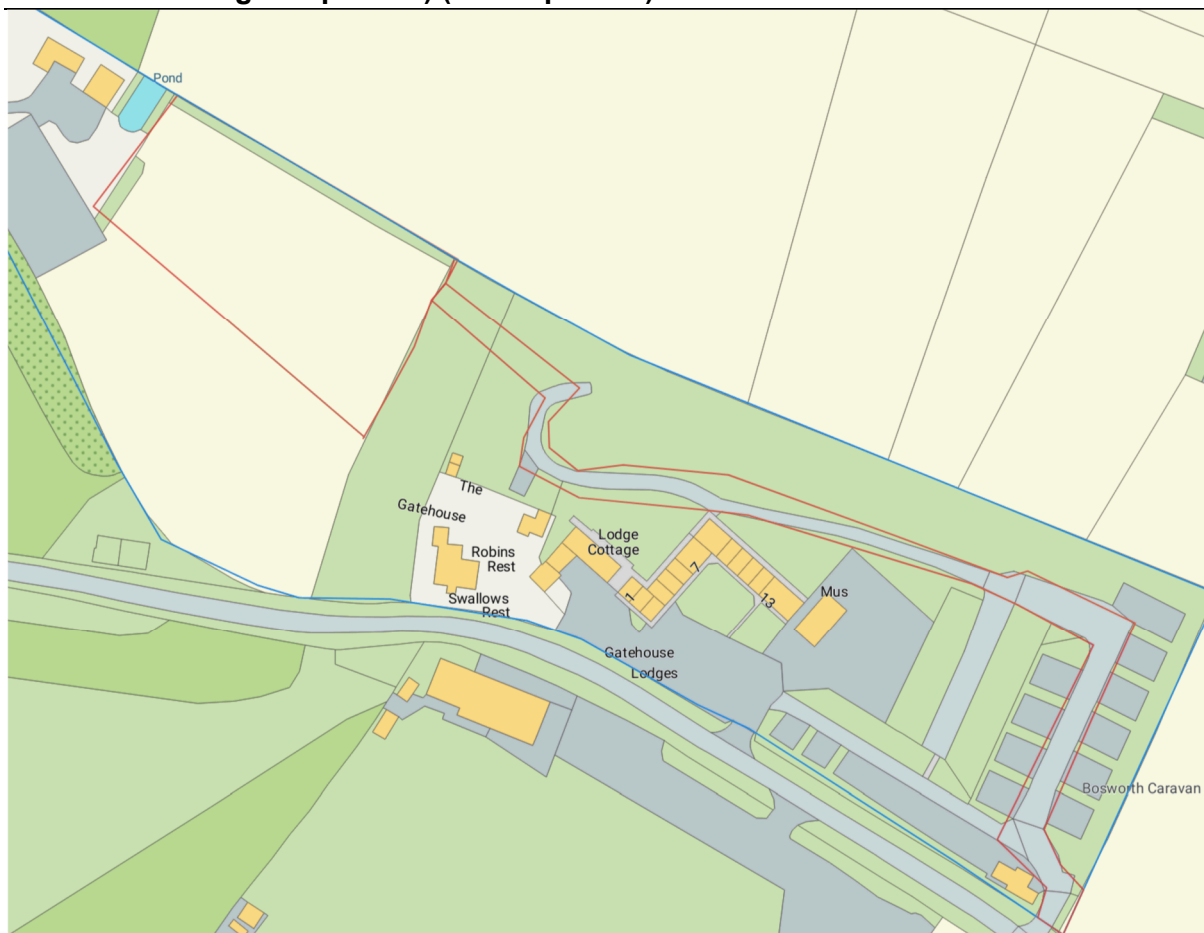
Planning Ref: 23/00927/FUL
Applicant: Mr John Knott
Ward: Cadeby Carlton M Bosworth & Shackerstone



Hinckley & Bosworth
Borough Council

Site: Land North Cadeby Lane Cadeby

Proposal: Change of use of land from agricultural to sui generis (siting of caravans, motorhomes and tents on serviced hard standing and grass pitches) (Retrospective)



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 application seeks retrospective planning permission to retain the current materially changed use of the land for all year-round siting of caravans and tents on recently developed serviced hard standing & grassed pitches with electrical supply and sewage disposal. This application follows the approved 19/01308/FUL which was for Development of the land for the erection of three timber lodges for holiday let purposes on land north of Cadeby Lane (Resubmission of 18/00805/FUL). These lodges were to be located in the north-west corner of the site in an 'n' shape rather than the current proposal which is for 8 pitches along the northern boundary. Also the approved access for 19/01308/FUL was a new access which would have

formed a windy driveway through a green field from Cadeby Lane rather than the current proposal which uses the existing access for Bosworth Caravan Park.

- 2.2. There will be no toilet block with running water, the existing block will be utilized. Foul water will be disposed of via the existing system. There will be no shower/amenity block as part of the application area. There will be tree planting along the southern boundary as shown on the accompanying plan. The number of pitches will be 8 pitches as shown on the attached plan but pitches 1, 2 & 3 nearest the Conservation Area will be 'tent only' pitches. The proposed expansion will increase the revenue of the site, improve customer satisfaction, and contribute to the long-term growth of the site as well as increasing the economic growth in the locality.
- 2.3. An amended site layout plan was submitted on 14 November which includes the addition of both pedestrian and cycle paths to the site, together with a plan produced for the landscaping proposal to the southern boundary. This boundary would consist of post & rail timber fencing along with quick thorn hedge and deciduous trees.
- 2.4. With respect to the toilet facilities, the Motor Home and Caravan Club recommend having two ladies and two gents W.Cs for every 30 pitches.
- 2.5. The existing block currently has 6 ladies and 6 gent's toilets which would equate to a maximum capacity of 90 pitches. With the additional 8 proposed pitches, it would give a total site number of 50 pitches which is well within the recommended guidelines.
- 2.6. Market analysis shows Caravan and camping holidays have increased in popularity during recent years due to their affordability and flexibility. There has been a rise in the demand for caravan pitches. Travelers are increasingly seeking sites with modern amenities in a well-maintained environment which is close to attractions in the area.
- 2.7. The proposed site would cater for families seeking an affordable, family friendly vacation, senior citizens enjoying retirement travel, local and International tourists looking to explore historical sites in the local area of Market Bosworth.

3. **Description of the Site and Surrounding Area**

- 3.1 The application site is located within the countryside outside of any settlement boundary adjacent to the Market Bosworth Conservation Area and is therefore within the setting of this designated heritage asset. The character of the eastern section of the conservation area, this being adjacent to the application site, is one of parkland associated with Bosworth Hall. Such historic character is considered to make a positive contribution to the significance of the conservation area.
- 3.2 To the west of the site, on land also within the ownership of the applicant are stables, a barn and menage. To the south east is a dwelling house which is associated with the adjacent holiday lodges and Caravan Park.

4. **Relevant Planning History**

19/01308/FUL	Development of the land for the erection of three timber lodges for holiday let purposes on land	Approved	10.02.2020
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north of Cadeby
Lane,
(Resubmission of
18/00805/FUL)

19/00005/PP	Development of the land for the erection of three log cabins for holiday let purposes	Dismissed	16.05.2019
18/00805/FUL	Development of the land for the erection of three log cabins for holiday let purposes.	Refused	23.11.2018

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.
- 5.2. 1 Letter of representation has been received with the following matters raised:
- 1) The current unauthorised extension spoils the view across open countryside from Market Bosworth Park.
 - 2) The proposed site map extends current use further to half the field in question and should be refused.

6. Consultation

- 6.1. The following consultees have been consulted:

LCC Ecology: No objections
Historical & Natural Environment Team: No objections
LCC Highway: No objections
HBBC Environmental Services (Drainage): No objections
HBBC Environmental Services (Pollution): No objections
HBBC Waste: No objections

No comments have been received from:

Market Bosworth PC
Severn Trent Water

- 6.2. The following consultee objects to the scheme:

Cadeby Parish Council object to the scheme for the following reasons:

Increased light pollution, the impact on the Bull In The Oak vista and Park (also a listed vista in Market Bosworth's NDP), the camping will be seen from the road by all traffic, no suitable toilet facilities in the location, and all the Council's previous objections logged to date still stand. The Council is also mindful that while there are existing and ongoing enforcement issues there should be no further applications considered which could lead to further planning issues.

- 6.3 Enforcement Officer: The planning enforcement protocol has been followed hence the applicant was invited to submit a retrospective planning application following a visit to the site. The applicant subsequently submitted a full planning application which is currently pending consideration and more than likely to receive approval subject possibly, to some conditions. However, should his application be refused he still has the opportunity to appeal it. The Enforcement Officer does not believe it appropriate under the circumstances to apply further enforcement whilst an application is being considered.
- 6.4 HBBC Conservation Officer: This is a proposal for the change of use of agricultural land to the north of Cadeby Lane and adjacent to the existing collection of buildings known as Gatehouse Lodges to sui generis use for the siting of caravans, motorhomes and tents on serviced hard standing pitches.

The application site is located close to the eastern boundary of the Market Bosworth Conservation Area and is considered to be within the setting of this designated heritage asset. The character of the eastern section of the conservation area is one of parkland associated with Bosworth Hall. Such historic character is considered to make a positive contribution to the significance of the conservation area. The character of the field within which the application site forms the northern section reflects its agricultural uses (both as pasture and grazing) rather than having a parkland character, however, the current character of the field as a whole, prior to the implementation of the unconsented development, is typical of the varied agricultural landscape that borders the Hall parkland so it sits comfortably within the parkland setting. Subsequently the site is considered make a negligible but positive contribution to the significance of the Market Bosworth Conservation Area.

Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraphs 199 to 202 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.

Policies DM11 and DM12 of the Site Allocations and Development Management Policies (SADMP) DPD seek to protect and enhance the historic environment. Development proposals should ensure the significance of a conservation area is preserved and enhanced.

Planning permission has recently been granted for the erection of three timber lodges for holiday let purposes (ref 19/01308/FUL) on part of the application site but with an alternative access arrangements from Cadeby Lane over the field to the south of the site. The consented scheme was for a U-shaped plan development of timber lodges situated in the north-western corner of the field, as is part of the current proposal with motorhomes and caravans located in this position. The visual impact of the structures associated with the consented scheme were very much focused to this part of the application site, whilst the current proposal extends along the full width of the northern boundary of the field. It was considered that the character of the approved lodges would reflect the predominantly rural nature of the site and its setting, whilst in my opinion the caravans and motorhomes consisting the current proposal are considered incongruous features for the rural setting of the site and have an urbanising effect upon the area. In my opinion these visual effects appear limited to the vehicles only, with the hard surfacing installed to serve them being most noticeable on plan rather than being perceptible on the ground from the wider area including public vantage points along Cadeby Lane.

An existing mature band of trees along the western edge of the site would provide a screening effect to the proposed development when travelling eastwards along Cadeby Lane when the vegetation is in full leaf. Additional deciduous trees and a quick thorn hedge have

been planted along the southern boundary of the site, which once established would further increase the screening effect from various positions within the conservation area when observed along Cadeby Lane. The quick thorn hedge, in particular, is a native species that once established would provide a typical Midlands style field boundary so this natural feature will sit comfortably within the landscape. There will however be views of the motorhomes and caravans from Cadeby Lane through the vegetation at the times of the year when it is not in full leaf, and views over the southern boundary hedgerow will be available at all times due to the height of the proposed motorhomes and caravans.

In summary the proposal would cause some limited harm to the significance of the Market Bosworth Conservation Area resulting from the introduction of an incongruous and urbanising form of development within its immediate setting, with the adverse effects not avoided or fully mitigated by the existing and proposed vegetation. In my opinion the level of harm would be minor and less than substantial in terms of the National Planning Policy Framework. As currently proposed the harm caused to the Market Bosworth Conservation Area must be carefully weighed up against the public benefits of the proposal as required by Policies DM11 and DM12 of the SADMP DPD and paragraphs 199, 200 and 202 of the National Planning Policy Framework.

Public benefits may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the NPPF (paragraph 8). Public benefits may include heritage benefits as specified in the Planning Practice Guidance (Conserving and enhancing the historic environment, paragraph 20), such as:

- Sustaining or enhancing the significance of a heritage asset and the contribution of its setting
- Reducing or removing risks to a heritage asset
- Securing the optimum viable use of a heritage asset in support of its long term conservation

In my opinion the proposal can demonstrate no heritage benefits. Any non-heritage benefits should be identified by the decision taker and then weighed against the harm caused by the proposal as per paragraph 202 of the NPPF and Policy DM11 of the SADMP. In completing this balancing exercise great weight must be given to the conservation of the Market Bosworth Conservation Area as required by paragraph 199 of the NPPF. The ultimate conclusion of the balancing exercise, however, lies within the decision taker and should the balancing exercise come out in favour of the proposal it would comply with Policies DM11 and DM12 of the SADMP DPD and section 16 of the NPPF.

7. Policy

7.1. Market Bosworth Neighbourhood Plan 2014-2026

- The site falls outside of the Neighbourhood Plan Area but is adjacent to Area G (Country Park). The policies of the MBNP are therefore not applicable.

7.2. Core Strategy (2009)

- Policy 7: Key Rural Centres Stand Alone
- Policy 23: Tourism Development

7.3. 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 DM6: Enhancement of Biodiversity and Geological interest
- Policy DM7: Preventing Pollution and Flooding

- Policy DM8: Safeguarding Open Space, Sport and Recreational Facilities
 - Policy DM9: Safeguarding Natural and Semi-Natural Open Spaces
 - Policy DM10: Development and Design
 - Policy DM11: Protecting and Enhancing the Historic Environment
 - Policy DM12: Heritage Assets
 - Policy DM13: Preserving the Borough's Archaeology
 - Policy DM18: Vehicle Parking Standards
 - Policy DM24: Cultural and Tourism Facilities
- 7.4. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2023)
 - Planning Practice Guidance (PPG)
- 8. Appraisal**
- 8.1. Key Issues
- Assessment against strategic planning policies
 - Design and impact upon the character of the area including Heritage Assets
 - Impact upon neighbouring residential amenity
 - Impact upon highway safety
 - Drainage
 - Impact on Ecology
 - Impact on Archaeology
- Assessment against strategic planning policies
- 8.2. Paragraph 2 of the National Planning Policy Framework (NPPF) states that the development plan is the starting point for decision taking and that the NPPF is a material consideration in determining applications. The development plan in this instance consists of the Core Strategy (2009), and the Site Allocations and Development Management Policies Development Plan Document DPD 2016 (SADMP).
- 8.3. Policy DM1 of the SADMP sets out a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved without delay unless material consideration indicate otherwise.
- 8.4. Policy DM4 of the SADMP seeks to safeguard the countryside from unsustainable development and identifies that development in the countryside will be considered sustainable where proposed development 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; subject to it meeting further detailed criteria.
- 8.5. Policies DM11 and DM12 of the Site Allocations and Development Management Policies (SADMP) DPD seek to protect and enhance the historic environment. Development proposals should ensure the significance of a conservation area is preserved and enhanced.
- 8.6. Policy 11 of the Core Strategy seeks to support the development of the tourism industry within Key Rural Centres Stand Alone, for which Market Bosworth (the nearest settlement) is considered to be.
- 8.7. Policy 23 of the Core Strategy encourages tourism development, including accommodation where it meets the following criteria:

- The development can help to support existing local community services and facilities
- 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
- Complements the tourism themes of the borough and
- The development adds to the economic wellbeing of the area.

8.8. The NPPF at Section 6 supports economic growth. At paragraph 88 (c), it states that planning policies and decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside. At paragraph 89, it states that planning policies and decisions should recognise that such sites may be found adjacent to or beyond existing settlements and in locations which may not be well served by public transport. In such circumstances, it is important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example improving the scope for access on foot, by cycling or by public transport).

8.9. Policy DM4 of the SADMP seeks to resist unsustainable development within countryside locations and seeks to ensure proposals reflect the surrounding character of the countryside, and protect its intrinsic value, beauty and open character. Development for recreation purposes is considered sustainable where it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries subject to a further range of restrictive criteria. Although the application site is situated outside any defined settlement boundaries, it is located within an established tourism area within walking distance from Market Bosworth and the Country Park with Bosworth Battlefield and Twycross Zoo is only a short driving distance away. The site is well connected to Market Bosworth and within a range of existing tourist accommodation and therefore accords with Policy DM4 of the SADMP and both Core Strategy Policies 11 and 23.

8.10. Although the site is not well served by public transport, in accordance with paragraphs 88 (c) and 89 of the NPPF, there are opportunities for cycling within the area and due to the short distance of tourist features it is considered reasonable to assume that cycling maybe used as a form of transport to these locations. Although it is accepted that users of the proposal would likely use their vehicles at some point when investigating the area, due to the positioning of the site within the borough close to key tourism facilities it is considered that the site is located within a suitable location to support the tourist facilities within the borough in line with CS Policies 11 and 23. Therefore the provision of tourist/holiday accommodation is supported in principle.

Design and impact upon the character of the area including Heritage Assets

8.11. The site lies outside of any defined settlement boundaries and therefore within an area designated as countryside. It is adjacent to but not within a designated Conservation Area, however it is close to the boundary of the Market Bosworth

Country Park (which lies to the south of the site separated by Cadeby Lane) which has historical significance.

- 8.12. Section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment with. Paragraph 205 states that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation. Policy DM4 of the SADMP seeks to resist unsustainable development within countryside locations and seeks to ensure proposals reflect the surrounding character of the countryside, and protect its intrinsic value, beauty and open character. 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. Policies DM11 and DM12 seek to protect and enhance the historic environment and heritage assets. If the impact of any proposal causes harm to a heritage asset it must be weighed against the public benefits of the proposal.
- 8.13. The 8 Pitches proposed would all be along the northern boundary of the site. Pitch 1, 2 & 3, which are nearest the Conservation Area would be tent pitch only so the larger camper homes would be kept away from this sensitive boundary. Further details of the site are to be conditioned to ensure that boundary treatments and surface treatments do not add clutter or change the rural character of the site. The site is screened by a belt of mature woodland along the western boundary and a mature hedgerow on the remaining north, south and eastern boundaries. Additional planting within the site forms part of the proposal & within 5 years the majority of the site would be screened from public views by the additional planting. The seasonal short term views into the site would not be incongruous to the countryside location due to the revisions in landscaping and design with tent only pitches near the western end of the site. The revised scheme would provide a much improved visual relationship with the adjacent stable buildings and not be as visually prominent thus reducing overall impact on the setting of the Conservation area.
- 8.14. The positioning of the pitches along the northern boundary approximately 100m away and over 3 field boundaries (once the proposed southern boundary has established itself) gives them a less imposing appearance from public vantage points along Cadeby Lane. The access road into the site would be from the existing site entrance to the caravan park and consists of a hard porous surface. A refuse store adjacent to the main access would allow for holiday makers to deposit their rubbish when leaving the site whilst allowing for a refuse vehicle to access the bins.
- 8.15. In relation to the impact of the development on the conservation area, the development of Market Bosworth has been influenced by its location as a ridge top settlement, its agricultural economy and the strong manorial tradition based on Bosworth Hall within its parkland setting. In 1885 the ownership of the hall passed from the Dixie family to Charles Tollemarche Scott who improved the estate, replanting woodland and rebuilding lodges and farms (Market Bosworth Conservation Area Appraisal (2014) (MBCAA).
- 8.16. The historical relationships between the village of Market Bosworth, the hall and the park and the agricultural landscape are clearly apparent and define the setting of the conservation area and hugely contribute to its unique sense of place. The countryside around the settlement and its relationship to the entrance roads is a

major factor in the appreciation of the character of the village and its conservation area.

- 8.17. When approaching the conservation area along Cadeby Lane from Cadeby the road is flanked by open pasture and managed parkland. As confirmed by historical mapping, the conservation area boundary which runs along the western boundary of the site marks the extent of the managed parkland associated with the hall, despite the Gate House Cottage which was erected during the late 19th century being located slightly further east and adjacent to the site. The character of the site reflects its past use as pasture and current use for grazing rather than having a parkland character, however, the current character of the site is typical of the varied agricultural landscape that borders the hall parkland so the site sits comfortably within the parkland setting. Subsequently the site in its existing form and use is considered to make a neutral contribution to the significance of the Market Bosworth Conservation Area.
- 8.18. The pitches would be served by the existing access with sufficient a parking and turning area for each pitch along the western boundary. The mature band of trees along the western edge of the site provides a screening effect when the vegetation is in full leaf. Additional planting within the site, including along the access road and will further increase the screening effect. There will however, be occasional views of the camper vans from a few points on Cadeby Lane and from the wider area at the times of the year when the vegetation is not in full leaf. Notwithstanding this, due to the careful siting of the pitches with a restriction placed on pitches 1, 2 & 3, the urbanising effect would be reduced.
- 8.19. Whilst the harm is reduced the proposal would cause some limited harm to the significance of the Market Bosworth Conservation Area resulting from the introduction of an incongruous and urbanising form of development within its immediate setting, with the adverse effects not avoided or fully mitigated by the existing and proposed vegetation. In my opinion the level of harm would be at the lower end of minor and less than substantial in terms of the National Planning Policy Framework. As currently proposed the harm caused to the Market Bosworth Conservation Area must be carefully weighed up against the public benefits of the proposal as required by Policies DM11 and DM12 of the SADMP DPD and paragraphs 199, 200 and 202 of the National Planning Policy Framework. This balancing exercise is undertaken in the conclusion.

Impact upon neighbouring residential amenity

- 8.20. Policy DM10 of the SADMP requires that development should not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.21. The nearest residential dwelling is The Lodge, situated to the east of the application site. Although The Lodge itself is a residential dwelling, it forms part of The Gatehouse Lodges and Bosworth Caravan Park.
- 8.22. The Lodge has windows facing west at both ground floor level and from dormer windows. The dwelling is approximately 70 metres away from pitch 8 and approximately 110 metres from the access gates. The proposed service road then veers to the west with the car parking area approximately 125 metres away from the neighbouring dwelling. Lighting at the site entrance and parking areas would comprise low level bollard lighting activated via PIR movement sensors.

- 8.23. Potential nuisance to this neighbour has been appraised. The location of the service road and its proposed finishes would alleviate potential noise nuisance from vehicles accessing the site. Lighting to the site is considered appropriate as it is restricted to low level bollard lighting to the entrance, parking area and footpath linking the parking area to the accommodation. As 'The Lodge' forms part of the holiday complex then any additional noise from guests - even when all 8 pitches would be occupied - would not be significant when considering other similar neighbouring uses.
- 8.24. Overall, it is not considered that the proposed development would result in any adverse impacts of neighbouring residential amenity in regard to excessive noise, light pollution, overlooking or loss of privacy and would therefore comply with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.25. Policies DM17 and DM18 of the SADMP require adequate access and off-street vehicle parking facilities to be provided to serve developments.
- 8.26. Cadeby Lane is a classified 'C' road with a speed limit of 60mph and a weight restriction of 7.5 tons and is used by vehicular traffic. No site access amendments were undertaken or proposed & for the most recent 5 year period there has been no recorded PIC's within approximately 500m of either side of the access. On site parking is sufficient for a caravan park of this size and internal movements of vehicles, pedestrians & cyclists has been addressed in amended plans submitted on 14/11/2023.
- 8.27. Leicestershire County Council as Highways Authority consider that the scheme does not result in a material change to any highway impact and, subject to conditions, the proposal is acceptable in highways terms and the proposal is acceptable under Policies DM17 and DM18 of the SADMP.

Drainage

- 8.28. Policy DM7 of the SADMP requires adverse impacts from flooding to be prevented and that development should not create or exacerbate flooding and be located away from area of flood risk unless adequately mitigated. The applicant has indicated that foul and surface water will be directed to the private mains sewer which runs from Bosworth Road along the northern boundary of the site in to Gatehouse Lodges.
- 8.29. The site is located within Flood Zone 1 with a low risk of fluvial flooding and generally at low risk of surface water flooding. A Flood Risk Assessment (FRA) is not required as the site is less than 1ha. However despite this, a planning condition requiring the submission of surface water drainage details, incorporating sustainable drainage principles can be imposed upon the decision to ensure compliance with Policy DM7 of the adopted SADMP.

Impact upon Ecology

- 8.30. Policy DM6 of the SADMP states that major developments must include measures to deliver biodiversity gains through opportunities to restore, enhance and create valuable habitats, ecological networks and ecosystem services. On site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long term.

- 8.31. The application has not been accompanied by an Ecology Report. Leicestershire and Rutland Environmental Records Centre (LRERC) have confirmed that the site supports no habitats or vegetation of significant biodiversity interest with the species poor semi improved grassland supporting only common and widespread species. There is no evidence of protected species found on site. It is intended that most of the existing hedgerows and trees would be retained and added to with indigenous trees and shrub species which have a far higher value for local wildlife and would enhance and improve habitats by enhancing the biodiversity of the site.
- 8.32. The County Ecologist when comparing past aerial images against the current development of the Site, considered it unlikely that any habitats of ecological importance have been lost as a result, especially as the existing hedgerow remains. It would also appear from the latest aerial view that additional boundary planting has been included, which connects with existing boundary vegetation within the wider site.
- 8.33. The proposal would not have an adverse impact on the existing biodiversity and improved landscaping would be beneficial to both the immediate site and local wildlife in general thus in accordance with Policy DM6 of the SADMP.

Impact on archaeology

- 8.34. Policy DM13 states that where a proposal has the potential to impact a site of archaeological interest, developers will be required to provide appropriate desk based assessment and, where applicable, field evaluation detailing the significance of any affected asset. Where preservation of archaeological remains in situ is not feasible and /or justified the local planning authority will require full archaeological investigation and recording by an approved archaeological organisation before development commences.
- 8.35. Leicestershire County Council (Archaeology) do not believe that the proposal would result in a significant direct or indirect impact upon the archaeological interest or setting of any known or potential heritage assets and advise that the application warrants no further archaeological action in accordance with Section 16 of the NPPF.

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 in the consideration of this application. The Committee must also ensure the same when determining this planning 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 NPPF and Core Strategy support the development of tourist accommodation proposals in suitable locations in rural areas. Although the site is not well served by public transport, in accordance with paragraphs 88 (c) and 89 of the NPPF, there are opportunities for cycling within the area and due to the short distance of tourist features it is considered reasonable to assume that cycling may be used as a form of transport to these locations. Although it is accepted that users of the proposal would likely use their vehicles at some point when investigating the area, due to the positioning of the site within the borough close to key tourism facilities it is considered that the site is located within a suitable location to support the tourist facilities within the borough in line with CS Policies 11 and 23. Therefore the provision of tourist/holiday accommodation is supported in principle and also in accordance with DM4.
- 10.2. Less than substantial harm to the Conservation Area has been identified, this is at the lower end of minor harm, whilst some mitigation is proposed the development would result in some urbanising and visual impacts of the development. This harm must be weighed against the public benefits of the proposal which in this case are largely social and economic as a result of additional tourism facilities and associated expenditure and job. Whilst these benefits are not significant they are judged to outweigh the harm to the Conservation Area in this instance.
- 10.3. As a result of the siting, scale, built form, existing access road and revised layout, boundary treatments, additional landscaping including tree planting, it is considered that the proposal would not have any adverse impact on the character or visual amenity of the site, neighbouring residential amenity, highway safety, archaeological or ecological assets. Consequently, officers consider that the proposal complies with Local & National Planning Policy. The proposals satisfy the Councils statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990, and are in accordance with Policy 11 and 23 of the Core Strategy and Policies DM4, DM6, DM7, DM10, DM11, DM12, DM17 and DM18 of the SADMP together with the overarching principles of the NPPF.

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 19 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 except in complete accordance with the details shown on the submitted plans:

Location Plan – received by the LPA on 21/09/2023

Site plan - received by the LPA on 16/10/2023

Layout Plan with landscaping received by the LPA on 14/11/2023

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

3. Within 6 months of this permission a scheme to dispose of both surface water drainage and foul water must be submitted to, and approved in writing by, the local planning authority.

Reason: To ensure the development does not adversely impact the water environment in accordance with Policy DM7 of the Site Allocations and Development Management Policies Development Plan Document.

4. Within 3 months of this permission comprehensive details of hard and soft landscape works must be submitted to and approved in writing by the Local Planning Authority and the works shall be implemented in accordance with the approved details. These details shall include:

- a) Planting plans
- b) Written specifications
- c) Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate
- d) Details of any outdoor sitting area for each pitch
- e) Details of any fencing/gates to be erected
- f) Details of boundary treatments and surface finishes for any sitting out areas;
- g) Treatment of hard surfaced areas (including the car parking area, footpaths, access and service road)
- h) Implementation programme
- i) Maintenance schedule

Reason: To ensure that the development has a satisfactory external appearance to accord with Policy DM4, DM10, DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document.

5. The approved soft and hard landscaping scheme shall be carried out in accordance with the submitted and approved implementation schedule within the approved landscaping scheme, required by condition 4 of this permission. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

Reason: To ensure that the development has a satisfactory external appearance to accord with Policy DM4, DM10, DM11 and DM12 of the Site Allocations and Development Management Policies Development Plan Document.

6. Prior to the installation of an external lighting, details of external lighting of the site shall be submitted to and approved in writing by the Local Planning Authority. This information shall include a layout plan with beam orientation and a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and local residents from nuisance from artificial light in accordance with Policies DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

7. Within 3 months of the date of this permission the full access drive leading to the pitches shall be surfaced in a hard bound porous material which shall be maintained at all times.

Reason: To reduce the possibility of deleterious material being deposited in the highway (loose stones, etc) in the interests of highway safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document.

8. The pitches, hereby approved, shall be for holiday purposes only, with pitch 1, 2 and 3 being strictly for tents only. The pitches shall not be used as the sole or main residence of the occupiers, no person shall occupy any pitch for a period exceeding four weeks within a 12 month period. Furthermore, no person shall occupy any pitch within a period of two weeks following the end of a previous period of occupation by that same person. The owners/operators of the camp site 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 at all reasonable times to the Local Planning Authority following prior written notification.

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 tourism use for short term letting purposes in the interests of contributing to tourism and the economy of the area. Furthermore to protect the visual amenity of the area, including the Conservation Area. And to ensure compliance with Policy DM4, DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.3. Notes to Applicant

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

2. Planning Permission does not give you approval to work on the public highway. Therefore, prior to carrying out any works on the public highway you must ensure all necessary licences/permits/agreements are in place. For further information, please telephone 0116 305 0001. It is an offence under Section 148 and Section 151 of the Highways Act 1980 to deposit mud on the public highway and therefore you should take every effort to prevent this occurring.

3. The suitability of the ground for soakaways should be ascertained by using the test in B R E Digest No. 365 before development is commenced. The porosity test and soakaway design requires the approval of the Building Control Section. The soakaway must be constructed using concrete ring sections with a liftable cover or other approved materials to the satisfaction of the Local Authority.

