

Delegated Report

Planning Ref: 26/00266/CONDIT

Applicant: Kellie Chater

Ward: Cadeby Carlton M Bosworth & Shackerstone



Hinckley & Bosworth
Borough Council

Site: Keepers Cottage Congerstone Lane Barton In The Beans

Proposal: Variation of condition 2 of planning permission 22/00493/FUL to allow an alternative glamping pod design

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. Section 73 of the Town and Country Planning Act 1990 allows applications to be made for permission to develop without complying with a condition previously imposed on a planning permission. In this case, planning permission reference 22/00493/FUL granted full planning permission for 4 Glamping Pods with car parking, bin store & associated works at Keepers Cottage, Congerstone Lane, Barton In The Beans.
- 2.2. Condition 2 of the planning permission required that the proposed scheme be carried out in accordance with the proposed plans. This application seeks planning permission for the variation of condition 2 (Plans) to allow an alternative glamping pod design.
- 2.3. Under the approved scheme each glamping pod could accommodate 4 persons and would have a curved roof form, measuring 2.86 metres in height. The pods would have a 7.00 metre length (roughly 10.00 metres when including the patio and hot tub), and 4.10 metre width.
- 2.4. The proposed scheme seeks to replace these glamping pods with a dual-pitched tent design of suitable to accommodate 2-6 persons. The proposed two person pods would measure 6.70 metres in length (roughly 10.00 metres when including the patio), and 4.90 metres in width (roughly 7.00 metres when including the patio). The proposed six person pods would measure 9.10 metres in length (roughly 12.00 metres when including the patio), and 4.90 metres in width (roughly 7.00 metres when including the patio). All pods would have a height of 5.00 metres.
- 2.5. Each glamping pod would be built in timber and contain a shower room/bathroom, bedrooms and a living area.
- 2.6. The newly proposed pods have already been constructed.

3. Description of the site and surrounding area

- 3.1. The application site is within the countryside approximately 870.00 metres from Shackerstone to the north-west and approximately 950.00 metres from Barton in the Beans to the east. The site is accessed off Congerstone Lane. There is a public footpath, S68, to the immediate west of the site, with a mature hedge on the property boundary with the footpath. The site is 1700.00 sqm in size.
- 3.2. The dwelling associated with the site 'Keepers Cottage' is a south-facing, detached, two-storey, brick-built, cream-rendered, two-bedroom dwelling, with a detached,

panel-constructed garage at the side of the house. It has on-site parking in front of the garage, and a long rear garden.

4. Relevant planning history

21/00279/HOU

- Demolition of existing garage and rear extensions, erection of new garage, two storey rear and side extensions.
- Planning Permission
- 14.02.2022

22/00493/FUL

- Proposed 4 no Glamping Pods and with car parking, bin store & associated works.
- Planning Permission
- 23.03.2023

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. Following the publications no representations have been received.

6. Consultation

6.1. Shackerstone Parish Council:

- No representations have been received.

7. Policy

7.1. Core Strategy (2009)

- Policy 23: Tourism Development

7.2. 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 DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM24: Cultural and Tourism Facilities

7.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)

7.4. Other relevant guidance

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

8. Appraisal

8.1. As the principle of the development, impact upon neighbouring amenity, highway safety, parking provision, ecology, drainage, pollution and waste have been accepted by the earlier scheme and the proposed amendments do not materially alter these matters, the main issues for consideration are therefore:

- Design and impact upon the character of the area and the open countryside
- Conditions

Design and impact upon the character of the area and the open countryside

- 8.2 Policy DM4 of the adopted SADMP requires that development which is considered sustainable in the countryside should not have an adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside and does not undermine the physical and perceived separation and open character between settlements.
- 8.3 Policy DM10 of the adopted SADMP requires new development to complement or enhance the character of the surrounding area with regard to scale, layout, mass, design, materials and architectural features and for building material to respect existing/neighbouring buildings and the local area generally.
- 8.4 Policy 23 of the Core Strategy seeks to ensure that development relating to tourism is of a design and scale which is appropriate to minimise impact and assimilate well with the character of the surrounding area with acceptable landscaping. The site is within Landscape Character Area J (Barton Village Farmlands). This area has a regular pattern of mixed arable and pasture farmland around small linear hilltop villages which are well-integrated into the landscape by scattered trees and small copses. This is a rural landscape with few modern intrusions.
- 8.5 The proposed glamping pods would remain to be located to the northern end of the site, approximately 200.00 metres from 'Keepers Cottage', still in relative proximity to existing built form so as not to appear entirely unrelated or significantly remote. Importantly, the alterations are limited to the design and scale of the pods only.
- 8.6 A sympathetic dual-pitched design would replace the approved curved design, with the scale being slightly larger compared to the extant scheme, but not to an inappropriate level. The pods would further remain to be finished in timber cladding to ensure that they assimilate within the wider landscape.
- 8.7 Views of the pods would remain to be available from Congerstone Lane, with the existing vegetation (to be retained) providing an element of screening which softens the transition from the surrounding arable fields and the development site. Notwithstanding the above, the formalised soft landscaped area previously approved adjacent to each glamping pod has regrettably been removed and as so this should be incorporated into condition 9 (Hard and Soft Landscaping Works) to further help soften the development particularly given its countryside location.
- 8.8 Subject to the amended conditions, it is therefore considered that the proposed scheme would have no significant adverse impact on the character of the surrounding area and is in accordance with Policies DM4 and DM10 of the adopted SADMP, Policy 23 of the Core Strategy and Paragraph 84 of the NPPF.

Conditions

- 8.9 The previously approved planning permission 22/00493/FUL was subject to 9 conditions. The development has been implemented and therefore Condition 1 (Time) is no longer necessary.
- 8.10 Condition 2 (Plans) is still necessary to ensure that the development has a satisfactory external appearance but would need to be amended to refer to the plans submitted and approved under this application to define the new permission.
1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:
 - Site Location Plan, Drg No. PL201;

- Site Plan, Drg No. PL202 as received on the 19th March 2026.
- Elevations, Floor Plans, Drg No. PL101;
- Elevations, Floor Plans, Drg No. PL102 as received on the 11th June 2026.

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).

8.11 Condition 3 (Materials) is still necessary to ensure that the development has a satisfactory external appearance but would need to be amended to refer to the materials submitted and approved under this application to define the new permission.

2. The materials to be used on the external elevations of the proposed glamping pods shall accord with the details submitted with the Elevations, Floor Plans, Drg No. PL101 and Elevations, Floor Plans, Drg No. PL102 as received on the 11th June 2026.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.2 Condition 4 (Holiday Purposes) is still necessary in order to protect the open countryside from residential development.

11.3 Condition 5 (Access Arrangements, Visibility Splays, Parking and Turning) is still necessary in the interests of highway safety but would need to be amended to refer to the plans submitted and approved under this application to define the new permission.

4. Within 3 months from the date of this permission, the access arrangements, visibility splays, parking and turning as shown on Site Plan, Drg No. PL202 shall be implemented in full. Once provided these shall thereafter be permanently maintained. There should be nothing within the visibility splays higher than 0.60 metres above the level of the adjacent footway/verge/highway.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, to afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, and to ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally in the interests of general highway safety and in accordance with the National Planning Policy Framework (2024).

11.4 Condition 6 (Hard Surfacing) is still necessary in the interests of highway safety but would need to be amended as the development has already been implemented.

5. Within 3 months from the date of this permission, the access drive (and any turning space) shall be surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 10.00 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

Reason: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the requirements of Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document and with the National Planning Policy Framework (2024).

- 11.5 Condition 7 (Permitted Development) is still necessary in the interests of highway safety.
- 11.6 Condition 8 (Waste and Recycling Storage of Containers and Collection) is still necessary to protect the amenity of neighbours & the character of the area but would need to be amended as the development has already been implemented.
7. Within 3 months from the date of this permission, a scheme which makes adequate provision for waste and recycling storage of containers and collection across the site shall be submitted to and approved in writing to the Local Planning authority. The details should address accessibility to storage facilities and confirm adequate space is provided to facilitate collection of waste via a registered waste carrier.
- Reason:** To protect the amenity of neighbours and the character of the area in accordance with the requirements of Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016)
- 11.7 Condition 9 (Hard and Soft Landscaping Works) is still necessary to ensure that the development has a satisfactory external appearance but need to be amended as the development has already been implemented and to refer to the formalised soft landscaped area previously approved adjacent to each glamping pod to define the new permission.
8. Within 3 months from the date of this permission, a scheme of hard and soft landscaping works, including boundary treatments, a formalised soft landscaped area adjacent to each glamping pod, and any replacement hedging that is removed for visibility splay purposes, for the site, including an implementation scheme, shall be submitted in writing to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full accordance with the approved landscaping scheme. 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 in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).
- 11.8. No further conditions are considered necessary.

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.

10. Conclusion

10.1. The variations to the previously approved scheme are considered to be acceptable. The proposal would therefore remain to adhere to Policies DM4 and DM10 of the adopted SADMP.

11. Recommendation

11.8 **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report

11.9 Conditions and Reasons

1. The development hereby permitted shall not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Site Location Plan, Drg No. PL201;
- Site Plan, Drg No. PL202 as received on the 19th March 2026.
- Elevations, Floor Plans, Drg No. PL101;
- Elevations, Floor Plans, Drg No. PL102 as received on the 11th June 2026.

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 materials to be used on the external elevations of the proposed glamping pods shall accord with the details submitted with the Elevations, Floor Plans, Drg No. PL101 and Elevations, Floor Plans, Drg No. PL102 as received on the 11th June 2026.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. The buildings hereby approved shall be used for holiday purposes only and shall not be used as the sole or main residence of any occupier. 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 a building for holiday purposes in the interests of 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).

4. Within 3 months from the date of this permission, the access arrangements, visibility splays, parking and turning as shown on Site Plan, Drg No. PL202 shall be implemented in full. Once provided these shall thereafter be permanently

maintained. There should be nothing within the visibility splays higher than 0.60 metres above the level of the adjacent footway/verge/highway.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, to afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, and to ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally in the interests of general highway safety and in accordance with the National Planning Policy Framework (2024).

5. Within 3 months from the date of this permission, the access drive (and any turning space) shall be surfaced with tarmacadam, or similar hard bound material (not loose aggregate) for a distance of at least 10.00 metres behind the highway boundary and, once provided, shall be so maintained in perpetuity.

Reason: To reduce the possibility of deleterious material being deposited in the highway (loose stones etc.) in the interests of highway safety and in accordance with the requirements of Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document and with the National Planning Policy Framework (2024).

6. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no gates, barriers, bollards, chains or other such obstructions shall be erected within 11.00 metres of the highway boundary.

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the requirements of Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document and the National Planning Policy Framework (2024).

7. Within 3 months from the date of this permission, a scheme which makes adequate provision for waste and recycling storage of containers and collection across the site shall be submitted to and approved in writing to the Local Planning authority. The details should address accessibility to storage facilities and confirm adequate space is provided to facilitate collection of waste via a registered waste carrier.

Reason: To protect the amenity of neighbours and the character of the area in accordance with the requirements of Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016)

8. Within 3 months from the date of this permission, a scheme of hard and soft landscaping works, including boundary treatments, a formalised soft landscaped area adjacent to each glamping pod, and any replacement hedging that is removed for visibility splay purposes, for the site, including an implementation scheme, shall be submitted in writing to and approved in writing by the Local Planning Authority. The scheme shall be carried out in full accordance with the approved landscaping scheme. 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 in accordance with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11.10 Notes to applicant

- a) The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at building.control@blaby.gov.uk or call 0116 272 7533.
- b) Surface water should be managed by sustainable methods, preferably those which disperse runoff by infiltration into the ground strata: i.e. soakaways, pervious paving, filter drains, swales, etc. and the minimisation of paved area, subject to satisfactory porosity test results and the site being free from a contaminated ground legacy. If the ground strata are insufficiently permeable to avoid discharging some surface water off-site, flow attenuation methods should be employed, either alone or in combination with infiltration systems and/or rainwater harvesting systems.
- c) Access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. On low-permeability sites surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet (See Environment Agency guidance on the permeable surfacing of front gardens).
- d) 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.