

John Knott and Judy Knott

PLANNING STATEMENT

**Application to vary condition 8 attached to planning
approval 23/00927/FUL**

**Land South Of Bosworth Road, Bull In The Oak, Cadeby,
Leicestershire**





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1 INTRODUCTION

- 1.1 On behalf of John Knott and Judy Knott (“the applicants”), we hereby submit the following application under Section 73 of the Town and Country Planning Act 1990. The application seeks to vary condition 8 attached to the previously approved planning application referenced 23/00927/FUL.
- 1.2 The purpose of this statement is to set out the relevant background and context of the site which is subject to this application, and the relevant assessment on the purpose of varying the condition attached to the previously approved planning application.
- 1.3 This application has been submitted successfully through the Planning Portal. This planning statement supports the application together with the following plans and documents:
- Site Location Plan - 25-30-PL01
 - Proposed Site Layout Plan - 25-30-PL02
 - Landscape Plan - 25-30-PL04
 - Drainage Plan - 25-30-PL05
 - Bosworth Caravan Park Housing Need Technical Note
- 1.4 Arrangements will be made for the correct fee for a planning application of this type (‘Non-major development applications (other than householder’), £586 + VAT, to be sent via BACS upon submission.

2 SITE CHARACTERISTICS AND CONTEXT

- 2.1 The application site is located within the countryside outside of any settlement boundary and is located adjacent to the Market Bosworth Conservation Area. The character of the adjacent conservation area is parkland which is associated with Bosworth Hall. The site itself is not sited within the Conservation Area.



2.2 The site is located south of Bosworth Road and North of Cadeby Lane and is accessed from Cadeby Lane. The site whilst visible, is well screened with mature hedgerow and trees serving as a sufficient boundary treatment. Furthermore, since the assessment of the original planning application (23/00927/FUL), an additional 300 trees have been planted between the site, the conservation area and Bosworth Road.

2.3 The site serves as Bosworth Caravan Park, which is a long-established caravan site. The success of the existing caravan park, and the amount of pitches available not meeting the demand, is the basis for which the additional eight pitches are required.

i. Planning History

2.4 The planning history for the site is summarised in the table below.

2 Ref No.	Description	Date of Decision	Decision
14/00517/FUL	Creation of hardstanding for the purpose of tourism use (caravans and motor homes) (retrospective)	22 Jan 2015	Permitted
17/00458/CLUE	Certificate of lawful (existing) development for the year round siting of caravans and motorhomes on existing serviced hard standing pitches, and on grass pitches, with electric supply and the use of heated showers, toilets and laundry room with mains sewage disposal	4 Aug 2017	Certificate of Lawful Existing Use
18/00805/FUL	Development of the land for the erection of three log cabins for holiday let purposes	23 Nov 2018	Refused – Appeal Dismissed
19/01308/FUL	Development of the land for the erection of three timber lodges for holiday let purposes on land north of Cadeby Lane,	5 Mar 2020	Permitted



	(Resubmission of 18/00805/FUL)		
22/00896/FUL	Development of the land for the erection of three timber lodges for holiday let purposes on land north of Cadeby Lane-resubmission of consent 19/01308/FUL	28 Nov 2022	Permitted
23/00927/FUL	Change of use of land from agricultural to sui generis (siting of caravans, motorhomes and tents on serviced hard standing and grass pitches) (Retrospective)	21 Dec 2023	Permitted

Table 1 – Planning history of the development site, as available on the public access page.

3 PROPOSED DEVELOPMENT

- 3.1 The proposal development relates to the previously approved planning application referenced 23/00927/FUL, which granted planning permission for “*Change of use of land from agricultural to sui generis (siting of caravans, motorhomes and tents on serviced hard standing and grass pitches) (Retrospective)*”. This application submitted under section 73 of the Town and Country Planning Act 1990, seeks to vary condition 8 of the approval.
- 3.2 The application also seeks to address the conditions which require discharge, this relates to conditions 3, 4 and 6.

4 RELEVANT PLANNING POLICY

- 4.1 We have carried out a policy assessment and the proposal has been designed whilst paying regard to the National Planning Policy Framework (NPPF) 2024 and to the following relevant policies from the Local Development Plan which comprises the Hinckley & Bosworth Borough Council Local Plan 2006 – 2025 (July 2016) – Site



Allocations and Development Management Policies DPD and the Sheepy Parish Neighbourhood Plan 2018-2036 (May 2022).

Hinckley & Bosworth Borough Council Local Plan 2006 – 2026 (July 2016) – Site Allocations and Development Management Policies DPD

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM8: Safeguarding Open Space, Sport and Recreational Facilities
- Policy DM9: Safeguarding Natural and Semi-Natural Open Spaces
- Policy DM10: Development and Design
- Policy DM11: Protecting and Enhancing the Historic Environment
- Policy DM12: Heritage Assets
- Policy DM13: Protecting the Borough's Archaeology
- Policy DM17: Highway Design
- Policy DM18: Vehicle Parking Standards
- Policy DM24: Cultural and Tourism Facilities

Hinckley Core Strategy 2006 – 2026 (2009)

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

Relevant Supplementary Planning Documents:

- Good Design Guide SPD

5 PLANNING ASSESSMENT

- 5.1 The proposal relates to the previously approved application (23/00927/FUL) which granted permission for the "Change of use of land from agricultural to sui generis



(siting of caravans, motorhomes and tents on serviced hard standing and grass pitches) (Retrospective)".

- 5.2 The site has been subject to a recent Planning Enforcement complaint, and was subsequently required to complete a Planning Contravention Notice (PCN), which was duly completed by the applicant. The Enforcement complaint is in relation to a breach of planning condition 8 of planning decision 23/00927/FUL, which have been outlined below:

- 5.2.1 Pitches used as a main residence and not for holiday purposes only
- 5.2.2 The number of caravans/motorhomes exceed the number permitted
- 5.2.3 Caravans/motorhomes sited on pitch 1, 2 and 3, contrary to the planning condition that restricts the use of these pitches to tents only
- 5.2.4 The occupation of pitches by any one person by more than 4 weeks at a time within a 12-month period

- 5.3 Condition 8 confirms that *"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"*.

- 5.4 The application, submitted under Section 73 of the Town and Country Planning Act 1990 seeks to vary condition 8 (23/00927/FUL) to allow for pitches 1, 2 and 3 to be used for caravans as opposed to the approved and conditioned tents, and to also allow for all 8 caravans to be unrestricted in terms of the timeframe attached to the length of stay.



j) Variation of condition 8 to allow caravans on pitches 1, 2 and 3

- 5.5 As confirmed within the PCN, there are currently no tents sited on the land. It has been acknowledged within the completed PCN, and confirmed within the Housing Needs Technical Note that supports this application, that there has been no enquiries or demand for tents at the site, and as such the applicant has been forced to respond to demand and provide caravans on the pitches (1, 2 and 3) as an alternative.
- 5.6 From reviewing the delegated officer report from the original approval (23/00927/FUL), the justification for the siting of three tent pitches was discussed. Initially within the report it is stated that *“The 8 Pitches proposed would all be along the northern boundary of the site. Pitch 1, 2 & 3, which are nearest the Conservation Area would be tent pitch only so the larger camper homes would be kept away from this sensitive boundary. Further details of the site are to be conditioned to ensure that boundary treatments and surface treatments do not add clutter or change the rural character of the site. The site is screened by a belt of mature woodland along the western boundary and a mature hedgerow on the remaining north, south and eastern boundaries. Additional planting within the site forms part of the proposal & within 5 years the majority of the site would be screened from public views by the additional planting. The seasonal short-term views into the site would not be incongruous to the countryside location due to the revisions in landscaping and design with tent only pitches near the western end of the site. The revised scheme would provide a much-improved visual relationship with the adjacent stable buildings and not be as visually prominent thus reducing overall impact on the setting of the Conservation area”*.
- 5.7 The report as above confirms that the tent pitches are located closest to the Market Bosworth Conservation Area (MBCA) and that from this, the caravans would be kept away from the ‘sensitive boundary’. The replacement of tent pitches for caravan pitches therefore would be considered to worsen any harm to the MBCA.
- 5.8 However, it is noted that under planning approval 22/00896/FUL, three timber lodges were previously approved within the field immediately adjacent to the application site. During the assessment of the application for the timber lodges, which are positioned closer to the MBCA than the proposed pitches and are considerably larger than the caravans that form the subject of this application, it was not deemed that their size or



location would have a significant impact on the setting on the MBCA. As such, the siting of three timber lodges, closer to the conservation area, has already been granted. The principle of development in this location is therefore established.

5.9 The approval (22/00896/FUL), combined with the landscaping scheme under 23/00927/FUL and the existing screening which includes an extensive belt of mature woodland along the western boundary and a mature hedgerow in the remaining north, south and eastern boundaries, will sufficiently screen the caravans and significantly reduce any harm found against the MBCA.

5.10 In addition to this, the siting of caravans within plots 1, 2 and 3 should be assessed as a natural extension of the successful and established existing business, which in turn, by providing the caravans in place of the tents, are responding to the growing and continuous demands of the business. In view of the extent of the business and the current provision of pitches for caravans, the addition of three caravans should not be deemed to be significant and would be discernible in the larger context of the site as a whole.

ii) Variation of condition 8 to remove restrictions on occupancy timescales

5.11 Following the receipt and completion of the PCN, the applicant confirmed that some visitors to the site are on a 4-week contract. There are some caravans that have been on site for longer than 4 weeks. It is noted, however, that a number of visitors stay during the week and return to their main residence at weekends. The caravans remain on site. This enables occupiers to work in the local area and stay in affordable accommodation to cover their working days/shifts. This method of tenure is proving to be successful for the site owner and beneficial to the residents, as seen on the wider site.

5.12 The accompanying Housing Need Technical Note outlines the acute need for more affordable types of housing in rural areas across the country such as in the area surrounding Market Bosworth where Bosworth Caravan Park is located. The evidence provided within the Housing Need Technical Note confirms the significant benefits of HBBC permitting the use of the caravans as a solution to providing affordable type housing within the area, for which there is a need.



- 5.13 The time period of occupancy of the caravans would have no material impact on the character of the area, impact on the conservation area or impact on neighbouring amenity.
- 5.14 For these reasons, the removal of the restrictive condition would contribute to the NPPF objectives of meeting local housing needs and creating mixed and balanced communities.

iii) Conditions to be discharged

- 5.15 Planning application 23/00927/FUL was approved subject to compliance with eight (8) conditions. Of these conditions three (3) require post permission information to be submitted to and approved by the Council. The conditions requiring discharge are outlined below.
- 5.16 Condition 3 confirms, *“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”*.
- 5.17 Plan No. 25-30-PL05 has been submitted to support the discharge of this condition, this plan provides details of the surface water sewer and the fresh water supply and waste run off. It also provides the location of the Europa multi-service bollards, which provides a water supply.
- 5.18 Condition 4 confirms, *“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”

- 5.19 Plan No. 25-30-PL04 provides the landscaping plan. Within this plan, it shows areas of mown grass, mixed native species hedges (up to 2 metres high), and mature native trees. It also shows the granite gravel surface on the access road and servicing the pitches. It is noted that the landscaping proposed has already been successfully implemented and demonstrates a significant enhancement to the site. The maintenance schedule of the proposed landscaping will be in line with the existing maintenance that is already carried out within the wider site. It is evident, when visiting the existing caravan site, that the grounds are maintained to an exceptionally high standard. As the site subject of this application is within the same ownership as the wider site, the ongoing maintenance of the site will become part of the wider site management.
- 5.20 Condition 6 confirms, *“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”.*
- 5.21 Plan No. 25-30-PL05 shows the location of 4no. Europa multi-service bollards. These are located between pitches 1 and 2, 3 and 4, 5 and 6, 7 and 8. The bollards are designed as such to offer an ‘all-in-one’ solution providing lighting, foul sewerage and electricity to the pitches. Details of the specification of the bollards can be found accompanying this application.



- 5.22 The information outlined above should be considered against the former conditions imposed on planning application 23/00927/FUL.

6 CONCLUSION

- 6.1 This application presents the relevant justification for the variation of condition 8 of application 23/00927/FUL. This has been provided within this statement by outlining the lack of harm caused to the MBCA and wider area from the amendment of the three tent pitches to caravan pitches. The outcome is that there would be limited visual impact owing to the extensive screening already implemented and the assessment of adjacent planning approvals made by the Council acting as a buffer between the MBCA and the development site.
- 6.2 The accompanying Housing Need Technical Note provides an evidenced case for allowing the removal of the restriction of occupancy timescales for the 8 pitches, confirming that Bosworth Caravan Park would continue to enable people with lower incomes and links to the local area to remain there. It also provides a more affordable type of accommodation for people employed in the local area, resulting in more sustainable commuting patterns.
- 6.3 The proposed change from three tent pitches to caravan pitches would act as a natural and organic extension to the existing well-established caravan park and would not be out of character when considering the wider site.
- 6.4 For these reasons, the removal of the restrictive condition would contribute to the NPPF objectives of meeting local housing needs and creating mixed and balanced communities.