

Delegated Report

Planning Ref: 24/01092/FUL

Applicant: Michael Lain

Ward: Twycross Sheepy & Witherley

Site: Camp Site, Gopsall Hall Farm, Gopsall Estate, Twycross

Proposal: 10 glamping pods with external covered decking areas, new access and parking, installation of new private package treatment plant, soakaway, reinstatement of a former pond and associated works



Hinckley & Bosworth
Borough Council

1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report

2. Planning application description

- 2.1. The proposal seeks to site 10 glamping pods with external decking areas, a new access, associated parking, the installation of a new private package treatment plant, soakaway, reinstatement of a former pond and associated works.

3. Description of the site and surrounding area

- 3.1. The proposed site is located within the grounds of Gopsall Hall Farm, which has existing camping, touring and glamping facilities, alongside holding weddings and other events and a former diversification of a rural business. The site is located between Twycross, Bilstone and Congerstone and is within a reasonable proximity of the A444. The site is also located within reasonable proximity to public footpaths and cycle routes.

4. Relevant planning history

18/00294/FUL

Conversion of existing barn to form leisure facilities and siting of 16 touring caravan pitches and 6 glamping pitches in association with the existing camping and caravanning site
Planning Permission
26.10.2018

21/00484/CONDIT

Variation of conditions 4, 5 and 8 of planning permission 18/00294/FUL to provide landscaping details, phased planting arrangement and detail of passing places on the road between the B4116 and Gopsall Hall Farm
Planning Permission
16.12.2022

5. Publicity

- 5.1. The application has been publicised by posting a site notice within the vicinity of the site and letters sent to neighbours.
- 5.2. No responses have been received.

6. Consultation

- 6.1. HBBC Pollution: No objections.
- 6.2. Natural England: Standing advice.
- 6.3. Twycross Parish Council: No comments received.

- 6.4. HBBC Drainage: No objections.
- 6.5. LCC Highways: No objection, substantive response received, details conditions included at the end of this report.
- 6.6. LCC Ecology: No objections subject to conditions.

7. **Policy**

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

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interests
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM24: Cultural and Tourism Facilities

7.2. **Core Strategy (2009)**

- Policy 23: Tourism Development

7.3. **National Planning Policies and Guidance**

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

7.4. **Other relevant guidance**

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

8. **Appraisal**

8.1. **Key Issues**

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

Assessment against strategic planning policies

- 8.2. Paragraph 2 of the National Planning Policy Framework (NPPF) identifies that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 2 of the NPPF also identifies that the NPPF is a material planning consideration in planning decisions. Paragraph 12 of the NPPF states that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where planning applications conflict with an up-to-date plan, permission should not usually be granted unless other material considerations indicate otherwise.
- 8.3. The development plan in this instance consists of the Core Strategy (2009) and the Site Allocations and Development Management Policies (SADMP) Development Plan Document (2016).

- 8.4. Policy DM24 of the SADMP seeks 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. The site is not in a wholly sustainable location and there would be a reliance on private cars. However, the development site already benefits from existing tourism facilities and seek to enhance the existing facility. The principle of the site as for tourism facilities has been established and this proposal will enhance the facilities in a modest way, similarly, the proposal does not look to reduce or remove any tourism facilities on the site. As such the Policy is in accordance with Policy DM24 of the SADMP.
- 7.5. Similarly Policy 23 of the Core Strategy seeks to ensure that tourism facilities complements the tourism themes of the Borough alongside limiting any impact on the character of the area and landscape. Policy 23 of the Core Strategy states that tourism development for new and extended visitor attractions including major and holiday accommodation including bed and breakfast accommodation, holiday lodges, and tenting fields 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 and
 - The development adds to Hinckley & Bosworth's local distinctiveness and
 - Complements the tourism themes of the borough and
 - The development adds to the economic wellbeing of the area
- 8.5. The site is located within the western area of the borough and is in very close proximity to Twycross Zoo and Bosworth Battlefield. Given the existing permission on the site, the proposed development would enhance, extend and retain the existing cultural and tourism facilities.
- 8.6. The application site is located within the countryside. Policy DM4 states that to protect its intrinsic value, beauty, open character and landscape character, the countryside will first and foremost be safeguarded from unsustainable development.
- 8.7. According to Policy DM4 of the SADMP, development in the countryside will be considered sustainable where:
- a) It is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; or
 - b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or diversification of rural businesses; or
 - c) It significantly contributes to economic growth, job creation and/or
 - d) It relates to the provision of stand-alone renewable energy developments in line with Policy DM2: Renewable Energy and Low Carbon Development; or
 - e) It relates to the provision of accommodation for a rural worker in line with Policy DM5 -Enabling Rural Worker Accommodation.
- 8.8. Policy DM4(c) of the SADMP supports development in the countryside where it is considered to significantly contribute to economic growth and job creation. DM4 (b) confirms that development will be supported in the countryside where it is for the

diversification of a rural business. The proposal for 10 glamping pods on the site further expands the ongoing rural business diversification, which currently operates from the site. The business in relation to its travel and tourism elements employs 3 full time staff, 3 part time staff with seasonal employees also hired – it is considered that the addition of the proposed 10 glamping pods would offer an additional job opportunity at the site. Whilst the additional job is welcomed it is not significant in terms of Policy DM4 however as the proposal is for further diversification of a rural business it is considered acceptable. It is therefore considered that the proposal would be acceptable and in accordance with Policy DM4 of the SADMP.

Design and impact upon the character of the area

- 8.9. Policy DM4 of the SADMP seek to protect the intrinsic value, beauty, open character and landscape character of the countryside.
- 8.10. 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. This is echoed by Policy 23 of the Core Strategy.
- 8.11. The application proposes 10 glamping pods with associated infrastructure such as outdoor decking, a new access and parking, alongside landscaping additions such as the re-instatement of a former pond. The site is located within the countryside and also located within the grounds of Gopsall Hall Farm which has existing camping and touring facilities alongside other commercial uses such as hosting events such as weddings.
- 8.12. The proposed glamping pods and decking area are single storey in nature and comprises of a cladded exterior which is considered to be synonymous with the rural nature of the surrounding area, slate roofing and black framed patio doors. The overall design of the glamping pods is well considered and would not be unduly prominent within the site, by any stark contrast in colours to the surrounding rural area.
- 8.13. The site is located within the existing ground of Gopsall Hall Farm and due to the significant distance from the highway it is not considered to be highly visible from public vantage points. The site is however located within a reasonable proximity to S79 Footpath which leads from Congerstone Lane, Shackerstone to Bilstone Road, Little Twycross. Whilst visible from this footpath, the proposed glamping pods are not considered to give rise to detrimental impacts on the character of the area or the countryside and through the design of the pods alongside additional landscaping improvements, the proposal is considered acceptable in terms of its impacts on the character of the area.
- 8.14. As such the proposal is considered to be in accordance with Policies DM4 and DM10 of the SADMP.

Impact upon neighbouring residential amenity

- 8.15. Policy DM10 of the adopted SADMP requires that development would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings. The policy also states that the amenity of the occupiers of the proposed development would not be adversely affected by activities within the vicinity of the site.
- 8.16. The site is not located within close proximity to neighbouring properties and the nature of the glamping pods when considering the relationship with the existing camping and touring facilities on site are not considered to give rise to neighbouring residential amenity issues in terms of loss of light, loss of privacy, overshadowing

overbearing or overlooking impacts, alongside no issues of noise or light pollution. As such the proposal is in accordance with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.17. Policies DM17 and DM18 of the adopted SADMP supports development that would not have any significant adverse impacts on highway safety and requires new development to provide an appropriate/justified level of parking provision.
- 8.18. The proposal seeks permission for a new access and parking provision on site to accommodate for the 10 new glamping pods. LCC Highways have been consulted as part of the application and have confirmed they have no objection subject to conditions.
- 8.19. Confirmation was received confirming that there is not a significant intensification of the sites existing access and that the layout of the new access and parking is considered in accordance with the LHDG.
- 8.20. The development is not considered to cause detrimental impacts to highway safety nor vehicle parking and as such it is considered that the proposal is in general accordance with Policies DM17 and DM18 of the SADMP.

9. Biodiversity Net Gain

- 9.1 Policy DM6 seeks to ensure that on site features are retained or included which safeguard and enhance biodiversity.
- 9.2 The development is not exempt from mandatory Biodiversity Net Gain (BNG). The statutory framework for BNG has been designed as a post-permission matter to ensure that the biodiversity gain objective of achieving at least a 10% gain in biodiversity value will be met for development granted planning permission. Once planning permission has been granted, a 'Biodiversity Gain Plan' must be submitted and approved prior to the commencement of this development. However the PPG is clear that BNG is not just a post-permission matter, that it is a material consideration and that when determining a planning application LPAs need to consider whether the BNG condition is capable of being discharged successfully through the imposition of conditions and/or a legal agreement.
- 9.3 The relevant BNG metric was submitted as part of this proposal which indicated a net gain of over 10%. LCC Ecology have confirmed that they are satisfied with the proposal, the BNG scheme is considered to be feasible and can be provided for on site. BNG proposals include the planting of hedgerow, native trees, meadow grass and shrubs on the site.
- 9.4 As above the application will be subject to the standard, mandatory BNG 'pre-commencement condition', in addition to that a condition is required seeking a 30-year Habitat Management and Monitoring Plan (HMMP) to evidence how the proposed habitats will be created, managed to the condition stated and monitored for the relevant 30 year period.
- 9.5 Subject to the mandatory BNG condition and condition requiring the HMMP the LPA are satisfied the proposal will achieve 10% BNG and that this will be created and managed for the relevant period. In addition no onsite features would be lost as a result of the development, the proposal therefore also complies with Policy DM6.

- 9.6 Additionally LCC Ecology have requested a CEMP to be conditioned to ensure that biodiversity is safeguard through the construction process.

10. **Equality implications**

- 10.1 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.

- 10.2 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.

- 10.3 There are no known equality implications arising directly from this development.

- 10.4 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).

11. **Conclusion**

- 10.1. It is considered that the proposal has limited impacts on the character of the area and countryside, neighbouring amenity and highways safety. The proposal therefore complies with Policies DM4, DM6 DM10, DM17, DM18 of the SADMP.

12. **Recommendation**

- 11.1 **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report

11.2 **Conditions and Reasons**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

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

Site Location Plan Drg No. 240219-02-01
Proposed Layout Plan Drg No. 240219-02-02
Proposed Drainage Plan Drg No. 240219-02-04

Front-Entry Pod Plans and Elevations Drg No. 240219-02-05
Side-Entry Pod Plan and Elevations Drg No. 240219-02-09
Proposed Lighting Plan Drg No. 240219-02-07
Road and Access Plan Drg No. 240219-02-06

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).

3. The materials to be used on the development shall accord with the approved materials detailed within the application form.

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

4. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on Road and Access Plan, drawing number 240219-02-06 have been implemented in full.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with Policies DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

5. The development hereby permitted shall not be occupied until such time as the parking (and turning facilities) have been implemented in accordance with Proposed Layout Plan, drawing number 240219-02-02. Thereafter the onsite parking and turning provision shall be kept available for such use(s) in perpetuity.

Reason: 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 and to enable vehicles to enter and leave the site in a forward direction in the interests of highway safety and in accordance with Policies DM17 and DM18 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

6. No development shall take place (including ground works or vegetation clearance) until a Landscape Plan covering 30 years has been submitted to, and approved in writing by, the Local Planning Authority. This can take the form of a Habitat Management and Monitoring Plan (HHMP) and should include the following details:

- Description and evaluation of the features to be created and managed indicating planting schedules, species lists, and planting strategy including best practice guidance on appropriate spacing for planting trees; and
- Aims and objectives of management; and

- Appropriate management options for achieving aims and objectives; and
- Prescriptions for management actions; and
- Work schedules; and
- Species/ seed mixes to be planted/sown; and
- Ongoing monitoring and remedial measures.

The development hereby permitted shall then be implemented in strict accordance with the details of the approved Landscape Plan.

Reason: In order to protect the biodiversity and wildlife on site to accord with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

7. No development shall take place until a Construction Environmental Management Plan for biodiversity (CEMP: Biodiversity) is submitted to in writing and approved by the Local Planning Authority. The CEMP shall include details of safeguarding measures throughout the construction process and include precautionary methods of working presented within the Ecological Appraisal.

Reason: In order to protect the biodiversity and wildlife on site to accord with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

Notes to applicant

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