



Statue Homes Limited

Erection of 2 subterranean holiday lodges with associated works

At Kyngs Golf Club, Station Road, Market Bosworth, Leicestershire,
CV13 0NP

PLANNING, DESIGN AND ACCESS STATEMENT

LPA Ref: 24/00026/FUL



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1. INTRODUCTION

- 1.1 This Planning, Design and Access Statement is prepared on behalf of Statue Homes Ltd (“the applicant”). The statement accompanies a planning application for the erection of 2 subterranean holiday lodges with associated works (“the proposals”) at Kyngs Golf Club, Station Road, Market Bosworth, Leicestershire, CV13 0NP (“the site”).
- 1.2 This statement and the accompanying planning application forms are submitted online through the Planning Portal, together with the following drawings and reports, prepared by Housemartin Designs unless otherwise stated:

Drawings

- Site Location Plan;
- Proposed Floor Plans and Elevations, Transverse Site Sections and Site Layout Block Plan, drawing no. HMD/PD/535/01

Reports

- Completed planning application form
- 1.3 This Planning Application is a response to previously dismissed applications for holiday lodges on the Kyngs Golf and Country Club site. The proposals are sited within proximity to the existing “half way” house structure, which has benefitted from planning permission for a change of use from a vacant outbuilding to a holiday lodge, planning permission ref: 19/00230/FUL. The proposals will be sunken into the existing highly modified landscape, and will not be discernible features within the landscape from any of the important views and vistas as identified within the Market Bosworth Neighbourhood Plan, as identified at Section 5 of this Statement.
- 1.4 This planning, design and access statement is structured as follows:

- In **Section 2** we identify for the Council the background of relevance to this planning application;
- In **Section 3** we identify the site and describe the surrounding environment;
- In **Section 4** we describe the proposals;
- In **Section 5** we identify the relevant policies of the Development Plan for the Hinckley and Bosworth Borough;
- In **Section 6** we assess the proposals against these policies, making reference to each consideration material to the determination of the application; and
- In **Section 7** we set out our conclusions.

2. RELEVANT BACKGROUND

i. Planning History

2.1 The relevant planning history is set out in **table 1** below:

Application Ref:	Description of Development	Decision	Date of Decision
92/01068/COU	Golf course, driving range, club house and maintenance buildings	Refused	23.07.1997
98/00963/COU	Proposed golf course and ancillary facilities including club house	Permission	09.11.2000
02/00685/COU	Proposed golf course and ancillary facilities including siting of club house and associated parking	Permission	30.04.2003
07/01287/FUL	Erection of a greenkeepers store associated with the golf course	Permission	21.12.2007
08/00217/FUL	Retention of slab area	Permission	09.04.2008
08/00365/FUL	Erection of a golf club house, new access and associated parking and manager's flat	Withdrawn	23.04.2008
08/00750/FUL	Erection of golf club house, new access and associated parking and managers flat	Permission	24.09.2008
13/00272/CONDIT	Variation of condition 18 of planning permission 02/00685/COU to remove right hand turn lane and propose other off site highway works	Permission	17.02.2014
17/00528/FUL	Erection of multi-functional recreational building, the erection of a golf simulator building, the erection of a golf buggy garage,	Refused	15.09.2017

	formation of a new car parking area for 242 vehicles and new access roads and the proposed erection of 15 golf holiday homes and all associated ancillary works and landscaping		
18/00732/FUL / appeal ref: 3218401	Resubmission of refused planning application (LPA ref: 17/00528/FUL) for the erection of multi-functional recreational building, the erection of a golf simulator building, the erection of a golf buggy garage, formation of a new car parking areas and new access roads and the proposed erection of 15 golf holiday homes and all associated ancillary works and landscaping.	Refused (appealed)	23.10.2018 (refused at appeal on 24.10.2019)
19/00230/FUL / appeal ref: 329633	Change of use of vacant outbuilding to No. 1 holiday lodge and alterations to existing vehicular access onto Station Road to include the extension to the access drive	Refused (appealed)	18.04.2019 (allowed at appeal on 24.10.2019)
19/01437/FUL	Erection of a multi-purpose golf clubhouse (D2), formation of new car parking areas and access roads and the erection of 6 Golf holiday homes (C1) and all associated ancillary works and landscaping	Permission	15.06.2020
21/00195/FUL	Erection of 9 holiday cabins with associated parking and landscaping	Refused	16.12.2022
21/01473/FUL	Erection of 9 single storey holiday lodges with vehicle parking and associated works	Refused	18.01.2023
23/00273/DISCON	Application to discharge condition 13 (contamination) 16 (surface water management) 17 (drainage during construction) 18 (long term maintenance of drainage) 19 (Infiltration) 21 (habitat management plan) 24 (construction management plan) attached to planning permission 19/01437/FUL	Split Decision - Discharge of Conditions	30.08.2023
23/00434/DISCON	Application to discharge conditions 9 (Hard	Split	23.08.2023

	and Soft Landscaping), 10 (Levels), 15 (Land Contamination) and 22 (Footpath Management Plan) of planning application 19/01437/FUL	decision – discharge of conditions	
23/00508/FUL	Erection of 9 single storey holiday lodges with vehicle parking and associated works	Refused	18.07.2023
24/00019/FUL	Erection of 50 bedroom golf and leisure hotel (Retrospective)	N/A	N/A
24/00020/FUL	Conversion of building to form 4 holiday lodges with associated works	N/A	N/A
24/00026/FUL	Erection of 2 subterranean holiday lodges with associated works	N/A	N/A
24/00027/FUL	Erection of 4 holiday lodges and associated works	N/A	N/A

Table 1: Planning History for the Kyngs Golf and Country club site

- 2.2 The acceptability of the principle of tourism and leisure focused development at the Kyngs Golf and Country club site is clearly demonstrated within the planning history provided at table 1 above even outwith the delineation of the entirety of the application site within a leisure and tourism character.
- 2.3 The Council will be aware that the Applicant purchased the site from receivers in September 2016 after the previous owner's golf business went into liquidation in April 2016. Since then, the applicant has continued to maintain the golf course grounds, mowing daily between March and November and ensuring that the facility does not become abandoned.
- 2.4 The Applicant continues to pay Council business rates on the facility and intends to reopen the Golf Course after a programme of investment to ensure that the facility fulfils its potential as a viable leisure and tourism business and contributes to Market Bosworth's status as a tourism destination in the surrounding region. These proposed two holiday lodges represent the latest stage of that investment, with the conditions for planning permission ref: 19/01437/FUL discharged and other relevant planning applications for the redevelopment of the Kyngs Golf and Country Club site currently with the Council for determination, including 4 holiday lodges to the east of this

application, a 50 bedroom hotel within the location of the 6 holiday lodges approved under planning permission ref: 19/01437/FUL, and the proposed conversion of the greenkeepers store. Considered together, these applications represent an appropriate and complete redevelopment of the site that will enable its reopening in the future, delivering upon the Council's key leisure and tourism objectives whilst also providing local employment opportunities and a reopened leisure and tourism facility within Market Bosworth.

3 SITE AND SURROUNDINGS

i. The Site

course setting and landscaping, the only views offered of the application site are provided from within the golf course, with the halfway house in proximity.

- 3.3 Vehicular access to the site extends from an existing access track from Station Road to the south, through the southern part of the Kyngs Golf and Country Club site. The site is bound by the mown setting of the fairway to the east and west, and is located in an area of the site that is outside of any of the historic holes of the Kyngs Golf and Country club golf course.

ii. The Surrounding Area

- 3.4 Within the context of the Council's Development Plan, Market Bosworth is categorised as a Key Rural Centres Standalone. The Council's Core Strategy (adopted December 2009) provides clarity on Key Rural Centres at paragraph 4.31, identifying these settlements as *"villages that have populations over 1500 people, have a primary school, local shop, post office, GP, community/leisure facilities, employment and a 6 day a week bus service"*. In terms of sustainability, Standalone Key Rural Centres are the third most sustainable type of settlement within the Borough of Hinckley and Bosworth, and are the most sustainable settlements within the rural area.
- 3.5 In terms of landform, the golf course for the Kyngs Golf and Country club is a highly modified landscape, the present day topography of which did not exist prior to 2003. A planning permission for the change of use of the site from farmland to a golf course and ancillary facilities including a club house was granted on 30 April 2003 (planning permission ref: 02/00685/COU). The course was built up in accordance with the planning permission with the importation of approximately 1.5 million tons of inert material (over 70,000 two-way x 8 wheel HGV lorries) over several years to form all the banks and hill features which make up the 18 hole course.
- 3.6 With regards to the landform of the site, the site is relatively flat with the proposed holiday lodges located within a small hill. To the north the landform rises above the AOD of the site to contain the setting of the 9th and 10th fairways. Beyond the earthworks associated with the wider golf course, the land rises further above the AOD of the site, creating its undulating and modified setting. Some of the ridges created elsewhere on the golf course are in excess of 10 metres high which greatly limit views of the site from the north, south and from the west.

- 3.7 There are three existing buildings within the golf course. These include the aforementioned “halfway house” next to the 7th tee to the north-west of the site, granted planning permission under appeal ref: 3229633 for the change of use of vacant outbuilding to No. 1 holiday lodge. There is also a Greenkeeper’s Store next to the 14th green, to the north-east of the site granted planning permission under application ref: 07/01287/FUL, for the erection of a greenkeepers store. A temporary golf clubhouse is also on-site, located north of the main site access from Station Road which has been in-situ for in excess of ten years.
- 3.8 Footpath S68 runs north of the site, between the fairways of the golf course. Footpath S70 also crosses the golf course, to the south of the proposed lodges.
- 3.9 The site and entire golf course is maintained by the Appellant at considerable expense, which is only increasing each year with rising fuel costs. Essential maintenance includes weekly mowing of the golf course for the period of March - November, which prior to 2020, cost the appellant £50,000.00 per annum. These costs have increased to in excess of £65,000.00 per annum due to the on-going cost of living crisis and rising costs of petroleum based goods.
- 3.10 In summary, the site and wider golf course comprises a recently and significantly modified landscape that is distinct from its wider setting of settlement and farmland. This is recognised by the Market Bosworth Neighbourhood Plan by allocating the entire site as a leisure and tourism character area, as identified at **figure 1**. Its features are young, artificial, and is not considered to be sensitive to change, nor irreplaceable. The site is not covered by any statutory or non-statutory designation that would prohibit its development for the intended use.

4. THE PROPOSED DEVELOPMENT

- 4.1 The proposals are for the erection of 2 subterranean lodges with associated parking, access and landscaping. The lodges will be sunken within the existing inverse mound within the site, which is a highly modified landscape granted planning permission in 2002, ref: 02/00685/COU and the overall appearance of the mound will remain unchanged when viewed from the north, east and south. The eastern elevation of each lodge will be looking out onto the fairway to the west. Due to the existing site topography, the only views offered of the site will be from within the Kyngs Golf and Country Club site, when approaching from the south along the access track. These views are localised and the proposals will be appreciated alongside the “halfway house”.
- 4.2 The principal façade of the lodges will comprise granite stone gabion baskets as shown on the accompanying Proposed Floor Plan, which also incorporates the proposed elevations and transverse site sections. Windows and doors will comprise aluminium frames to ensure structural stability.
- 4.3 Each holiday lodge will include an entrance hallway, sitting room and chamber room with an en-suite. Views out from the sitting room and chamber will be towards the 9th fairway.
- 4.4 A small extension to the existing gravelled access track is proposed, providing a suitably sized area for vehicle parking. Visitors will then be able to access each lodge via a gravelled pathway.
- 4.5 Regarding the method of construction, each holiday lodge will be “cut into” the side of the as formed mound in 2002, ref 02/00685/COU and no removal of the ground above each lodge will be required. The hole cut will be supported at the appropriate intervals and then the walls and floor of each lodge will be set prior to the roof being completed to provide structural stability. Once the walls have been appropriately waterproofed and lined and the roof installed and grassed over to seamlessly blend in, the principal façade will then be provided and the structure made watertight prior to installation and fit out. The grass on-top of the lodges will be replaced once construction is complete, meaning that within several weeks of completion the wider appearance of the appeal site will effectively be the same as the current appearance, demonstrating the limited visual impact of the proposals.
- 4.6 Importantly, when viewed from footpath S68 within the golf course, the proposals will not be visible. Any views of the proposals within the site will be appreciated within the

context of the existing halfway house, and will be subservient in terms of scale to this existing building.

- 4.7 The siting and design of the proposed holiday lodges has been directly informed by the findings of Inspector's as part of planning appeal refs: 3218401, 329633 and 3315336. The proposals are dug into the landscape, meaning that the landscape visual impact is effectively the same as the existing site layout. The location of holiday lodge accommodation within this area of the golf course has been confirmed acceptable through appeal decision ref: 329633.
- 4.8 The proposals are part of a complete and thorough proposed redevelopment of the Kyngs Golf Course site, and are not a speculative development of which there is little prospect of coming forward.

5 RELEVANT PLANNING POLICY FRAMEWORK

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004) stipulates that the determination of planning applications should be made in accordance with the development plan, unless material considerations indicate otherwise.
- 5.2 For this proposal, the current development plan comprises the Hinckley and Bosworth Core Strategy (2009) together with the Site Allocations and Development Management Policies DPD (2016) and the relevant policies of the Market Bosworth Neighbourhood Plan 2014 – 2026 (2015)
- 5.3 The Council have commenced work on review of its current Development Plan and completed the Regulation 19 consultation for the Local Plan on 23rd March 2021. The Regulation 19 Local Plan is however yet to be submitted to the Secretary of State. Given the early stage of preparation of the draft local plan, very limited weight is accorded to any policies contained within.
- 5.4 The development plan for Hinckley and Bosworth is dated, with the Core Strategy significantly predating the adoption of the National Planning Policy Framework (“the Framework”) in March 2012 and subsequent revisions. The Site Allocations and Development Management Policies DPD also predates the latest revisions to the Framework and in accordance with Annex 1, paragraph 225 of the Framework, due weight will be given to the policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- 5.5 The following policies are considered to be of relevance to the proposals:

Market Bosworth Neighbourhood Plan 2014-2026

- CE1: Character and Environment
- CE3 Important Views and Vistas
- CE5: Landscape of the Wider Parish

The Core Strategy (2009)

- Policy 11: Key Rural Centres Stand Alone
- Policy 23: Tourism Development

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 DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM13: Preserving the Borough Archaeology
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM24: Cultural and Tourism Facilities

The National Planning Policy Framework (2023, “The Framework”)

- Section 2 – Achieving sustainable development
- Section 6 – Building a strong, competitive economy
- Section 7 – Ensuring the vitality of town centres
- Section 8 – Promoting healthy and safe communities
- Section 9 – Promoting sustainable transport
- Section 11 – Making effective use of land
- Section 12 – Achieving well-designed places
- Section 14 – Meeting the challenge of climate change, flooding and coastal change
- Section 15 – Conserving and enhancing the natural environment
- Section 16 – Conserving and enhancing the historic environment

6. PLANNING POLICY ASSESSMENT

i. Principle of Development and Location

- 6.1 Policy 7: Key Rural Centres of the adopted Core Strategy is consistent with the objectives of the Framework. The policy confirms the acceptability of the principle of holiday lodge tourism development at the Kyngs Golf and Country club site. The policy states that the Council will, in Key Rural Centres “support the development of the tourism industry in line with Policy 23”. Furthermore, Policy 11: Key Rural Centres Standalone at section “Market Bosworth” states that the Council will “support the role of Market Bosworth as a tourist destination in its own right and linked to the Bosworth Battlefield and Ashby Canal Corridor in line with Policy 23” (our emphasis).
- 6.2 Policy 23 relates directly to the development of rural tourism within the Borough and states that holiday lodges will be encouraged in suitable locations where the development can help to support existing local community services and facilities and is of a design and at a scale which is appropriate to minimise impact and assimilate well with the character of the surrounding area with acceptable landscaping. Holiday lodge development should add to Hinckley & Bosworth’s local distinctiveness and complement the tourism themes of the borough, whilst adding to the economic wellbeing of the area.
- 6.3 Within the context of the Council’s adopted Site Allocations Development Management Policies DPD (“SADMP”), the site is not subject to a policy designation. The site is located within the open countryside, adjacent to the settlement boundary for Market Bosworth. Policy DM4 controls development in the countryside, stating that development will only be allowed where it will contribute to economic growth, job creation and/or diversification of rural businesses. Policy DM24 relates to tourism development, stating that the Borough Council will seek to support the development of new cultural and tourism facilities across the borough. To reduce reliance on the private car, where new facilities are to be established it should be demonstrated that they can be accessed by a range of sustainable transport modes.
- 6.4 Previous appeal decisions at the Kyngs Golf and County Club site have confirmed that with regards to the principle of holiday lodge accommodation, Inspector’s have not found any conflict with the principle of holiday lodge development at the site, and therefore holiday lodge proposals are considered to accord with Policies 23 of the Core Strategy and DM4(a) of the SADMP. The proposals are located within proximity to the existing “halfway house” structure, which has benefitted from planning

permission to change its use from a vacant outbuilding to holiday accommodation as per appeal decision ref: 329663.

- 6.5 Policy CE5 of the MBNP states that within the open countryside outside of the settlement boundary, new development will only be permitted where it contributes to the local economy, or for sports and recreation. All development will only be permitted where it does not cause harm to the landscape or biodiversity of the countryside that cannot be effectively mitigated.
- 6.6 The Framework requires that planning policies should encourage sustainable economic growth and that policies and decisions should enable growth and expansion in rural areas both through conversion of existing buildings and well-designed new buildings (paragraph 88 (a)). Supporting a prosperous rural economy includes making use of sites that are physically well-related to existing settlements where suitable opportunities exist (paragraph 89). The proposals will accord with this fundamental objective of rural economic development.
- 6.7 It should also be appreciated that nearby recent planning permissions granted by the Council have established the acceptability of holiday lodge accommodation on leisure and tourism sites, outside of the settlement boundary of Market Bosworth, within the Market Bosworth Neighbourhood Plan area. The holiday lodge development at Bosworth Water Trust, Coton Bridge Lane, Far Coton, Market Bosworth, planning permission ref: 20/00026/FUL is the most notable recent example.
- 6.8 The planning permission at the Bosworth Water Trust site is for a much greater quantum of development, being for 103 timber style clad holiday accommodation caravans that are of a similar size and scale to those proposed under this application. The site entrance to Bosworth Waterpark is located some 965m/0.6 miles west of the Kyngs Golf and Country Club site entrance, and thus significantly further away from the centre of Market Bosworth than the application site. Furthermore, the Kyngs Golf and Country Club site's access is within the settlement boundary for Market Bosworth.
- 6.9 Policy 23 also requires tourism development to be 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 proposals will not modify the form of the undulating landscape within this part of the golf course in anyway, being

subterranean structures that will not be visible from the north and east. Any views from the south and west will be highly localised and set against the backdrop of the existing halfway house. In any event, the wider site will be understood and appreciated as a leisure and tourism site and the proposals will contribute positively towards that interpretation.

- 6.10 The surrounding modified golf course landscape provides a substantial visual screen which limits any views of the site from any important views and vistas identified within the Neighbourhood Plan.
- 6.11 Policy 23 of the Core Strategy also requires tourism development to add to Hinckley and Bosworth's local distinctiveness, and complement the tourism theme of the Borough. The proposed holiday lodges will be constructed from similar materials to those found elsewhere within the vicinity of the site and within other tourism and leisure character areas within the Neighbourhood Plan Area and will have a natural, high quality finish that will complement the aspirations of the Applicant and the objectives of Policy 23 of the Core Strategy.. The proposals are for holiday lodge accommodation on an allocated tourism and leisure site and will therefore add to the distinctive tourism character of the King Golf and Country club site.
- 6.12 The proposed holiday lodges will provide local residents with employment opportunities. The proposed lodges will also give visitors the opportunity to stay in accommodation in proximity to other tourism and leisure facilities within the settlement, including the nearby Marina (circa. 350m south-west of the site), Bosworth Battlefield (circa. 2.5km south of the site) and the Battlefield Railway Line (circa. 900m south-west of the site). By being located in a sustainable location, on the western boundary of Market Bosworth, the proposals also offer the opportunity to support other existing community facilities including shops and pubs / restaurants and nearby tourism facilities, encouraging visitors to contribute to the economic wellbeing of the area, in full accordance with Policy 23 of the Core Strategy, Policy DM4 of the SADMP and Policy CE5 of the MBNP.
- 6.13 The Framework requires that planning policies should encourage sustainable economic growth (paragraph 89 (a)) and that policies and decisions should enable growth and expansion in rural areas both through conversion of existing buildings and well-designed new buildings. Supporting a prosperous rural economy includes making use of sites that are physically well-related to existing settlements where

suitable opportunities exist (paragraph 89). As demonstrated within the preceding paragraphs, the site evidently falls into such a category.

ii. Landscape Visual Impact and Design

- 6.14 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, protecting its intrinsic value, beauty and open character. Policy DM4 identifies sustainable development within the countryside as being development for outdoor sport or recreation purposes, changes and re-use of existing buildings with enhancement to immediate setting, significantly contributing to economic growth and job creation, including diversification of rural businesses, stand-alone renewable energy development, and rural worker dwellings. The policy also lists 5 criterion, I through v that development in the countryside must meet in order to be considered sustainable. These criterion include development not having a significant adverse effect upon the intrinsic value, beauty, open and landscape character of the countryside, development not undermining the physical and perceived separation between settlements, and development not creating or exacerbating ribbon development.
- 6.15 Policy DM10 continues, requiring development to complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 6.16 The site is located within Character Area A of the MBNP Character Areas, identified as a tourism and leisure character area within the context of the Neighbourhood Plan. Policy CE1 of the MBNP seeks to ensure that all new development within the Neighbourhood Plan area of Market Bosworth should be in keeping with its Character Area with regards to scale, layout and materials. Policy CE3 of the Market Bosworth NDP (Important Views in Vistas) seeks to restrict development which would harm important views and vistas as defined in the NDP. Policy CE5 of the Market Bosworth NPD identifies that development outside the settlement boundary will be permitted for sport or recreation where it does not cause harm on the landscape or biodiversity of the countryside.
- 6.17 The proposals are for a tourism use in a character area that has been identified as a leisure and tourism character area. Previous planning decisions at the Kyngs Golf and Country Club site has informed the sighting of the lodges to minimise the effect

of the proposal on the character and appearance of the local area and secure a proposal that fully accords with planning policy.

- 6.18 In terms of the proposals location, the site is outside of any IVV's identified within the Market Bosworth Neighbourhood Plan. The site is also located outside of any of the views into Market Bosworth identified as being of note within the MBNP, and any "green fingers towards the Market Place" identified at page 34, inset diagram: Views, Vistas and Landscapes of the MBNP. This suggests that the location of the proposals is demonstrably a location of less visual importance to the setting and appearance of Market Bosworth than other locations within the vicinity of the proposals.
- 6.19 Regarding the design of the proposed lodges, they will be dug into the existing landscape and will not raise nor flatten the mound within which they are located. The only design features that will be visible from within the site would be the eastern elevation, which will be sunken into the mound and will not materially approach upon the surrounding landscape.
- 6.20 The proposals will not be visible from the PROW which crosses the Kyngs Golf and Country Club, and are located on an area of the site which was outside of the historic golf course layout. Any views of the proposals from within the site, limited to the gravelled access track, will also include the existing halfway house structure, which itself is a single storey building and which was found by the Inspector for appeal decision: 329663 to not unduly impact upon the allocated Important View and Vista within the Neighbourhood Plan.
- 6.21 It should also be recognised that, from this location the proposals will not appear as an isolated form of development within the countryside. From these locations, 20th century residential development at Harcourt Spinney can also be seen. The proposals will also be understood as being located within the boundaries of the golf course, itself a highly modified landscape of a rural leisure and tourism character.
- 6.22 The proposals are therefore considered to have been appropriately sited, and designed in such a way that they assimilate with the surrounding landscape and contribute positively to the surrounding environment, in full accordance with the objectives of Policies DM4 and DM10 of the SADMP, Policies CE1, CE3 and CE5 of the MBNP, Policy 23 of the Core Strategy and the overarching objectives of Sections 12 and 15 of the Framework.

iii. Heritage

- 6.23 Policies DM11 and DM12 of the SADMP are broadly consistent with the objectives of the Framework. These policies seek to protect and enhance the historic environment and heritage assets and development proposals and seek to ensure the significance of a conservation area is preserved and enhanced, in accordance with the objectives of Section 16 of the Framework. Policy DM11 states that development affecting the setting of listed buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting, and how the benefits of the proposal will outweigh any harm caused.
- 6.24 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the local planning authority when considering whether to grant listed building consent to have special regard to the desirability of preserving the building or its setting or any features of special architectural and historic interest which it possesses. Section 72 of the Act states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 6.25 Section 16 of the Framework provides the national policy on conserving and enhancing the historic environment. Paragraph 194 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 202 states that where a proposal will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 6.26 The Council have previously considered relevant planning applications at the site to have a neutral impact upon the setting of the Market Bosworth Conservation Area. Neither of the proposed holiday lodges can be seen from the Market Bosworth Conservation Area, nor can the Conservation Area be viewed from within the site where the lodges will be located due to the intervening landform and substantial woodland adjacent to the south of the site. The access track that connects the proposed lodges to Station Road is an existing feature within the landscape. The proposed lodges are therefore considered to have no impact upon the Market

Bosworth Conservation Area, as they will not be viewable from Station Road, nor from Barton Road to the north-east, or Rectory Lane to the east of the site.

- 6.27 To the west of the site, circa. 300m is the Ashby De La Zouch Canal Conservation Area. From the closest point of the Conservation Area to the site, the proposals cannot be seen due to the substantial woodland located to the north of the residential development a Pipistrelle Drive. This residential development forms a substantial visible barrier to views out of the Conservation Area from this location, looking north-east. North of the aforementioned woodland area, the Conservation Area curves away to the west, away from the site. The modified landscape of the golf course also severely limits any views of the site from the Conservation Area.
- 6.28 There are other grade II* and grade II listed buildings located within the wider vicinity of the application site, located largely within the Market Bosworth Conservation Area. It is considered that there is no visual or other relevant relationship between these listed buildings and the application site due to the distance of the site from these assets and the intervening landform, and consequently the application site makes no contribution to the significance of any listed building.
- 6.29 It is considered that the proposals will preserve the character and appearance, and thus significance of the Market Bosworth Conservation Area and the Ashby Canal Conservation Area, and would be compatible with the significance of the grade II* listed St Peters Church by having no adverse impact on its wider setting. The proposal is therefore in accordance with Policies DM11 and DM12 of the SADMP and Section 16 of the Framework, therefore complying with the statutory duties of Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

iv. Impact on Neighbouring Amenity

- 6.30 Policy DM7 of the SADMP states that proposals should demonstrate that they would not cause noise or vibrations of a level which would disturb areas that are valued for their tranquillity in terms of recreation or amenity. All reasonable steps should be taken through design, siting and technological solutions to ensure the abatement of obtrusive light to avoid sky glow, glare and light intrusion. Policy DM10 criterion (a) of the SADMP requires that development not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.

- 6.31 The nearest residential dwelling to the proposals are located at Wharf Farm, Station Road, to the west of the site. This dwelling is located circa. 400m from the site. The proposals are considered to be positioned a sufficient distance from this dwelling as to not result in any loss of amenity in terms of overshadowing, overlooking, or noise impact and would therefore not result in any adverse impacts on neighbouring residential amenity, in compliance with Policies DM7 and DM10 of the SADMP.

v. Highway Safety and Parking

- 6.32 Policies DM17 and DM18 of the SADMP require a convenient and safe access for all developments, with demonstration that there will not be a significance adverse impact upon highway safety. Off-street vehicle parking facilities should be provided to serve all developments. Similarly, Section 9 of the Framework promotes sustainable transport, with paragraph 114 requiring proposals to secure safe and sustainable accesses for all users. Paragraph 115 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety.
- 6.33 Leicestershire County Council, acting as the Local Highway Authority (“LHA”) in their consultation response of 31 January 2024 raise no objection to the proposals. In summary, the LHA has considered the application and have no objection subject to the imposition of a condition relating to the parking and turning facilities on-site being implemented, in accordance with the drawing no. HMD/PD/0534/02. As such, the proposals are considered to comply with Policy DM17 and DM18 of the SADMP and the objectives of Section 9 of the Framework.

vi. Drainage and Flood Risk

- 6.34 Policy DM7 of the SADMP requires adverse impacts from flood to be prevented. Development should not adversely impact the water quality, ecological value or drainage function of water bodies in the borough, and should not exacerbate flooding, by being located away from areas of flood risk. The Policy is consistent with the objectives of Section 14 of the framework, which requires proposals to be located away from areas at risk of flooding (paragraph 165), and for proposals to not increase flood risk elsewhere (paragraph 165).

- 6.35 A pre-commencement condition requiring the provision and approval of a sustainable surface water drainage system, in accordance with the recommended drainage hierarchy could be secured by condition. The site is located within flood zone 1 and is at no risk from fluvial or surface water flooding. The proposals are therefore considered to comply with the objectives of Policy DM7 of the SADMP.

vii. Ecology and Biodiversity Net Gain

- 6.36 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. The policy requires on-site features to be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term.
- 6.37 An Preliminary Ecological Appraisal is being submitted to the Council that will demonstrate the proposals will not adversely affect any protected species, nor lead to any harm upon biodiversity. At this stage, the proposals are considered to accord with the objectives of Policy DM6 of the SADMP.

viii. Land Contamination and Pollution

- 6.38 Policy DM7 of the SADMP seeks to prevent the risk of pollution resulting from development. Proposals will be permitted where appropriate remediation of contaminated land in line with minimum national standards is undertaken and will not result in land instability or further intensify existing unstable land.
- 6.39 The Council's Waste Services team has no comments or objections to the proposals. The Council's Environmental Services: Pollution team has queried whether the proposals are a suitable use for the site as they are subterranean, and at this stage there is no evidence to demonstrate that an appropriate development cannot be brought forth at the site.
- 6.40 Given past knowledge of the site and previous consultation responses, the proposals are acceptable in terms of pollution subject to condition, in accordance with Policy DM7 of the SADMP.

ix. Archaeology Impacts

- 6.41 Policy DM13 states that where a proposal has the potential to impact a site of archaeological interest, developers will be required to provide appropriate deskbased 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.
- 6.42 Leicestershire County Council Archaeology have never objected to development at the site, advising under previous applications that having checked against Historic Environment Records it is not necessary that any archaeological work will be required as part of the scheme. The proposals are therefore in accordance with Policy DM13 of the adopted SADMP and the overarching principles of section 12 of the Framework.

7. CONCLUSIONS

- 7.1 The site is located in a sustainable location, with good access to local shops and services within the immediate and wider locality and is close to a range of sustainable transport links. Users of the site are considered likely to utilise sustainable modes of transport, which will make a positive contribution towards achieving the sustainable development objectives set out in the national and local policies relevant to this Application. The proposed lodges are entirely subterranean and will not be viewed from wider views from the surrounding area. It is only when in proximity to the proposed turning circle that the site will be viewed, with these views also capturing views of the existing “halfway house” structure on-site.
- 7.2 The proposals will enhance employment opportunities both throughout the construction of the proposals, and once it is occupied and running. The proposals will encourage sustainable methods of travel into the settlement of Market Bosworth, contributing towards the retention of existing services and facilities within the settlement.
- 7.3 The proposal will provide a redeveloped tourism facility contributing towards meeting the social and recreational objectives of the borough. It will create a high quality built environment, easily accessible to local services and it will help support the health, social and cultural well-being of the local community.
- 7.4 The development will contribute to protecting and enhancing the natural and built environment, by enhancing the ecological value of the site and providing appropriate mitigation measures. The existing on site ecological features of value are retained

and, where appropriate, enhanced by the proposals, contributing to the move towards a low carbon economy and facilitating an improvement in on site biodiversity.

- 7.5 It is therefore concluded that the proposal accords with national and local policy and constitutes sustainable development. The proposal complies with paragraph 11 of the Framework and there are no material considerations that indicate that the forthcoming application should be determined otherwise than in accordance with the Development Plan as required by Section 38 (6) of the Act and granted planning permission.