

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



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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
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