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Hinckley & Bosworth
Borough Council

Bill Cullen MBA (ISM), BA(Hons) MRTPI
Chief Executive

Date: 15 October 2018

To: Members of the Planning Committee

Mr R Ward (Chairman)	Mr C Ladkin
Mr BE Sutton (Vice-Chairman)	Mr KWP Lynch
Mr PS Bessant	Mrs J Richards
Mr DC Bill MBE	Mr RB Roberts
Mrs MA Cook	Mrs H Smith
Mr WJ Crooks	Mrs MJ Surtees
Mr MA Hall	Ms BM Witherford
Mrs L Hodgkins	Ms AV Wright
Mr E Hollick	

Copy to all other Members of the Council

(other recipients for information)

Dear Councillor,

There will be a meeting of the **PLANNING COMMITTEE** in the De Montfort Suite - Hub on **TUESDAY, 23 OCTOBER 2018** at **6.30 pm** and your attendance is required.

The agenda for the meeting is set out overleaf.

Yours sincerely

A handwritten signature in black ink, appearing to read 'R Owen'.

Rebecca Owen
Democratic Services Officer

Fire Evacuation Procedures

Council Chamber (De Montfort Suite)

- On hearing the fire alarm, leave the building **at once** quickly and calmly by the nearest escape route (indicated by green signs).
- *There are two escape routes from the Council Chamber – at the side and rear. Leave via the door closest to you.*
- Proceed to **Willowbank Road car park**, accessed from Rugby Road then Willowbank Road.
- **Do not** use the lifts.
- **Do not** stop to collect belongings.

Abusive or aggressive behaviour

We are aware that planning applications may be controversial and emotive for those affected by the decisions made by the committee. All persons present are reminded that the council will not tolerate abusive or aggressive behaviour towards staff, councillors or other visitors and anyone behaving inappropriately will be required to leave the meeting and the building.

Recording of meetings

In accordance with the Openness of Local Government Bodies Regulations 2014, the press and public are permitted to film and report the proceedings of public meetings. If you wish to film the meeting or any part of it, please contact Democratic Services on 01455 255879 or email rebecca.owen@hinckley-bosworth.gov.uk to make arrangements so we can ensure you are seated in a suitable position.

Members of the public, members of the press and councillors are hereby informed that, in attending the meeting, you may be captured on film. If you have a particular problem with this, please contact us using the above contact details so we can discuss how we may accommodate you at the meeting.

PLANNING COMMITTEE - 23 OCTOBER 2018

A G E N D A

1. APOLOGIES AND SUBSTITUTIONS
2. MINUTES (To Follow)
To confirm the minutes of the meeting held on 10 October 2018.
3. ADDITIONAL URGENT BUSINESS BY REASON OF SPECIAL CIRCUMSTANCES
To be advised of any additional items of business which the Chairman decides by reason of special circumstances shall be taken as matters of urgency at this meeting.
4. DECLARATIONS OF INTEREST
To receive verbally from Members any disclosures which they are required to make in accordance with the Council's Code of Conduct or in pursuance of Section 106 of the Local Government Finance Act 1992. **This is in addition to the need for such disclosure to be also given when the relevant matter is reached on the agenda.**
5. QUESTIONS
To hear any questions in accordance with Council Procedure Rule 12.
6. DECISIONS DELEGATED AT PREVIOUS MEETING
To report progress on any decisions delegated at the previous meeting.
7. 18/00732/FUL - KYNGS GOLF AND COUNTRY CLUB, STATION ROAD, MARKET BOSWORTH (Pages 1 - 28)
Application for erection of multi-functional recreational building formation of a new car parking areas, new access roads and the proposed erection of 15 golf holiday homes and all associated ancillary works and landscaping (Resubmission).
8. 18/00885/HOU - 186 ROSTON DRIVE, HINCKLEY (Pages 29 - 32)
Application for two storey side and single storey rear extensions.
9. 18/00225/REM - WESTFIELD FARM, KEATS LANE, EARL SHILTON (Pages 33 - 50)
Application for approval of reserved matters (appearance, landscaping, layout and scale) for residential development of 322 dwellings of outline planning permission 14/01279/OUT).
10. 18/00805/FUL - LAND NORTH OF CADEBY LANE, CADEBY (Pages 51 - 62)
Application for development of the land for the erection of three log cabins for holiday let purposes.
11. APPEALS PROGRESS (Pages 63 - 68)
To report on progress relating to various appeals.
12. ANY OTHER ITEMS OF BUSINESS WHICH THE CHAIRMAN DECIDES HAVE TO BE DEALT WITH AS MATTERS OF URGENCY

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Planning Committee 23 October 2018
Report of the Interim Head of Planning

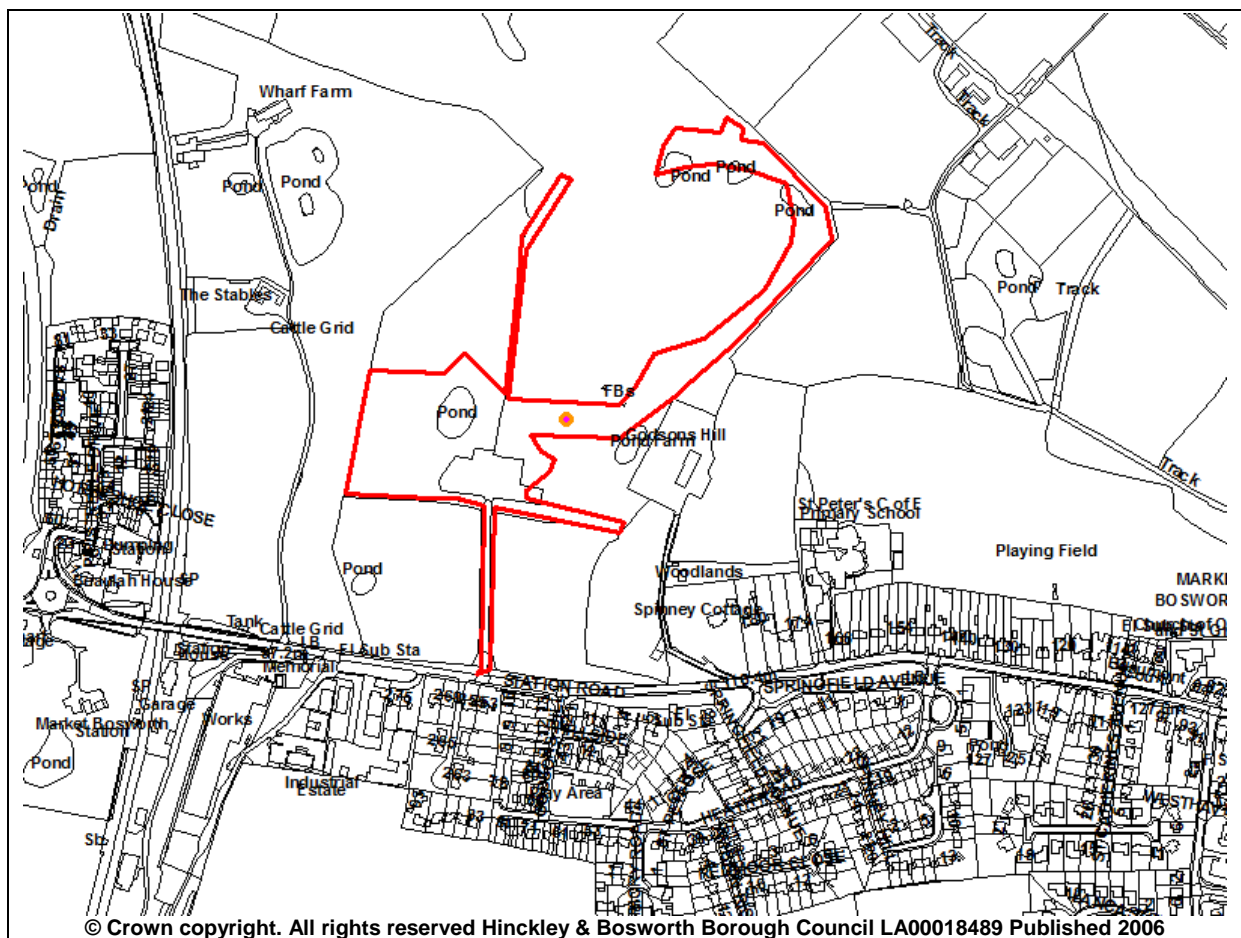


Hinckley & Bosworth
Borough Council

Planning Ref: 18/00732/FUL
Applicant: Statue Homes Ltd
Ward: Cadeby Carlton M Bosworth & Shackerstone

Site: Kyngs Golf And Country Club Station Road Market Bosworth

Proposal: Erection of multi-functional recreational building formation of a new car parking areas, new access roads and the proposed erection of 15 golf holiday homes and all associated ancillary works and landscaping (Resubmission)



1. Recommendations

1.1. **Refuse planning permission** subject to the reasons at the end of this report.

2. Planning Application Description

2.1. This application seeks full planning permission for the erection of a club house, the formation of new car parking area and the erection of 15 proposed holiday homes, which are to be occupied on short term let basis.

2.2. This application is a resubmission of application 17/00528/FUL, which was previously refused. The previous application was refused for the following reasons:-

- “1. *The proposed scheme would relate to an existing recreation facility outside the settlement boundary of Market Bosworth. The applicant has failed to demonstrate that there is a viable need and justification for the scale of development proposed and would be ancillary to the existing golf course. It is therefore considered that the proposed development is contrary to Policy DM1 and DM4 of the Site Allocations and Development Management Policies DPD and Policy 23 of the Core Strategy (Dec 2009).*
2. *The proposed clubhouse by virtue of its scale, layout siting and design would result in a prominent building within a rural setting, which would neither complement nor enhance the intrinsic beauty or rural character and appearance of the countryside. By virtue of the scale and appearance the proposed clubhouse would also harm important views and vistas into and out of Market Bosworth, which would be contrary to Policies DM1, DM4 and DM10 of the Site Allocations and Development Plan, Policies CE1, CE3 and CE5 of the Market Bosworth Neighbourhood Plan (2014-2026).*
3. *The proposed residential accommodation within the proposed golf club house, would be sited outside the settlement boundary of Market Bosworth in a countryside location. The applicant has failed to demonstrate a requirement or need for the creation of a dwelling within this countryside location. The proposal would therefore result in a form of unsustainable development that in the countryside which would be contrary to Policy DM1 and DM4 of the Site Allocations and Development Management Policies Development Plan Document (2016).*
4. *The proposed holiday homes by virtue of their scale, layout, siting and design, would be positioned upon a prominent and sensitive rural location, which would neither complement nor enhance the intrinsic beauty or rural character and appearance of the countryside. They would result in being a prominent feature upon the approach to the settlement of Market Bosworth, which would have a significant adverse detrimental impact upon the views and vistas on the approach to the settlement and views across the undulating countryside into Market Bosworth contrary to Policies DM1, DM4 and DM10 of the Site Allocations and Development Plan, Policy CE1, CE3 and CE5 of the Market Bosworth Neighbourhood Plan (2014-2026).*
5. *The proposed buggy garage by virtue of its scale, layout, siting and design would result in a prominent building within a rural setting, which would neither complement nor enhance the intrinsic beauty or rural character and appearance of the countryside. By virtue of the scale and appearance the proposed buggy garage would also harm important views and vistas into and out of Market Bosworth, which would be contrary to Policies DM1, DM4 and DM10 of the Site Allocations and Development Plan, Policy CE1, CE3 and CE5 of the Market Bosworth Neighbourhood Plan (2014-2026).*
6. *The proposed parking area, due to its significant scale would result in large areas of hardstanding which would have a significant urbanising impact upon the character and appearance of the countryside which would be contrary to Policies DM1, DM4 and DM10 of the Site Allocations and Development Plan, Policy CE1, CE3 and CE5 of the Market Bosworth Neighbourhood Plan (2014-2026).*
7. *The proposed water feature and lake would result in an incongruous feature within the open countryside and would result in significant adverse impact upon the character and appearance of the countryside and cause harm to the important views and vistas into and out of the settlement of Market Bosworth*

which would be contrary to Policies DM1, DM4 and DM10 of the Site Allocations and Development Plan, Policy CE1, CE3 and CE5 of the Market Bosworth Neighbourhood Plan (2014-2026).

8. *Insufficient information has been provided to assess the impact on ecology as a result of the development and therefore the applicant has failed to demonstrate that the development would not result in the loss of irreplaceable habitats without appropriate mitigation. The proposed development does not accord with Policy DM6 of the Site Allocations and Development Management Policies DPD (2016).*
 9. *Insufficient information has been provided to assess the possible impact of the development on the road network, highway safety, capacity and the sustainability of the development and therefore the applicant has failed to demonstrate that the development would not result in any significant impacts arising from the proposed development upon the highways and transportation network and any necessary mitigation measures. The proposed development does not accord with Policy DM17 of the Site Allocations and Development Management Policies DPD (2016)."*
- 2.3 The proposed clubhouse would include a golf members lounge, changing rooms, pro-golf shop, golf simulator, along with kitchen area with bar, and a function hall. The proposed clubhouse would be dual frontage, with entrances to the south and east. The proposed clubhouse building would be two storeys in scale, specifically within the east portion of the proposed building, with the remaining building being of single storey, with low eaves and hipped roof. The clubhouse would have an approximate ridge height of 9.2 metres at its highest ridge. The proposed parking would be provided to the south of the club house and extend west. The design and scale of this building has altered from the previously refused permission.
 - 2.4 To the east and north of the proposed clubhouse 15 holiday homes are proposed. Plots 1-6 would be situated to the south west of the proposed golf clubhouse and adjacent to the south facing boundary of the application site. These proposed holiday homes would reflect a traditional courtyard arrangement, and would be of single storey scale, with each holiday let providing two bedroomed self catering accommodation with a shared central courtyard. The previous scheme sought to provide 6 two storey detached properties.
 - 2.5 Plots 7-15 would be positioned along the east boundary of the site, which is of higher ground level. The proposed holiday homes would be positioned upon piled foundations due to the change in land levels across the site, with the holiday lets positioned upon steel columns. Plots 7 – 15 would be of contemporary design with a mix of flat and mono-pitched roof styles with living accommodation split over two floors. There have been no changes to these in location or design of these proposed holiday homes from the previously refused scheme.
 - 2.6 The scheme would result in the loss of the 9 hole practice golf course.
 - 2.7 During the course of the application, amended plans have been received, which removed a proposed golf buggy store, a separate building for the golf simulator building, and also amendments to the proposed golf clubhouse. Which sought to reduce the overall ridge of the proposed building and would incorporate the golf simulator being accommodated within the club house. The amendments have been subject to a full 21 day re-consultation.
 - 2.8 A Design and Access statement, Transport Statement, Flood Risk Assessment/Drainage Strategy, Ecology Report, Landscape and Visual Baseline Report and Market Assessment and Business Case have been submitted to support the application.

3 Description of the Site and Surrounding Area

- 3.1 The existing golf course comprises of approximately 48 hectares of undulating land, which has been regraded following planning permission for the creation of the golf course. Generally the land rises to the east, towards the approach of the settlement boundary of Market Bosworth.
- 3.2 The site extends north beyond the settlement boundary of Market Bosworth towards the neighbouring settlement of Carlton and is surrounded by undulating countryside. An existing footpath, S70, runs east to west through the gold course which allows extensive views across the site.
- 3.3 The application site is accessed via Station Road which is an existing access, leading to a pair of gates which secure the site. At present the site is not in use. An existing pre-fabricated building resides on site, which sought to serve as a temporary clubhouse. There is an existing area of hardstanding along the southern boundary of the site serving as a car park to the golf course.

4 Relevant Planning History

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
08/00217/FUL	Retention of slab area	Permission	09.04.2008
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 the 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

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.
- 5.2. 27 letters have been received during the course of the application, 22 from separate addresses. 18 letters of objection, 3 letters neither supporting nor objecting the application and 1 letter in support.
- 5.3. The letters of objection raise the following concerns:-
 - a. This is an excuse to build “holiday homes” without any intention of developing the golf club.
 - b. Golf clubs all over the country are facing financial difficulty and closure, due trend amongst younger people towards cycling and not golf.
 - c. Traffic along Station Road is frequently heavy and congested particularly at the beginning and end of the school day, the evening rush hour and on sunny days due to the popularity of the Water Park.
 - d. The entrance to Market Bosworth is particularly attractive and building on this prominent green area would be a great loss to the community and tourists.
 - e. Development of this site, would lead to traffic using the farm track at the rear of the site which leads to Barton Road which is a footpath and part of the Leicestershire Round.
 - f. The road serves 4 schools and an industrial estate, along with all the traffic this entails.
 - g. 15 holiday homes in addition to extra buildings outside of the area for development is a large number
 - h. Previous attempts to run the golf course has not succeeded.
 - i. Increased noise for local residents.
 - j. Market Bosworth does not need this development.
 - k. No viable need or justification for scale of development which would be unsustainable development in the open countryside and not in accordance with councils adopted Policies.
 - l. No detailed assessment of Gross Development Value has been included in the business plan assumption which is an essential element in assessing viability of the proposed scheme.
 - m. The document submitted has not taken into account build costs or purchase costs of lodges, professional costs, project management, legal fees or interest figures. It is conceded in paragraph 39 and 68 that “frequent cause of failure of golf businesses is the inability to repay loans taken out”

- n. Lodge accommodation confirmed essential to attract staying tourists and to provide further revenue by using the lodges for persons attending proposed wedding functions. This source of income cannot be assessed within this proposal, paragraph 68 confirms Golf Holiday homes are to be sold to provide income to finance the cost of the club house and improve the existing golf course.
- o. Should the golf business fail again, or the other development not proceeded a residential development of 15 properties will have been established outside the development limits.
- p. Wont be purchased by golf tourists
- q. The viability Assessment does not take into consideration all the relevant facts.
- r. Golf accommodation would no doubt become permanent for like those living on board the marina.
- s. Back door to houses in the countryside.
- t. Policy CE3 of the Market Bosworth Neighbourhood plan states new development will not be supported if it has a significantly adverse impact on an important view or vista.
- u. Policy CE5 states in all cases development will only be permitted where it does not cause harm to the landscape or biodiversity of the countryside that cannot be mitigated. 9 lodges would contravene this.
- v. There are 305 rooms accommodating 670 people within a 5 mile radius of the proposed development, proving there is ample accommodation.
- w. If accommodation is required why cant this be included within the main building which would be much less damaging to the landscape.
- x. How would HBBC ensure the proposed lodge would only be occupied for holiday and recreation and not permanent.
- y. Would set a precedent
- z. Traffic surveys conducted in March and April which are no peak flow periods. Summer it increases substantially.
- aa. Supporting information by Ashworth identifies that newcomers and returners to the sport were attracted by nine hole version of the game to encourage busy people to play more often. This proposal seeks to take the nine hole course away.
- bb. Where is the research which demonstrates the area needs another wedding and conference venue.
- cc. Estimated Financial Profile by Ashworth Ass. Shows an operating profit of £167,770 at ready stage. This profit is sufficient to finance the build costs of a club house negating the requirement to build and sell 9 lodges.
- dd. The proposed development would 'create 58 new jobs' which shows 17 full time employees for the holiday homes and 10 full time employees for the conference and banqueting. 17 staff to manage 15 homes is equal to having one full time person per property per day. We do not know of any venue with this staffing density.
- ee. Churchills employ 150 people and are operational 24 hours a day, if the homes are given permission this could set a precedent for further residential development resulting in Churchills having to relocate. Which would result in the loss of many more jobs than is being created.

- ff. Seeing the golf club re-open would be welcomed along with an appropriately sized club house and facilities, however taken as a whole the proposed development would be at odds with the NDP, in which the green approaches into the village is appreciated.
- gg. Approving this would result in the NDP being seen by the community and developers alike to null, as the precedent of non-NDP compliant planning approval would have been clearly established.
- hh. Would reopen opportunity for housing directly opposite Churchhills, which has a 150 employed team rising to 200 in the coming years. If there is proximal residential development on the north side of Station Road, they would be unable to stay due to noise levels and the need to operate 24 hours a day 7 days a week.
- ii. If the owners really wanted to run a golf course they could from day 1 and not closed it.
- jj. The tees, greens and bunkers have all disappeared, and the cost of returning the course to a payable condition will be enormous.
- kk. The view across Godson's Hill will be ruined by the holiday lodges and is therefore unacceptable.
- ll. The existing golfers in the area will already be members of well established clubs and due to both inertia and the unattractiveness of a new club will be unlikely to join a new club.
- mm. Many of the local clubs already have a 9 hole course, a driving range and pitch and putt and therefore would be difficult to attract new members.
- nn. If the lodges are sold they will look after themselves and not create employment.
- oo. How can lodges be sold if the golf course does not exist. The course would have to be developed first and then the demand for holiday established later.
- pp. Golfers generally require accommodation with 1 or 2 bedrooms not 4.
- qq. Restrictions should apply if approved.

5.4. One Letter of support was on the following grounds:-

- a. Any building work would be minimal in comparison to what has been carried out.
- b. The buildings when completed would enhance the area
- c. Would bring more tourists and work for local residents
- d. It will bring employment to the area and an added attraction to the area.
- e. This development would have little disruption compared to what was contended with during the build of Persimmon Homes.
- f. If as a council you have passed planning for Mira at Bosworth Battlefield then surely something that will enhance the market town and residents visitors alike is a much more likely business to bring people to Market Bosworth.
- g. Retailers, Pubs and restaurants would have more customers.

5.5. Three letters was received neither objecting to or supporting the planning application, and makes the following points:-

- a. The current owner closed the course and informed them that he has no interest in golf, and there was no money to be made. The course closed resulting in members who had paid fees for the years losing 6 months membership.

- b. Looking at the proposed development, wonder if the golf course will ever be delivered or if it is how long it would remain open for.
- c. Worry that if this application is approved, once the holiday lets have been built the course will soon close, and subject to further application.
- d. Therefore if the application does go ahead it should be ensured that the golf course remains open for a minimum of 20 years to allow it to become successful business and another attractive addition to Market Bosworth.
- e. It is hoped that the golf course is open again
- f. Updated traffic survey and proposal to enhance the road access to provide a safer environment for pedestrians is welcomed.
- g. Concerns over the prominent area either side of a public right of way and cause a distinct change in the vista from one that is entirely rural.
- h. The design with elevated sections appears to make them even more prominent.
- i. Applicant does not own the access track from Station Road, and no notices have been served upon them as owners of the site.

6. Consultation

6.1. No objections, some subject to conditions received from:-

Sport England
 Environment Agency
 Ashby Canal Association
 Leicestershire County Council (Ecology)
 Leicestershire County Council (Highways)
 Leicestershire County Council (Archaeology)
 Leicestershire County Council (Public Rights of Way)
 Conservation Officer
 Environmental Health (Drainage)
 Environmental Health (Pollution)
 Hinckley and Bosworth Borough Council Waste

6.2. Lead Local Flood Authority have requested further information

6.3. No comments have been received from:-

Severn Trent Water
 Leicestershire County Council (Archaeology)
 English Gold Union
 Ramblers Association

6.4. Market Bosworth Society have objected on the following grounds:-

- a. The effect of the resubmission upon the important and sensitive approach to the Market Bosworth Conservation Area remains the same.
- b. The development of the proposed size and nature will have an enormous impact upon the entrance to Market Bosworth together with the view and vista.
- c. The entrance to Market Bosworth has been identified as significant in "An Appraisal of the Character of the Approaches to the Market Bosworth Conservation Area" 2013
- d. The application does not meet four of the Market Bosworth Neighbourhood plan (2014-2026) policies C1, CE1a, CE1b and CE3.

- e. The additional residents of 4 bedroom golf lodges together with those using the Multifunctional Recreational Facility is, potentially more than 100 people. This will create additional stresses on existing facilities, such as parking and GP appointments.
- f. With the exception of 2016 there has been a steady decline in the number of golfers for the preceding 10 years, which is set to continue. The statistics are based on what the stock market refers to as a 'dead cat bounce' Some of the population and area calculations seem to be based upon gross averages and national averages rather than local population. The accompanying data can not be relied upon to deliver an accurate assessment.
- g. Whilst the number of potential golfers within a 30 minute drive is reported, the number of competitor golf courses is not. The statistics provided does not make it possible to show how many active golfer there are.
- h. Table 2 is a broad brush stroke based on average numbers across England and Table 3 refers to golfers playing at least once per week. It is impossible therefore to use these statistics in a meaningful way to reach a firm conclusion.
- i. The cost of returning the land to a condition where it could function as a golf course has been omitted. It is therefore not possible to suggest that the cost of maintaining the golf course can be met from the income generated.
- j. The course has been neglected for the past two years and much more than daily mowing is required to maintain fairways and greens.
- k. There is no evidence that the sale of the lodges will cover the costs of rebuilding the course or maintaining it.
- l. The present owner has no interest in providing a golf course, this has been demonstrated by their actions, in closing the course to players.
- m. Previous member were effectively thrown off and suffered monetary loss and unlikely to return under these circumstances.
- n. Sale of lodges are unlikely to be successful without the course to play on.
- o. The reasons for refusal of 17/00528/FUL have no been defeated by 18/00732/FUL.
- p. The development would be out of character with the area and grossly out of portion. They would be a significant urbanisation of this site.
- q. Irreversible effect of such buildings on the vista. The land is designated green space and as such no such buildings should be permitted or even considered.
- r. The multi recreational building is unpleasing sight. The use of large barn doors and other features render it at odds with the surrounding area.
- s. Ergonomically inept that the Golf members lounge is as far away from the changing facilities as possible.
- t. There appears to be no disabled facilities included in the design for disabled golfers to make use of the first floor lounge.
- u. No toilet facilities in Georges hall, except those in reception.
- v. No kitchen servery for Georges hall, any food from the kitchen would have be passed over the bar which is impractical and a health and safety issue. Alternatively food would have to be delivered via the general corridor which connects the entrance and toilets at one end to the Golf member changes rooms and toilets and entrance at the other.

- w. Inadequate toilet facilities.
- 6.5. Market Bosworth Parish Council have objected on the following grounds:-
- a. The submission has not materially addressed the reason for refusal on application 17/00528/FUL, not until such a time as a thriving golf course is in operation can need for additional developments proposed be demonstrated.
 - b. Whilst the Landscape and Visual Baseline Report paras 3.15 to 3.28 contends that Policies CE1, CE3 and CE5 of the Market Bosworth Neighbourhood Plan (2014-2026) as based on 'values' and have no worth, their counter arguments appear to be subjective and lacking significant evidence based on the Neighbourhood Plan. Local Values were paramount in defining the character areas of the Neighbourhood Plan.
 - c. Supporting evidence relies on H&BBC Destination Management Plan, however the report misquotes the references e.g. DMP 8.3 the application ignores the introductory paragraph and implies the final bullet point is policy. Subject to planning permission and adherence to Local and Neighbourhood Plans.
 - d. Although the plan shows proposed office space rather than residential accommodation to that previously submitted, the applicant has failed to demonstrate the need for creation of this facility and therefore there is no material change for this element.
 - e. The proposed club house is a significant development with no proven need and until such a time as an established golfing business can demonstrate the need, viability and sustainability of this requirement the Parish Council cannot support such a development.
 - f. Market Bosworth does not accept that the design resembles an agricultural outbuilding and even if it did, it would appear incongruous within the same visibility splay of the proposed clubhouse and buggy store. These dwellings would still result in being a prominent feature upon the approach to the settlement of Market Bosworth. This would have significant and detrimental impact upon the views and vistas on the approach to the settlement and views across the undulating countryside contrary to Policies DM1, DM4 and DM10 of the SADMP and CE1, CE3 and Ce5 of the Market Bosworth Neighbourhood Plan.
 - g. Amendments regardless of material design accommodate the same number of holiday lets and therefore do not address concerns of scale, layout and siting.
 - h. The Parish Council is unclear on the overall number of parking spaces.
 - i. The proposed water feature shown to the front of the Clubhouse does not exist in the form shown on the plan. The comments in the decision notice reflect that this feature would require enlargement of the existing water pool and that two significant water fountains would be highly visible from the road. This would be incongruous with this area. This element has therefore not been appropriately addressed.
 - j. Concerns are raised over the entrance to the proposed development is within a few metres of the proposed access to Station Field, the neighbourhood plan designated the area, for mixed use (housing and industrial units) on the opposite side of the road. The Station Field development identifies access for a minimum of 100 homes and increased commercial developments. Sedgemere development is also requiring access to this same road, with 45 houses, which would all considerable add to the traffic flow on this already busy road. Parish

Council believes any development of Kyngs site should be jointly responsible for any necessary improvements that will be required.

- k. Parish supports development that will generate local employment, the design and access statement identifies 59 FTE. However the golf course operated successfully with 4 FTE staff. The data table identifies 10 FTE would be required to operate Georges Hall, this suggests that the facility will be operating in a different capacity to meeting the needs of the golfers, or grossly over estimated, as well as the requirement for 15 staff to look after 47 bedrooms.
- l. It is incongruous that the application states removal of the 9 hole course in favour of building lodges, when the viability report identifies the success of 'Golf Express' which promotes nine-hole version of the game.
- m. The model does not guarantee that the golf course would be restored.
- n. It is explicit throughout all the other supporting evidence that the programme of activities is focused on the use of the 'clubhouse' to host large scale events together with the income generated from the holiday lets. No clear understanding how golf holiday lets will generate any income if there is no golf course to play on.
- o. The Parish Council would support a model which, a golf business is established, using the existing facilities with restoration of both existing 18 and 9 hole courses.
- p. An established golfing business provides an evidence based which determines the needs for appropriately sized clubhouse and the need for a small number of 1 and 2 bedroom golf holiday accommodation spaces.

6.6. Carlton Parish Council have objected on the following grounds:-

- a. Detached Holiday homes 1-9 are not well related to the remainder of the proposed built development.
- b. The holiday cabins constitute an unacceptable linear intrusion of obtrusive built development in an area of attractive open countryside.
- c. The proposed holiday cabins would be in a prominent position on raised ground, and in consequence would have an unacceptable visual impact on the area of high landscape value and an important approach to the Market Bosworth Conservation Area.
- d. Fails to respect the intrinsic character and beauty of the countryside contrary to Paragraph 109 of the NPPF.
- e. The proposed linear development of detached holiday cabins is not of a design and at a scale which is appropriate to minimise impact and assimilate well with the character of the surrounding area, contrary to Policy 23 of the Core Strategy.
- f. The holiday cabins can be sited closer to the settlement boundary, can be more closely associated with other built development, will have a significant impact on the intrinsic value, beauty, open character and landscape character of the countryside and will constitute ribbon development, contrary to Policy DM4 of the SADMP.
- g. The proposed holiday cabins would not enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials or architecture features contrary to Policy DM10 of the SADMP.

- h. The proposed development of detached holiday cabins would have an unacceptable adverse impact on view 12 of the Market Bosworth Neighbourhood plan.
- i. The approach to Market Bosworth on public footpath S70 is described and illustrated on p10-11 of An Appraisal of the Character of the approach to the Market Bosworth Conservation Area (Market Bosworth Society, Nov 2013), and forms the evidence base of the Market Bosworth Neighbourhood Plan. The proposed development of detached Holiday cabins would have an unacceptable visual impact on this important approach to the Market Bosworth Conservation Area.

7. Policy

7.1. Market Bosworth Neighbourhood Plan 2014-2026

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

7.2. Core Strategy (2009)

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

7.3. 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 Boroughs Archaeology
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM24: Cultural and Tourism Facilities

7.4. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2018)
- Planning Practice Guidance (PPG)

7.5. Other relevant guidance

- North Warwickshire and Hinckley & Bosworth Destination Management Plan 2017-2020
- Landscape Character Assessment (2017)
- John Nix Pocketbook for Farm Management 2018 (48th Edition)

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area
- Impact upon Market Bosworth Conservation Area

- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Impact upon Drainage and Flood Risk
- Impact upon Ecology
- Land Contamination and Pollution
- Impact upon Archaeology
- Impact upon Public Right of Way
- Planning Balance

Assessment against strategic planning policies

- 8.2. Paragraph 12 of the National Planning Policy Framework (NPPF) provides a presumption in favour of sustainable development and states that planning applications that accord with the policies in the Local Plan should be approved unless material considerations indicate otherwise.
- 8.3. Policy DM1 of the SADMP sets out a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved without delay unless materials consideration indicate otherwise.
- 8.4. The application site is situated outside any defined settlement boundaries, and is therefore situated within the countryside. Policy DM4 of the SADMP seeks to safeguard the countryside from unsustainable development. Policy DM4 identifies several criteria outlining where development in the countryside will be considered sustainable. It is considered that two of the 5 criteria are relevant to this application.
- 8.5. Policy DM4 of the SADMP identifies that development in the countryside will be considered sustainable where proposed development 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; subject to it meeting further detailed criteria.
- 8.6. Secondly Policy DM4 of the SADMP identifies that a proposal which significantly contributes to economic growth, job creation and/or diversification of rural business. The applicant identifies within the supporting documentation that the proposed would create 59 full time equivalent jobs. However it is anticipated that this number would in fact be considerably less, given the estimations are based upon RICs employment density guidelines and not on actual predictions in line with the business. It is likely that, some staff would be held on a retainer and employed when there are special events or on holiday let change over days rather than being required on a full time basis. Nevertheless it is accepted that the proposed development and use would result in a degree of economic growth in addition to job creation, however it is not considered significant.
- 8.7. The application site, is not designated within the Site Allocations and Development Management Policies DPD, it is however identified within the Market Bosworth Neighbourhood Plan (MBNP) as a Leisure and Tourism facility. Policy DM24 of the SADMP seeks to resist the loss of or change of use of cultural and tourism facilities, and redevelopment or loss of cultural and tourism facilities would only be appropriate where it can be demonstrated that:
- a) The existing facility can no longer operate in a viable manner and all attempts of diversification have been exhausted; and
 - b) The facility cannot be retained through voluntary, charitable or community organisations or ventures, with the exception of strategic hotels; or

- c) The proposal would result in an appropriate replacement cultural, tourism and leisure resource which fulfils the requirements of Core Strategy Policy 23; or
 - d) The loss of a small portion of the site for alternative uses would result in enhanced facilities for culture and tourism on the remainder of the site.
- 8.8. The proposed scheme includes the erection of a Golf Club house, which would operate along side the existing golf course, if brought back into use. In addition to the club house the proposal also includes the erection of holiday accommodation in the form of 15 self catering units, which would be situated upon land which currently provides a 9 hole golf course. The proposed scheme would therefore result in the loss of the 9 hole golf course.
- 8.9. The applicant does not propose to replace the 9 hole golf course, and there is no evidence or supporting justification which identifies that the 9 hole golf course is no longer necessary. The existing 9 hole practice Golf Course would be removed to allow for the proposed holiday homes. The John Nix Pocketbook for Farm Management (2018 48th Edition) identifies ‘the golf market is aging and whilst all sorts of attempts have been made to interest youngsters, other sources of entertainment appear to hold a greater attraction.’ The applicant acknowledges in its supporting documentation, golf business viability report, that newcomers and returners to the sport were attracted by ‘Get into golf’ opportunities offered across the country; of particular success was Golf Express which promotes a 9 hole version of the game to encourage busy people to play more often. In a trail in Staffordshire over 4,600 nine-hole rounds were played in eight months. Additionally a study is referenced by the applicant ‘European Tour: Golf Activities Survey 2015’ this identifies that golf activities other than that of the traditional 18 hole are becoming more popular which are often shorter formats of the sport which include Driving Range (3.1million active users), Pitch and Put (2.3million active users), Nine Hole Courses (2.2 million active users), Putting Greens (1.7 million active users) and Par Three of Short Courses (1.2 million active users). This study also identifies other non-traditional formats including Adventure or Mini-Golf (2.7 million active users), Golf Computer Games (1.9 million active users) and Golf Simulators 0.4 million active users). It is acknowledged that the applicant is proposing a Golf Simulator but it is clear from the evidence stated above that this does not attract as much interest as a nine hole course. The loss of the nine hole course would result in less choice for members and no supporting justification or consideration has been provided to outline the likely impact this may have for prospective members and future member numbers and sustainability of the Golf Course. It is therefore not clear that the development of the proposed lodges would help to support the existing service and facilities a golf course could provide as they would result in the loss of the golf provision on site. Therefore it is considered that the proposal would not result in either an appropriate replacement or an enhanced culture and tourism facility, in accordance with the criteria c and d of Policy DM24 of the SADMP.
- 8.10. Policy 11 of the Core Strategy seeks to support the development of the tourism industry within Key Rural Centres Stand Alone, for which Market Bosworth is considered to be. Policy 23 of the Core Strategy encourages tourism development, including accommodation where it meets the following criteria:
- 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:
 - Complements the tourism themes of the borough: and

- The development adds to the economic wellbeing of the area.
- 8.11. The proposed development would provide a clubhouse to support the existing golf course and also seek to provide on site accommodation. The on site accommodation would be in the form of 15 holiday home, to be occupied on a short term basis, of no more than 28 consecutive days. The North Warwickshire and Hinckley and Bosworth Destination Management Plan (2017-2022) identifies that there is a strong market for self catering accommodation across most of the year, with there being strong occupancy rates for these types of facilities. It also identifies that there are development opportunities for holiday cottages as well as other types of accommodation to cater for the potential scale of tourism growth.
- 8.12. The applicant has provided details of the proposed business plan for the scheme as a whole; however this lacks in some detail of the finer points of the business and the proposal and leaves unanswered questions, such as the Gross Development Value, build cost of the clubhouse, build costs and purchase cost of lodges and their subsequent sale, the cost of bringing back the course to an acceptable standard and continued maintenance of the site and is therefore considered insufficient to be able to provide the full and detailed viability of the proposed development. The business plan identifies that at least 9 of the proposed lodges would be sold to secure the funding and development of the proposed Club House, and as such the lodges are seeking to be provided as an enabling development to bring the Golf Course and an associated Club House back into use. Although the submitted business plan provides details on the expected number of employees and the completed golf courses and lodges turn over, there is no viability assessment submitted as part of the business plan which includes the Gross Development Value, and the need for proposed lodges to provide the finances to enable the development of the Golf Club House. It is also anticipated that due to the passage of time in which the golf course has not been in use, a significant amount of money would be required to bring this back up to a playing standard of which does not appear to have been taken into consideration as part of the submitted business plan.
- 8.13. The cost of the construction of the club house and its ongoing maintenance has not been provided within the golf club viability report submitted with the application. The building includes a function room 'George's Hall' which is considerable in size (approximately 5 times bigger than the member's room) which could have considerable maintenance and upkeep costs. Whilst the principle of a function room for hire is acceptable within a golf club house the size and scale should be proportionate and its use should be ancillary to the main golf club use. The golf business is not established and therefore the cost of construction and upkeep of the club house could be fundamental to the success of the business. The figures provided by the applicant show that once the business has been established for 3 years, room rental and golf buggy hire is expected to be approximately £20,000 a year. This does not outline however how much of this would be for the room hire and if this would off set the cost of staff, room maintenance and upkeep to form a sustainable viable business. The applicant has not adequately demonstrated the need for the scale of the function room. It is noted that the applicant has reduced the scale of the building and removed the previously proposed outbuildings following comments from officers, however due to the lack of viability information discussed previously, including the start up costs of the business/construction of the building and maintenance costs, and the lack of demonstrated need for the scale of the function room these reductions do not overcome officers concerns. For these reasons it is not possible to conclude that the scale of the proposed club house is acceptable and proportionate to the needs and viability of the future golf club business.

- 8.14. The proposed development would also have an impact upon the existing golf course, both the 9 hole and 18 hole courses which currently exist would be impacted by the proposed development. To allow the development of the Clubhouse and the proposed parking provision the 1st and 18th hole would be affected, and require the land to be regraded and the holes altering to allow the development, which would result in further costing which has not been presented for consideration. No plans have been submitted to identify how this would be resolved, to ensure the remaining 18 hole course would be retained. Additionally the 'red line' for this application is drawn tightly and any further engineering works to regrade the land and change holes would likely require planning consent outside the scope of this permission. Given the impact the proposed development of the club house and the associated parking, it is likely that the development would hinder the function of the Golf Course, and no evidence has been provided to demonstrate this would not be the case.
- 8.15. Although the proposed lodges would be situated within the grounds of an existing golf course, occupiers would have to pay an additional greens fee to access facilities. Therefore whilst the applicant identifies they are in connection with the golf club there is no evidence to show that the people staying in the lodges would have any involvement in the golfing element of the site. The proposed holiday homes due to the design, scale and required engineering works would be over and above what would be typically required to provide an element of over night habitation ancillary to the use, and due to the nature of the development results in a proposal, which seeks to be permanent in nature, contrary to the soft and temporary nature usually provided in new build self catering holiday homes within the countryside, which can be readily renewed or taken away when the use is no longer viable.
- 8.16. The principle of development of the site to provide a Club house to complement the existing courses and improve the existing on site leisure activities would be in accordance with Policy DM24 of the SADMP.
- 8.17. The development of the clubhouse and the proposed lodges would however result in the impact upon the existing 18 hole golf course and the loss of the 9 hole course, which would result in less choice for prospective members, the impact of which has not been addressed within the submission. Given the further understanding of the impact the proposed development would have upon the existing golf course, it is considered that this loss would be detrimental upon the golf course. The applicant has also failed to demonstrate that there is a viable need and justification for the scale of the development and therefore this application has not overcome reason for refusal 1 of 17/00528/FUL. The applicant has failed to demonstrate that there is a viable need and justification for the scale of the development, including the holiday lodges, which is necessary to bring the course back into use, which is contrary to Policies DM1, DM4 and DM24 of the SADMP and Policy 23 of the Core Strategy.

Design and impact upon the character of the area

- 8.18. The site lies outside of any defined settlement boundaries and therefore within an area designated as countryside. Paragraph 17 of the NPPF states that the planning system should recognise the intrinsic character and beauty of the countryside. Paragraph 170 states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes (in the manner commensurate with the statutory status or identified quality in the development plan) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services.

- 8.19. 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, and protect its intrinsic value, beauty and open character.
- 8.20. 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.
- 8.21. The Market Bosworth Neighbourhood Development Plan (MBNDP) was adopted in 2015 and therefore full weight is afforded to relevant policies within the Document. The Market Bosworth NDP, identifies the site as falling within Character Area A, and describes the site as follows:-
- “A large, landscaped 126 acre site forming an 18 hole golf course and associated facilities. The course spans north to the parish boundary of Carlton”
- 8.22. The Market Bosworth NDP describes the character as:
1. Open landscape features including open bodies of water and green countryside landscape
 2. Large wide open aspect (within individual sites)
 3. Outdoor leisure pursuits including water based activities
 4. Heritage
- 8.23. Policy CE1 seeks to ensure that all new development within the Neighbourhood Plan area of Market Bosworth should 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. The proposal falls directly within defined Character Area A. 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.
- 8.24. The application site is identified within the Market Bosworth NDP as the Kyngs Golf Course as providing and contributing to the approach into Market Bosworth from the west along the B585. The Market Bosworth NDP identifies this view as being important because it shows how close the countryside is to the built form of the village and the fact that the settlement sits on an open wooded hilltop. The site also forms an important vista due to its extensive views of north west Leicestershire.
- 8.25. Policy 23 of Core Strategy seeks to ensure that development relating to tourism is of a design and scale which is appropriate to minimise impact and assimilate well with the character of the surrounding area with acceptable landscaping.
- 8.26. The application has been supported with the submission of a Landscape and Visual Baseline Report, which provides a full assessment of the impact the proposed development would have upon the local and wider landscape. The Landscape and Visual Baseline Report, provides consideration of landscape assessment in relation to effect of landscape character and landscape visual impacts. The report references that the assessment has been carried out taking into consideration the guidelines for Landscape and Visual Impact Assessment; however the methodology is not set out in detail within this report.
- 8.27. The application site is situated within Character Area C, Bosworth Parkland as identified within the Landscape Character Assessment (2017). Key characteristics of this area are of rolling farmland and parkland with gentle slopes which rise and fall reaching a high point around the town of Mark Bosworth. The golf course comprises of approximately 48 hectares of former agricultural land situated within

the countryside. Due to the nature of a golf course the agricultural landscape has been altered however over time this has matured into the landscape and retains the open and verdant nature of the countryside. An existing footpath also crosses through the site in a general east to west direction.

- 8.28. The public right of way runs from the east and travels to the north west across the golf course. The majority of the views from the public right of way currently comprises of undulating golf course, a belt of woods which define the approach into the settlement, and the existing small scale buildings on site, which are largely restricted by views due to the existing topography of the site, providing a verdant and rural character. The approach into Market Bosworth from the B585 also affords a rural and verdant due to the green nature of the golf course, set back from the highway by two parcels of pasture land and enclosed and defined by native hedgerows.
- 8.29. The submitted Landscape and Visual Baseline concludes:
“in terms of wider views (as identified within this report) the site and proposal are relatively well contained. There will be restricted material changes to the immediate setting of public footpath S70 crossing the site, but this level of effect is restricted to the immediate setting of the site and the modified landscape are not considered significant to the planning decision making process can be fully mitigated over time.”
- 8.30. The Landscape and Visual Baseline, seeks to mitigate the impact of the proposed development with the use of trees and vegetation growing to make the impacts of this development acceptable.
- 8.31. The site although undulating does generally rise up to the east travelling up towards the settlement. An existing belt of woodland defines and contains the east edge of the golf course. Nine large contemporary holiday homes are proposed as part of this application, which would extend around this eastern edge of the site, and curve round west towards a centrally located tree planted area centrally within the golf course. To the east of the golf course, there are two existing dwellings which are easily viewed adjacent to the site, the most significant is Godson Hill Farm, which is a substantial one and half storey dwelling which is situated adjacent the golf course, and a two storey dwellings situated within the trees beyond Godson Hill Farm and upon a higher land level due to the incline as you travel up towards the settlement of Market Bosworth.
- 8.32. The 9 proposed contemporary holiday lodges would be built along this east edge and extend north into the site. The lodge would be positioned beyond any existing built form. The proposed holiday homes would reside upon piled foundations elevating them above the existing ground level. The proposed lodges would be elevated above the existing ground levels by a minimum of 1 metre to a maximum of 2.5 metres as the land drops away from under the lodges and the buildings would then sit above this to a maximum height ranging from a minimum of 5.5m to a maximum of 7.2m. Wild planting and grass is proposed in the area to the west of the lodges, where proposed landscaping would be allowed to grow unmanaged. The introduction of built form along this eastern edge, in an elevated position would create a prominent feature, and significantly alter the character and verdant nature of the site. The lodges would introduce areas of hard surfacing in the form of accesses, resulting in the domestication and urbanisation of this area of countryside, which would be highly visible from the footpath S70 and also from passing traffic along the Station Road. The introduction of built form and hard surfacing would alter the character of the golf course landscape, to one with built

form, the introduction of additional tree planting and landscaping would not mitigate this impact.

- 8.33. The proposal also seeks the provision of 6 holiday homes, which would be in the form of a neo-traditional building, in the form of a single storey courtyard development. The proposed courtyard development would be situated along the south of the site, and generally south east of the Club house. Although courtyard developments are not uncommon outside settlement boundaries, the proposed development would not be of a conversion scheme, and is new development, which is not a common feature within the countryside, and its neo-traditional appearance does not overcome this fact. The proposed courtyard development seeks to provide six, 2 bedroomed self catering accommodations, however given the permanent nature of the proposed development, similarly to the 9 lodges proposed, the structures are proposed to be permanent, which is contrary to the nature typically characterised to cater for new build tourist accommodation. Where the development by its nature and design are softer in appearance, scale and less intrusive in terms of their development and permanent nature, which affords for tourist accommodation to be readily removed when no longer required. The proposed lodges would be served by a proposed internal access, which would cater for vehicles, this results in the application proposing significant areas of hard surfacing being laid which further erodes the green and verdant nature of the site, this would be particularly apparent on the approach into the site.
- 8.34. Footpath S70 crosses through the site in a general direction of east to west, and would pass between lodges 2 and 3 and pass through the site. At present the footpath descends along the rear of the Market Bosworth settlement boundary and into the surrounding rural countryside, the footpath enters the site from a wooded area and into the course. This application would introduce built form which protrudes from this hillside, and the proposal would alter the character of this section of footpath as it passes through the site. From the footpath the development would be highly visible.
- 8.35. The proposed holiday homes would be widely visible on the approach into the settlement of Market Bosworth, which is an identified vista within the Market Bosworth Neighbourhood Plan due to extensive views of north west Leicestershire and the undulating fields. The area is also identified as being an important view along the B585 due to the views of mainly countryside, and shows how close the countryside is to the built form of the village and the fact that the settlement sits on an open wooded hilltop. The introduction of built form would significantly alter the character and the approach into and out of the settlement of Market Bosworth, to its detriment, as the development would be situated upon a prominent approach into the village, no longer defining the transition from the rural into the settlement, which contributes to the sense of place, and would appear as new build dwellings within the countryside. Therefore reason for refusal 4 of planning decision 17/00528/FUL has not been overcome by this application.
- 8.36. There has been a previous permission (2008) on this site for a club house with car parking, landscaping and associated facilities. That scheme proposed a predominantly single storey building, with a 121 space car park. The building was located at the head of the entrance to the site. The scale and location of the proposed club house has altered to that previously permitted. Additionally it is important to note that the Market Bosworth Neighbourhood Plan was adopted after the 2008 permission and therefore the consideration of the proposed building within vista 11 must be considered. The current application seeks permission to erect a club house along with formal parking provision for 139 cars in addition to a large area of over spill parking which would be finished in reinforced grass. The proposed club house would be situated to the west of the entrance of the site, with the

proposed parking extending to the south and wrapping round the west side of the proposed club house.

- 8.37. Whilst it is acknowledged that a golf club must be supported by a club house and one would need to be accommodated on the site its impact upon the character and visual impacts of the area must be considered and acceptable to create sustainable development. The proposed application seeks to site the proposed club house to the west of the existing access serving the golf course, and would be set further back into the site, than the previously approved application. Following discussions with officers the applicant has lowered the height of the building from the original submission. The club house would be residing upon an angle, and roughly 'T' shaped, with an entrance and principle elevation forming the head, and the function rooms beyond. The proposed building would have dual frontage and with the south east facing elevation, being more dominant in scale. The head of the 'T' would be 2 storeys in scale with an overall height of approximately 8.9 metres to the ridge, reducing down to single storey with an overall ridge height of approximately 8 metres. The proposed building would be situated within vista 11 as identified within the Market Bosworth Neighbourhood Plan. The proposed club house is considerable in scale and height and would therefore cause a degree of harm to this vista by virtue of the introduction of built development. Therefore reason for refusal 2 of planning decision 17/00528/FUL has not been overcome by this application.
- 8.38. To the south and west of the proposed golf club house, would be an area of on site parking to cater for 205 parking spaces, situated around an existing pond which would be centrally situated. Previous planning approval (app ref 08/00750/FUL) for the erection of an associated golf club house sought to provide and include a 109 car park. The proposal seeks a significant increase in parking provision due to the aspiration for additional uses to be catered for within the Club House such as creating a wedding venue, which is an acceptable and compatible use often associated with Golf Courses, to aid and supplement income. To avoid excessive areas of hard surfacing, the additional overflow parking required by any additional ancillary and supplementary uses such as weddings would be provided within a area of reinforced grass which would be unlit. Lighting within the car parks are limited to LED low level bollard lighting further reducing imposing built form outside the settlement boundary and within the countryside. Whilst it is accepted that the proposed parking would have some impact upon the countryside, due to the proposed landscaping and finishes in terms of the use of reinforced grass and low level lighting it is considered the proposed parking would not result in a such a significant impact upon the countryside to warrant a refusal on this matter. Reason for refusal 6 of planning decision 17/00528/FUL has therefore been overcome, through the submission.
- 8.39. The proposed application has removed the previously approved buggy garage and separate building for a golf simulator, the golf club house has also removed the residential flat previously proposed within the first floor, and therefore reasons for refusal 3 and 4 of planning decision 17/00528/FUL are not relevant to this application. The existing lake, which is situated to the south of the clubhouse is to be retained in a natural state, without any over engineering, to create the previously proposed domestic lake in this countryside location. Therefore this application has overcome reason for refusal 7 of planning decision 17/00528/FUL.
- 8.40. The proposed development due to the scale and amount of buildings proposed would introduce a significant amount of built form in an otherwise rural and verdant area, where views into and out of the site are readily available. The proposed development would have a significant and detrimental impact upon the character and appearance of the area, and views and vistas identified within the Market

Bosworth NDP, where the distinguishable character between the settlement boundary of Market Bosworth the surrounding countryside provides an important and defined approach into the settlement of Market Bosworth, and would be contrary to the aims of Policy DM4 and DM10 of the SADMP, Policy CE1, CE3 and CE5 of the Market Bosworth NDP and Policy 23 of the Core Strategy.

Impact upon the Market Bosworth Conservation Area and other heritage assets

- 8.41. The site is considered to be located within the wider setting of some heritage assets including the Market Bosworth Conservation Area, the Ashby Canal Conservation Area, and a number of listed buildings, so consideration must be given to the impact the proposal may have on these heritage assets.
- 8.42. Policies DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets and development proposals should ensure the significance of a conservation area is preserved and enhanced. 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.
- 8.43. 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.
- 8.44. Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. Paragraph 193 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.
- 8.45. Market Bosworth is a ridge top settlement and the Market Bosworth Conservation Area Appraisal identifies the settlement as being influenced by its agricultural economy and the strong manorial tradition based on Bosworth Hall within its parkland setting. The approach to Market Bosworth is through woodland pasture and traditional parkland, development is screen by substantial groups of mature native trees with the spire of the grade II* listed St Peters church visible above this tree line. All routes into Market Bosworth converge on the Market Place which is the centre of the Conservation Area.
- 8.46. The Market Bosworth Conservation Area Appraisal states that from the west (and where the application site is located), Station Road enters the settlement primarily through modern development with only isolated examples of buildings which pre-date the first world war. Beyond the railway bridge, which is situated to the west of the application site, the approach to Market Bosworth and the conservation area centre gently rises up to a wooded knoll with wide vistas of countryside to the north, where the application site resides, and continuous development to the south. The western boundary of the conservation area is still located some distance to the east from the application site, and is only visible as occasional glimpses of the church spire located within its centre. The historical relationship between the church and its surrounding agricultural landscape is only apparent when the church can be viewed, but such glimpses allow for a sense of appreciation of the church, the conservation area within which it is located, and their wider settings. Therefore the current largely undeveloped and semi-rural character of the site sits comfortably within the wider setting of the church and the conservation area and is considered

to make a positive, although very minor, contribution to the significance of these heritage assets. While the vista to the north of Station Road, would alter, the wooded knoll which characterises the ridge of the settlement and the approach into Market Bosworth and the conservation area beyond would remain visible, as would the occasional glimpses of the church spire. Therefore the proposal is considered to have a neutral impact on the setting of the Market Bosworth Conservation Area and the grade II* listed St Peter's church, thus preserving the significance of the conservation area and being compatible with the significance of the listed building.

- 8.47. Located further to the west of the application site is the Ashby Canal Conservation Area. At its nearest point the Ashby Canal is screened from the site by modern development, although there are occasional glimpses of the site from the canal from other vantage points along its length. The semi-rural nature of the site sits comfortably within the wider setting of the canal as it winds through a predominantly rural and semi-rural landscape. Subsequently, the current character of the application site is considered to make a neutral contribution to the significance of the Ashby Canal Conservation Area. The layout, form, and appearance of the proposed development accompanied with the proposed soft landscaping scheme would mean there would be no discernible change to the occasional glimpses of the site from the canal. In this regard it is considered that the proposal would have a neutral impact on the setting of the Ashby Canal Conservation Area and consequently preserve its significance.
- 8.48. There are other grade II* and grade II listed buildings located within the wider vicinity of the application site. However there is no visual or other relevant relationship between these listed buildings and the application site, and consequently the application site makes no contribution to the significance of any listed building other than the grade II* listed church as identified above. The proposal in its current form will have no adverse impact on any of these additional listed buildings.
- 8.49. In light of the above, it is considered that the proposal would 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, Section 16 of the NPPF, and complies with the statutory duties of Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact upon neighbouring residential amenity

- 8.50. Policy DM10 criterion (a) 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.
- 8.51. The nearest residential dwelling would be Godsons Hill Farm which is situated to the east of the application site and positioned upon an elevated position to that of the golf course. The proposed holiday homes would be positioned sufficient distances from this dwelling as to not result in any loss of amenity in terms of overshadowing or overlooking.
- 8.52. The proposed development would not result in any adverse impacts of neighbouring residential amenity and would therefore comply with Policy DM10 (a) of the SADMP.

Impact upon highway safety

- 8.53. Policies DM17 and DM18 of the SADMP require adequate access and off-street vehicle parking facilities to be provided to serve developments.
- 8.54. Given the scale of the proposal the application has been accompanied with a Stage 1 Road Safety Audit, and a Transport Assessment. This has taken account of existing traffic conditions, accessibility, and sustainable modes of transport, accidents and vehicular impacts.
- 8.55. The applicant proposes that the site would be accessed and served via the existing access which is positioned to the north side of Station Road, which is C Classified Road subject to a 30mph speed limit. There has been two recorded accidents within 250 metres of the access during between 2013 and 2017 (Inclusive), and resulted in slight injuries due to the shunt nature of the accidents, which was likely caused due to drivers exceeding the speed limit.
- 8.56. The scheme proposes to upgrade the existing access with a simple priority junction to accommodate the proposed additional traffic to be generated. The design of the improved junction has been submitted as part of the applicants Transport Assessment. The scheme proposes to widen the existing access serving the site, increase the kerb radii and improved visibility splays along Station Road, give way markings and 'SLOW' markings to be provided within Station Road, on the approach to the Golf Course. In addition to vehicular safety, the scheme also seeks to incorporate and provide a pedestrian crossing point, with dropped kerbs and tactile paving set back from Station Road to allow pedestrians to safely cross the access serving the course and the widening of the pedestrian footpath along the northern side of Station Road to 2 metres. Leicestershire County Council (Highways) have considered the application, and have no objection subject to conditions which relate to visibility splays, kerb radii and access width specification
- 8.57. In summary, Leicestershire County Council (Highways) has no objection subject to the imposition of planning conditions. On this basis, the scheme is considered to be in accordance Policies DM17 and DM18 of the adopted Site Allocations and Development Plan Policies DPD and the guidance contained within the NPPF. The development is not considered to result in a severe highway impact in accordance with Paragraph 109 of the NPPF and the application has overcome the reason for refusal 9 of planning decision 17/00528/FUL through its submission.

Impact upon Drainage and Flood Risk

- 8.58. Policy DM7 of the SADMP requires adverse impacts from flood to be prevented and that development should not create or exacerbate flooding and be located away from area of flood risk unless adequately mitigated. The application has been accompanied by a Flood Risk Assessment (FRA) and the scheme has been considered by Leicestershire County Council (Drainage) and the Environment Agency.
- 8.59. The applicant has submitted a Flood Risk Assessment (FRA). The site is located in flood zone 1 (low less than 1 in 1,000 annual probability of flooding). The proposal includes a drainage strategy which seeks to utilise Sustainable urban Drainage features across the site, with surface water drainage being provided in new below ground gravity drains to achieve acceptable surface water run off rate. It is proposed that the Clubhouse and car parking areas are to discharge through the proposed below ground drains, via voided stone attenuation, within the car park and then subsequently into the attenuation ponds. Units 1-6 would be provided with storage by using voided stone tanks below permeable paving and the existing attenuation pond to attenuate a minimum of 500Cu.m of runoff with the discharge

via an orifice flow control chamber into an existing ditch to the West of the application site. Units 7-15 will utilise a series of conveyance swales, pipework and attenuation ponds 2 and 3; pond 3 has an existing pumping house and it is proposed that the pump is replaced to ensure the 5l/s discharge rate is achieved.

- 8.60. It is proposed that foul drainage would be provided through below ground private gravity drains, and treated using a bio disc filtration system prior to connection into the an ordinary watercourse, to be confirmed.
- 8.61. The Lead Local Flood Authority have considered the submitted drainage strategy and Flood Risk Assessment and have requested further information to be provided to ensure the proposed drainage strategy can be delivered as proposed, due to the catchment to the west seeking to discharge via land outside the indicated ownership. Further calculations have also been requested to ensure adequate storage is afforded on site. Further information has been submitted and are subject to consultation with the Lead Local Flood Authority, members will be updated through late item prior to committee.

Impact upon Ecology

- 8.62. 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. On-site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term.
- 8.63. The application has been accompanied by an Ecology mitigation strategy, the content of which has been considered by Leicestershire County Council (Ecology). In addition Leicestershire County Council (Ecology) have carried out a site visit to the site, to allow a brief habitat survey of the site to carried out, and raise no objections subject to conditions. The survey of the site found that majority of the site is improved grassland, managed as a short grass for the golf course with minimal diversity. However ponds situated within the golf course and the application site do meet the Local Wildlife criteria, a long with a mature Oak tree, a 6 metre buffer around these ponds are therefore proposed, and would comprise of semi natural vegetation. The proposal seeks to amend the management of the grassland surrounding the ponds which would be positioned adjacent to the lodges along the east boundary, and the addition of wildflower seed in this area would increase diversity and the planting of specimen native trees to be incorporated. A condition is requested for the submission of all proposed planting mixes prior to development.
- 8.64. There are a number of ponds within and adjacent to the application site, with a pond situated immediately to the south of the site identified as supporting a 'medium' population of Great Crested Newts. The majority of the application site is in its present state currently sub-optimal for Great Crested Newts but the banks at the edges of the course provide suitable terrestrial habitat. The use of amphibian fencing would restrict Great Crested Newts to the suitable areas of habitat which would be managed appropriately and would minimise the risk of them entering the 'operational' area of the site. The proposed mitigation strategy seeks to provide a short term and long term mitigation strategy, with long term proposals seeking to encourage Great Crested Newts to move into the site and into newly created habitats. Prior to development it is necessary to seek the submission of a Habitat management Plan to be submitted and approved, which includes full details of how existing and proposed habitats are managed, with further details on proposed enhancements surrounding the existing ponds.
- 8.65. Accordingly, subject to conditions the development would be in accordance with Policy DM6 of the adopted SADMP by securing biodiversity enhancements. The

application has therefore overcome reason for refusal 8 of planning decision 17/00528/FUL.

Land Contamination and Pollution

- 8.66. Policy DM7 of the adopted SADMP seeks to prevent the risk of pollution resulting from development.
- 8.67. No ground investigation report has been submitted nor a noise report in support of the application. Environmental Health (Pollution) have no objection to the principle of development, however due to the omission of details of the types of activities and uses which may be carried out on site within the club house, Environmental Health (Pollution) have requested further details are supplied to assess any potential noise sources. However such activities can be controlled by other legislation such as Licensing and the imposition of conditions.
- 8.68. The proposed development would require pile constructed foundations as well as more conventional foundation forms, due to the undulating topography of the site and the proposed extent of the development the imposition of conditions relating to the investigation and monitoring of land contamination and landfill gas are deemed reasonable and necessary to ensure there is no risk of pollution in accordance with Policy DM7 of the SADMP.

Impact on archaeology

- 8.69. Policy DM13 states that where a proposal has the potential to impact a site of archaeological interest, developers will be required to provide appropriate desk-based 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.
- 8.70. Leicestershire County Council (Archaeology) advises that having checked against Historic Environment Records it is not necessary that any archaeological work will be required as part of the scheme in accordance with Policy DM13 of the adopted SADMP and the overarching principles of section 12 of the NPPF.

Impact upon Public Right of Way

- 8.71. An existing public right of way S70 runs through the proposed development east to west across the site. The proposal would allow the existing footpath position to travel through the site, with a break between two of the proposed holiday homes. Leicestershire County Council (Public Rights of Way) have no objection to the proposed development, as the proposal would not effect the public's use and enjoyment of the Right of Way, however the proposed line of the footpath submitted within the application, has a slight discrepancy when compared to the registered layout. A number of conditions relating to the proposed boundary treatments and management of the existing footpath are considered necessary to ensure that the landscaping and finish of the proposed footpath is considered and appropriate.

Planning Balance

- 8.72. The proposal does not accord with the development plan in respect of its isolated countryside location remote from services and facilities. Therefore the presumption in favour of sustainable development under paragraph 11 of the NPPF does not apply in this case.

- 8.73. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications must be determined in accordance with the development plan unless material considerations indicate otherwise. Therefore it must be considered whether there are any economic, social or environmental benefits arising from the scheme (as detailed in paragraph 8 of the NPPF) that would outweigh the significant conflict with adopted Development Plan policies and national planning guidance.
- 8.74. Paragraph 8 of the NPPF states that sustainable development has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways. The assessment of the three dimensions relative to this proposal are as follows:
- 8.75. In terms of economic considerations, the proposed development would provide a benefit to the local economy through the creation of jobs, resulting from this proposed development, which would benefit the local economy, however the total number of full time jobs that would be created is not clear. The scheme would also provide some benefits to the local economy through the creation of jobs and demand for services and materials for the construction of the development itself and from the future occupation of the development supporting businesses in the wider rural area. In addition tourism accommodation would contribute to additional spending in the local area. However only limited weight can be given to the economic benefits of the site, as they have not been fully demonstrated.
- 8.76. Socially there would be benefits for the continued maintenance of the golf course which is a leisure resource for the local area.
- 8.77. Environmentally the proposal is situated outside the settlement boundary, and has been concluded to have significant harm upon the character and landscape visual impact of the area. The proposal would seek to incorporate ecology and biodiversity enhancements; however this is not considered to outweigh the identified harm.
- 8.78. Although the proposed development would result in some benefits in terms of the local economy and however this benefit would not outweigh the harm to the impact the proposed development would have upon the environment as outlined within this report, which would significantly and demonstrably outweigh the benefits, when assessed against the NPPF.

Other matters

- 8.79. A comment has been received in respect of land ownership of the access to the site. This is a civil matter, however further clarification has been requested from the agent on this matter.

Equality Implications

- 8.80. 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.

8.81. Officers have taken this into account and given due regard to this statutory duty in the consideration of this application. The Committee must also ensure the same when determining this planning application.

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

10. Conclusion

10.1. The application site is situated within the countryside, adjacent to the settlement boundary of Market Bosworth. The application proposes the provision of a clubhouse and the erection of 15 holiday lodges. Whilst the need for a club house on site is considered in principle to be acceptable, the supporting information fails to adequately address the viable need and justification for the scale of the development proposed to enable the golf course to be brought back into use. The proposed development would result in the loss of two of the 18 holes of the Golf Course raising questions about the future functionality of the golf course. Additionally the proposal removes a 9 hole course, resulting in less choice for prospective members, the impact of which has not be addressed. As such the principle of the development would be contrary to Policies DM1, DM4 and DM24 of the SADMP and Policy 11 and 23 of the Core Strategy.

10.2. It is considered that the proposed development and associated infrastructure by virtue of the scale, siting, layout and design would have a harmful impact upon the character of the countryside and verdant nature and the area. The proposed development would also have a significant detrimental impact upon the identified import views and vistas of Market Bosworth which contributes to the settlements setting. The development would have a significant adverse urbanising impact on the character and appearance contrary to Policies DM1, DM4, DM10 and SADMP, Policies CE1, CE3 and CE5 of the Market Bosworth Neighbourhood Plan and Policy 23 of the Core Strategy.

10.3. Notwithstanding the above, the impact of the development on neighbouring amenity, drainage, pollution and highway safety has been found acceptable and capable of being controlled by conditions.

10.4. The application as submitted is therefore contrary to the Council's adopted Development Plan and there are no material considerations which indicate that these policies should not apply.

11. Recommendation

11.1. **Refuse planning permission** subject to the following reasons:

11.2. Reasons

1. The proposed scheme would relate to an existing recreation facility outside the settlement boundary of Market Bosworth. The applicant has failed to demonstrate that there is a viable need and justification for the scale and type of development proposed and would not be ancillary to the existing golf course. It is therefore considered that the proposed development is contrary to Policy DM1 and DM4 of the Site Allocations and Development Management Policies DPD and Policy 23 of the Core Strategy (Dec 2009).

2. The proposed clubhouse and holiday homes by virtue of their scale, layout, siting and design, would be positioned within a prominent and sensitive location outside the settlement boundary of Market Bosworth, which would neither complement nor enhance the character and appearance of the countryside. Furthermore the proposed holiday homes would have a significant adverse detrimental impact upon the views and vistas on the

approach to the settlement and views across the undulating countryside into Market Bosworth contrary to Policies DM1, DM4 and DM10 of the Site Allocations and Development Plan, Policy CE1, CE3 and CE5 of the Market Bosworth Neighbourhood Plan (2014-2026).

3. By virtue of the proposed layout of the development, the scheme would result in the loss of a 9 hole golf course, and the relocation of the 1st hole and 18th hole of the existing 18 hole golf course, resulting in less choice for members. The applicant has failed to demonstrate that the impact upon the existing golf course would not have an adverse impact upon the functioning of the course and its overall long term viability. Contrary to Policies DM1 and DM24 of the Site Allocations and Development Management Plan and Policy 23 of the Core Strategy (Dec 2009).

11.3. Notes to Applicant

1. This application has been determined in accordance with the following submitted details:- Planning Application Form, Transport Statement, Ecology Report, Market Assessment and Business case, Landscape and Visual Baseline, Planning Design and Access Statement, received on the 24 July 2018, Site Location Plan A-PL-002, Proposed elevations units 1-6 Dwg No.HMD/PD/0377/013, Proposed Floor plans units 1-6 Dwg No HMD/PD/0377/012, units 2,3 and 8 (type B) Dwg No. HMD/PD/0377/10, units 1,5 and 6 (Type A) Dwg No. HMD/PD/0377/07, Unit 7 (type D) Dwg No. HMD/PD/0377/08 and Unit 4 and 9 (Type C) Dwg No. HMD/PD/0377/09, received 24 July 2018, Landscape masterplan GL0945 14A 13 August 2018, Proposed elevations Dwg No. HMD/PD/0377 Rev A, Floor plans Dwg No. HMD/PD/0377/04 Rev A – 21 September 2018, Proposed access and highway works plans HAS-17-030-01A, HAS-17-030-02A and HAS-17-030-03A received 5 October 2018, Proposed Site Plan Dwg No A-PL-001 Rev H received on the 10 October 2018, Drainage strategy FW1219/DS/001 v1, v2 and v3 received by the Local Planning Authority on the 11 October 2018.

Planning Committee 23 October 2018
Report of the Interim Head of Planning

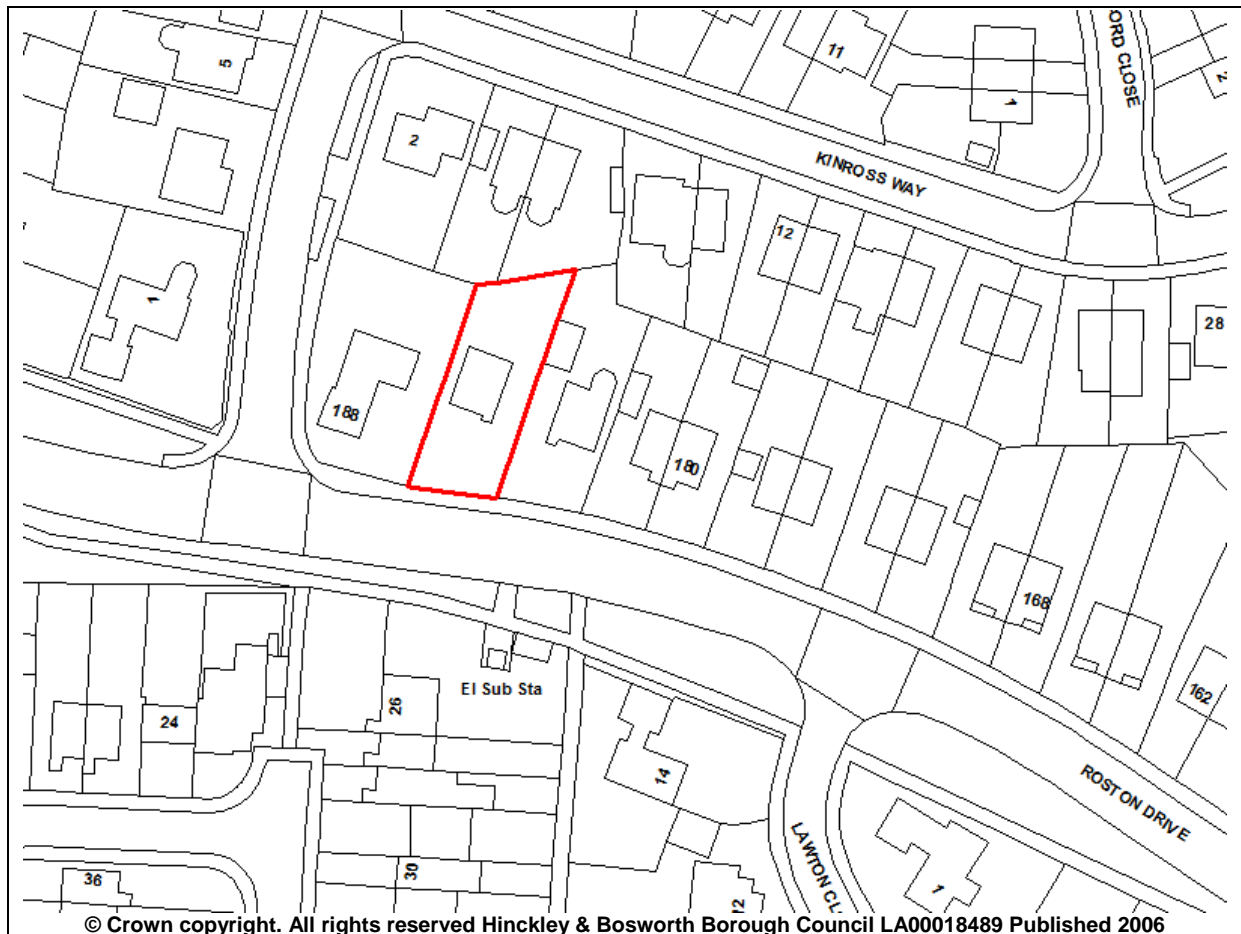
Planning Ref: 18/00885/HOU
Applicant: Mr Richard Wright
Ward: Hinckley Clarendon



Hinckley & Bosworth
Borough Council

Site: 186 Roston Drive Hinckley

Proposal: Two storey side and single storey rear extensions



1. Recommendations

1.1. Grant planning permission subject to

- Planning conditions outlined at the end of this report.

Planning Application Description

- 1.2. The application seeks planning permission for a part two storey part single storey side and rear extension on the east and north side of the dwelling. The two storey side extension would project 2.8 metres beyond the existing east side of the dwelling but would not extend beyond the original rear elevation. The single-storey element of the scheme would project 2 metres from the rear of the dwelling.
- 1.3. The internal layout shows an extended kitchen/diner and utility room on the ground floor with 2 bedrooms and an en-suite on the first floor.

2. Description of the Site and Surrounding Area

- 2.1. The application property comprises a detached dwelling situated on the north side of Roston Drive. The immediate area comprises a mix of detached and semi-detached two-storey dwellings and bungalows in a mainly residential area.

3. Relevant Planning History

- None relevant

4. Publicity

- 4.1. The application has been publicised by sending out letters to local residents. No comments have been received.

5. Consultation

- 5.1. West Clarendon Neighbourhood Forum: No comments received.

6. Policy

- 6.1. Core Strategy (2009)

- Policy 1: Development in Hinckley

- 6.2. Site Allocations and Development Management Policies DPD (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM10: Development and Design
- Policy DM18: Vehicle Parking Standards

- 6.3. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2018)
- Planning Practice Guidance (PPG)

7. Appraisal

- 7.1. Key Issues

- Design and impact upon the character of the area
- Impact upon neighbouring residential amenity
- Impact upon highway safety

Design and impact upon the character of the area

- 7.2. Policy DM10 of the SADMP (Site Allocations and Development Management Policies) seeks to ensure new development will complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.

- 7.3. The character of the area is defined by its relatively uniform residential street appearance of detached and semi-detached two storey dwellings in average size plots. The extensions as proposed, are in scale with the host dwelling and would not have any adverse impact of the character of the dwelling or its setting within this residential location and the proposals are considered to accord with Policy DM10 in this regard.

Impact upon neighbouring residential amenity

- 7.4. Policy DM10 of the SADMP seeks to ensure that developments will have no significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.

- 7.5. The property is detached with a gap of approximately 3.6 metres between the side elevation and the shared boundary with the adjacent property to the east (no 184). The two-storey side extension will extend approximately 2.5m metres into this gap leaving 1.1 metres between the new side elevation and the boundary. Although this lessens the gap between the two properties there is only one small obscurely glazed window (serving the en-suite) proposed on this eastern elevation at first floor level and this would have no undue impact on the adjacent residents amenity.
- 7.6. The single storey rear extension would not extend further than the side elevations of the original dwelling and thus would have no additional impact on either adjacent neighbouring property. In this regard the proposal complies with Policy DM10.

Impact upon highway safety

- 7.7. Policy DM18 of the SADMP relates to vehicle parking standards and requires, amongst other things, an appropriate level of parking provision.
- 7.8. The front garden is mostly laid to hardstanding and although the side extension would remove an area which could be used for additional parking alongside the property it is not considered that the proposal would trigger the need for additional off-street parking provision.

8. Equality Implications

- 8.1. **Where No Known Implications** 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.

- 8.2. Officers have taken this into account and given due regard to this statutory duty in the consideration of this application. The Committee must also ensure the same when determining this planning application.
- 8.3. There are no known equality implications arising directly from this development.

9. Conclusion

- 9.1. The proposal is located within the settlement boundary for Hinckley and therefore there is a presumption in favour of sustainable development as set out in Policy DM1 and the wider policies of the NPPF.

The proposal would respect the scale and character of the existing dwelling and street scene, retain adequate private amenity within the curtilage and would not adversely affect the amenities of the occupiers of neighbouring properties. The application is considered to be in accordance with Policy DM1, DM10 and DM18 of the SADMP and is therefore recommended for approval.

10. Recommendation

- 10.1. **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report.

- 10.2. **Conditions and Reasons / 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: Site Location Plan; Block Plan; Proposed Ground and First Floor Plans, Proposed Elevations (all un-numbered but received by the local Planning Authority on 04/09/2018).

Reason: To ensure a satisfactory impact of the development to accord with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies DPD 2016.

3. The external materials to be used in the development hereby permitted shall be in strict accordance with those specified both within the application form and as annotated on the Proposed Elevation drawings (un-numbered but received 04/09/2018) unless alternative materials are first agreed in writing with the Local Planning Authority.

Reason: To ensure that the development has a satisfactory external appearance to accord with Policy DM10 of the adopted Site Allocations and Development Management Policies DPD 2016.

10.3. **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.

Planning Committee 23 October 2018
Report of the Interim Head of Planning

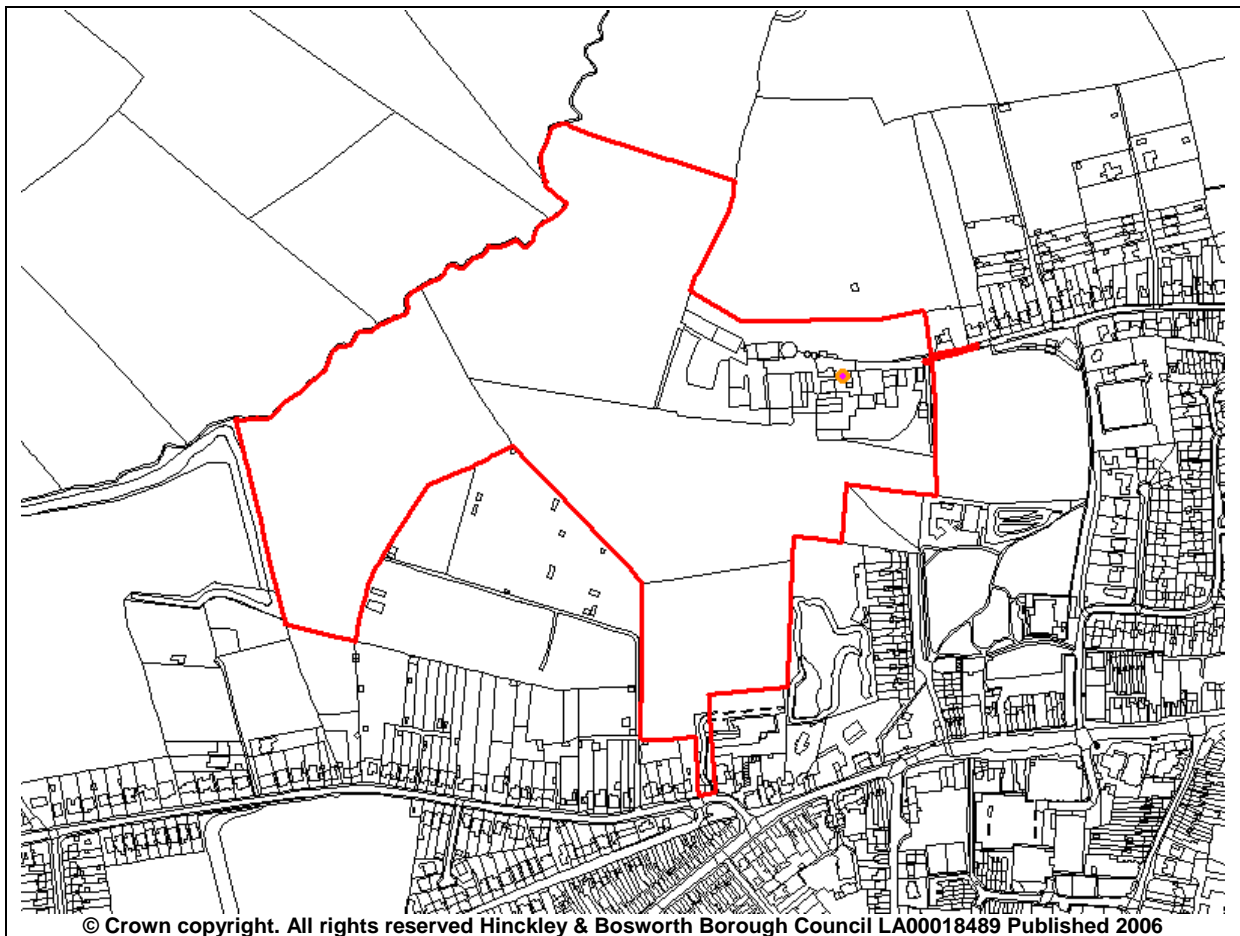


Hinckley & Bosworth
Borough Council

Planning Ref: 18/00225/REM
Applicant: Avant Homes (England) Ltd - Midlands
Ward: Earl Shilton

Site: Westfield Farm Keats Lane Earl Shilton

Proposal: Approval of reserved matters (appearance, landscaping, layout and scale) for residential development of 322 dwellings of outline planning permission 14/01279/OUT)



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1. Recommendations

1.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.

1.2. That the Interim Head of Planning be given powers to determine the final detail of planning conditions.

2. Planning Application Description

2.1. Members will recall that the application for outline approval on this site was heard by committee on 21 June 2016 and granted planning permission subject to the prior completion of a s.106 agreement and relevant planning conditions.

- 2.2. This application seeks approval of reserved matters (appearance, landscaping, layout and scale) for the residential development of 322 dwellings following the grant of outline consent under 14/1279/OUT.
- 2.3. Access to the site is to be from Heath Lane as previously approved, resulting in the reconfiguration of the existing access serving Heath Lane Medical Centre. Emergency access, which would also provide a pedestrian and cycle link, is shown to be gained from Keats Lane. This element was approved at the outline stage with condition 7 of the approval requiring the submission of details prior to the commencement of any development. The adoption layout plan submitted with this application shows the presence of a barrier, this would ensure only authorised persons could use this access with a vehicle.
- 2.4. The proposed 322 dwellings (including 66 (20%) affordable houses) are to be made up of:
- 6 x 1-bed terrace
 - 9 x 1-bed apartment
 - 4 x 2-bed bungalow
 - 4 x 2-bed mews
 - 52 x 2-bed terrace
 - 97 x 3-bed semi-detached
 - 24 x 3-bed detached
 - 17 x 4-bed semi-detached
 - 97 x 4-bed detached
 - 12 x 5-bed detached
- 2.5. In addition to the dwellings detailed above, the site as a whole will include the following:
- 0.6ha of employment land;
 - 0.3ha of land to be used for the extension to the surgery and its car parking;
 - 2.87ha of parkland;
 - 2.99ha of natural and semi-natural green space;
 - 0.27ha amenity green space; and
 - 500 sqm kickabout area.
- 2.6. Details of the layout of the employment land area and the extension to the surgery and its car parking have not been included at this stage and will be dealt with through further reserved matters applications at a later date.
- 2.7. During the course of the application amended plans have been received due to amendments in the landscaping, house types and layout following comments from planning officers and consultees.

3. **Description of the Site and Surrounding Area**

- 3.1. The application site is located to the north west of the District Centre of Earl Shilton, north of Heath Lane and is outside the settlement boundary. The southern side of the site adjoins garden allotments located to the north of dwellings fronting Heath Lane; with one section of the site projecting south and adjoining land adjacent to dwellings fronting Heath Lane and Heath Lane Medical Centre. The eastern boundary of the site adjoins a former quarry to the rear of houses on Mountfield Road, which has been left undeveloped to create a wildlife area, Wood Street Park, Earl Shilton Cricket Club and Keats Lane. Beyond the northern boundary is agricultural land, and adjoining the western boundary is open space associated with William Bradford Community College.

- 3.2. There is a public footpath (U26) running through the site from Wood Street Park to the northern corner where it crosses Thurlaston Brook which adjoins the north west boundary of the site.
- 3.3. The application site measures approximately 15.36ha and covers Westfield Farm which comprises the farmhouse, agricultural buildings and associated agricultural land. Each field is predominantly lined by hedgerow. There are several mature trees across site with the most notable being those subject to TPO close to the proposed access to the development. The topography of the site is varied with the southern side located at the ridge of a hill where the land then falls away to the north and it then begins to flatten.

4. **Relevant Planning History**

14/01279/OUT	Residential development of up to 350 dwellings, 0.6 ha of employment starter units, expansion of existing community facilities, access, open space and indicative landscaping (outline - access only)	Outline Planning Permission	06.07.2017
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5. **Publicity**

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press. A full reconsultation was undertaken following the submission of amended plans.
- 5.2. In response to the above publicity 14 letters of representation have been received, nine objecting to the proposal; one in support and four making comments. These are summarised below:
- 1) Increase in vehicular traffic and impact upon safety, especially on Heath Lane
 - 2) Currently lots of empty flats in Earl Shilton
 - 3) Better to be located on land adjacent to the by-pass
 - 4) Loss of much needed agricultural land
 - 5) What guarantee is there that Keats Lane will not be used as an access should Heath Lane not be able to cope?
 - 6) Increased pressure on already stretched services such as schools, doctors and emergency services
 - 7) Prospect of more young people hanging around the centre of town due to a lack of facilities for that age group
 - 8) The plans are reasonably sympathetic to the landscape, making every effort to include areas for wildlife
 - 9) Existing sewage and water systems will not take any further additions and the run-off into the existing brooks will lead to increased flooding at the bottom of the hill out of Earl Shilton
 - 10) Concerned about the badgers that have resided in the area for over 30 years. The corridors now proposed for their journey to foraging areas have changed from the outline plan. Consequently they would probably begin their foraging on either the park or cricket field causing considerable damage

6. Consultation

6.1. No objection, some subject to conditions, has been received from:

HBBC Affordable Housing Officer
HBBC Waste Services
HBBC Environmental Services (Drainage)
Leicestershire Police
Leicestershire County Council (Highways)
Leicestershire County Council (Rights of Way)
Leicestershire County Council (Ecology)
Severn Trent Water Limited
Environment Agency
Leicestershire County Council (Drainage)

6.2. Earl Shilton Town Council made the following comments on the original plans:

- 1) Impact upon Badgers. Feel that the revised 'wildlife corridor' is not wholly adequate
- 2) The Town Council will be looking for genuine constructive consultation within the process of s106 contributions particularly regarding 'connectivity' with the natural town centre and its public realm

6.3. Earl Shilton Town Council made the following comments on the amended plans:

- 1) Members would like to see a 3 metre wide tarmac illuminated footpath/cycleway out of the estate to join up with the 'metalled' highway of Keats Lane. This will be used by pedestrians and cyclists of all ages
- 2) Footpath U26 and a 3 m wide foot/cycleway across ESTC owned land. Members are committed to working with the developer, HBBC (LPA) and LCC Highways regarding the future of this footpath and others

6.4. Barwell Parish Council comment as follows on the amended plans:

- 1) Big Highway issues with the amount of traffic on the bend and approximately 805 cars using the access

7. Policy

7.1. Development Plan 2006 – 2016: Core Strategy (2009)

- Policy 2: Development in Earl Shilton
- Policy 5: Transport Infrastructure in the Sub-Regional Centre
- Policy 15: Affordable Housing
- Policy 16: Housing Mix, Density and Design
- Policy 19: Green Space and Play Provision

7.2. Site Allocations and Development Management Policies DPD (SADMP) (2016)

- Policy DM1: Presumption in Favour of Sustainable Development
- Policy DM3: Infrastructure and Delivery
- Policy DM4: Safeguarding the Countryside and Settlement Separation
- Policy DM6: Enhancement of Biodiversity and Geological Interest
- Policy DM7: Preventing Pollution and Flooding
- Policy DM10: Development and Design
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM20: Provision of Employment Sites

- 7.3. Earl Shilton and Barwell Area Action Plan
 - Policy 19: Regeneration of the District Centres
- 7.4. National Planning Policies and Guidance
 - National Planning Policy Framework (NPPF) (2018)
 - Planning Practice Guidance (PPG)
- 7.5. Other relevant guidance
 - Open Space and Recreational Facilities Study 2016

8. Appraisal

- 8.1. Key Issues
 - Assessment against strategic planning policies
 - Design and impact upon the character of the area
 - Impact upon residential amenity
 - Impact upon highway
 - Drainage and flood risk
 - Ecology
 - Impact upon Trees

Assessment against strategic planning policies and principle of development:

- 8.2. Paragraphs 11 – 14 of the National Planning Framework (NPPF) (2018) support the ‘presumption in favour of sustainable development.’
- 8.3. In the instance of decision-taking this means: ‘approving development proposals that accord with an up-to-date development plan without delay.’
- 8.4. However, paragraph 12 states: ‘The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.’
- 8.5. The Development Plan (2006 to 2026) is made up of a number of documents that are relevant to this application.
- 8.6. The Core Strategy provides a spatial strategy and directions for growth. The development strategy is based on a hierarchy of settlements with the majority of this growth being accommodated in and around Hinckley sub-regional centre.
- 8.7. The Core Strategy identifies that Earl Shilton has a role in supporting Hinckley in fulfilling its role as a sub regional centre. The Core Strategy also identifies that it contains pockets of significant deprivation, particularly relating to income, education skills and training, employment and health and the local centres are in need of regeneration.
- 8.8. In order to support the regeneration of Earl Shilton, a number of strategic measures are identified through Core Strategy Policy 2, for example by:
 - Allocating a mixed use sustainable urban extension to the south of Earl Shilton;
 - Supporting development within Earl Shilton settlement boundary to deliver a minimum of 10 new residential dwellings;
 - Ensuring there is a range of employment opportunities within Earl Shilton;
 - Supporting the regeneration of the Earl Shilton local centre, including public realm improvements and the development of a focal civic space;

- Supporting the development of new leisure facilities and sustainable public transport links including enhanced walking and cycling connections between Barwell, Earl Shilton, Hinckley, Burbage and the surrounding countryside;
 - Requiring transport improvements in line with Policy 5. This includes the delivery of safe, high quality cycling routes and interventions on the strategic road network.
- 8.9. The proposal is outside the identified settlement boundary for Earl Shilton as defined in the SADMP and Area Action Plan and therefore the site is within the countryside. Policy DM4 of the SADMP seeks to protect the intrinsic value, beauty, open character and landscape character of the countryside by safeguarding it from unsustainable development.
- 8.10. This application is for matters reserved under outline planning permission reference 14/01297/OUT. The outline application assessed the principle of residential development in this location and the means of the access to the site including any impact upon the highway network, this was found to be acceptable. The principle of residential, employment, open space development and additional land to support the doctor's surgery on the site has therefore been established.

Residential Development

- 8.11. Policy 15 of the Core Strategy requires 20% affordable housing to be provided on developments over 15 housing with a tenure split of 75% social rented and 25% intermediate housing as a starting point. Following discussions between the Affordable Housing Officer and the applicant around the need and provision within the District, it has been agreed that the applicant shall provide 20% (66 units) affordable housing on-site as follows:
- Affordable rent (50 units):
 - 9 x 1-bedroom flats
 - 6 x 1-bedroom houses
 - 4 x 2-bedroom bungalows
 - 25 x 2-bedroom houses
 - 6 x 3-bedroom houses
 - Shared Ownership (16 units):
 - 9 x 2-bedroom houses
 - 7 x 3-bedroom houses
- 8.12. The applicant has agreed an offer with Stonewater, a Registered State Landlord (RSL) on the above basis and evidence of this has been submitted with the application.
- 8.13. Policy 16 of the Core Strategy seeks to secure appropriate housing density, mix and design. The density is appropriate when taking into account the constraints of the site due to shape, topography and landscape characteristics. The proposed scheme would provide a substantial area of informal amenity space which if discounted would increase the density per hectare figure; however, this amenity space is required by policy and is important to the design and sense of place the development would achieve.
- 8.14. The development includes a range of 1, 2, 3, 4 and 5 bed properties in flats, houses and bungalows. The number and mix of these are considered to be acceptable. The designs of the dwellings address the layout of this site. Attention has been paid to plots on corners with openings within the side elevations to provide interest. The streetscenes would be varied but also include elements of consistency to create a sense of place. Private driveways have been widened in some instances

where concern was raised about feelings of enclosure, and the existing trees and landscaping are incorporated within the layout. There is further discussion of this later on in the report.

Employment Development

- 8.15. Earl Shilton has an identified shortage of employment opportunities. Policy 2 of the Core Strategy seeks to ensure there is a range of employment opportunities in Earl Shilton. The proposed development will provide 0.6ha of employment land (use class B1 (c)).
- 8.16. Whilst the details of this part of the site are yet to be submitted, as the applicant does not wish to develop it at this stage, the use of this part of the site for employment use was determined under the outline consent and can be determined through the submission of another reserved matters application.
- 8.17. The positioning of the employment site differs to the location identified on the illustrative masterplan considered at the outline planning stage. The change to the positioning within the site, adjacent to the main entrance, is considered to be appropriate for it to be developed by a third party at a later stage and the applicants have demonstrated that the site can be serviced appropriately and its relocation would not be detrimental to the delivery of the employment element.

Medical Centre

- 8.18. The outline consent on the site allocated an area of 0.3ha for the expansion of the Heath Lane Surgery in order for it to serve the growing community, to which this proposal contributes. This is in line with The Earl Shilton and Barwell AAP which sets out the intention to expand the facilities at the Heath Lane Surgery over the plan period. A monetary contribution (£50,944) has also been agreed through the s.106 agreement for the outline consent towards the provision of healthcare facilities within the administrative area of Earl Shilton.

Design and impact upon the character of the area

- 8.19. Policy DM10 of the SADMP seeks to ensure that new development does not have a detrimental impact on the character and appearance of the surrounding area, and that it respects the local distinctiveness and landscape setting. Policy DM4 of the SADMP seeks to ensure that development does not have a significant adverse effect on the intrinsic value, beauty or open character and landscape character of the countryside. These policies are supported by paragraph 16 of the NPPF (2018).
- 8.20. The Landscape Character Assessment (2017) designates the application site as located within the Stoke Golding Rolling Farmland Character Area. The applicable key characteristics of the wider area are as follows:
 - Undulating arable and pasture farmland with gentle valleys sloping down to the Ashby Canal, Tweed River and associated tributaries.
 - Small to medium scale rectilinear field pattern divided by low hedgerows and mature hedgerow trees typical of parliamentary enclosure with smaller pasture fields around settlements, creating a largely unified field pattern and providing continuity with the agricultural past.
 - Rural settlement pattern with former agricultural villages typically demonstrating a historic core, modern outskirts and sporadic farmsteads on the outer edges, within a strong rural setting.
 - Church spires and towers within villages in and around the character area form distinctive landmarks on the skyline.

- 8.21. A landscape and visual appraisal was submitted with the outline application which provided an assessment from visual receptors in the area surrounding the application site and concluded that “the development would nestle into the existing pattern of the urban edge shouldered by high ground to the east and west, and with the urban edge of Earl Shilton immediately to the south”.
- 8.22. Officer opinion at outline stage was that the within the surrounding setting of the proposed development, including: dwellings on Heath Lane; dwellings on Keats Lane; users of Wood Street Park; and users of Heath Lane Surgery, the development would be visible and there would be a degree of impact, although the majority of the development would not be significantly noticeable due to the varying topography of the site, and the land falling away from the ridge top. From these areas the immediate area would be impacted although longer distance views of the countryside would be retained.
- 8.23. Within the immediate setting of the proposed development, walkers along the public footpath (U26) from Wood Street Park through the site will experience a high magnitude of change and substantial impact on their enjoyment of the countryside. This is expected from any greenfield development and the layout and landscaping of the development lessens this impact by virtue of the retention of the good quality trees and hedgerows within the site, the incorporation of green spaces within and on the edges of the site, and the creation of a green corridor link to both support the biodiversity of the site and to maintain a rural feel for all, including users of the public right of way.
- 8.24. There would be a total of 21 different housetypes across the site which is considered to represent an appropriate balance between variety and consistency to ensure the development as a whole has a sense of place and identity. The materials for the erection of the dwellings have been submitted to discharge condition 5 of the outline consent (14/01279/OUT) and whilst a plan identifying each plot to the proposed material choice has yet to be submitted, the mix is considered to be appropriate for the application site.
- 8.25. The designs of the proposed dwellings include a variety of features, such as bay windows, porches and gable features. All of the proposed housetypes would include brick headers and/or sills to the windows on the front elevation. Corner plots would include openings to all elevations to ensure that they address the streetscene, and off-street parking would be predominantly kept off the site frontages on the Primary route through the site.
- 8.26. All of the dwellings are set back from the back of the footpath allowing for the creation of front gardens, and would be developed at an appropriate density to enable glimpses through to the countryside beyond, particularly where there is a change in the topography. There is a change in level across the site; this is particularly noticeable when standing at the western end of Keats Lane and looking down towards the existing farmhouse. The applicant has produced sections across the site in this area to show how the development would address this and the requirement under condition 30 of the outline consent to submit existing and proposed finished floor levels prior to the commencement of any development provides further control.
- 8.27. There are a number of ‘courtyard’ style layouts across the site. In the interest of visibility and design the applicant has amended these to incorporate wider access drives, and in some instances further areas of landscaping, this has also led to improved outlook for the occupants of the dwellings and better amenity standards for the immediate neighbours in terms of less noise and disturbance from passing vehicles.

- 8.28. Whilst the majority of the public open space is located to the north of the site, due to the need for water attenuation in this area. There are pockets of open space across the site in the form of 'greens', with the area to be known as 'Central Green' linking to the countryside to the north west with a green corridor running in front of plots 181 – 188. The presence of the public open space contributes to the quality of the development, with the retention and maintenance of existing hedgerows both within the site and to its boundaries contributing to the identity of the area.
- 8.29. The proposed landscaping as shown on the submitted landscape masterplan is considered to be acceptable in terms of providing an appropriate mix of native species and enhancing the overall development. Details of the boundary treatment for each plot are required to be submitted prior to the commencement of any development to ensure compliance with condition 29 of 14/01279/OUT. This is considered to be acceptable in ensuring both a high quality character and appearance for the development, and appropriate separation between plots.
- 8.30. The section 106 agreement approved with the outline consent required a contribution towards the connectivity of the application site and Wood Street Park. This would improve the public realm in the area, and be a benefit to all users providing an alternative, traffic free route in to the town centre from the application site.
- 8.31. Overall, whilst the proposal for residential development of this site was concluded at the outline stage to have an adverse impact upon the character of the settlement and the visual appearance of the landscape, and therefore contrary to Policies DM4 and DM10 of the SADMP, consent was granted on the balance of the benefits to the area as a whole. The details submitted with this reserved matters application would result in a development which visually respects the surroundings of the application site by retaining trees and hedgerows where appropriate, and incorporating green spaces throughout a well designed site of varied housetypes with consistent design features.

Impact upon residential amenity

- 8.32. Policy DM10 of the SADMP seeks to ensure that development proposals shall not harm the amenity of neighbouring residential properties. Policy DM7 of the SADMP seeks to ensure appropriate remediation of any contaminated land in line with minimum national standards. The application site, and thereby the proposed development, would adjoin existing dwellings at: nos. 18, 24, 26, 28, 30 and 32 Heath Lane to the south, and Westfield Farm Cottage, Keats Lane to the north east.
- 8.33. The noise assessment submitted at the outline stage showed that the magnitude of noise level change could be classed as major in the short term at some properties on Heath Lane due to increased vehicle movements during the construction process. It was concluded during the consideration of the outline consent that due to the screening that most of the properties assessed benefitted from, and the lack of any objection from HBBC Environmental Health (Pollution), that in this instance with the imposition of conditions in relation to contaminated land that the overall impact of the development to the amenity of neighbouring properties was acceptable.
- 8.34. It will be noted that the positioning of the 0.6ha of employment land is now adjacent to the main access to the site and therefore closer to the rear of existing dwellings on Heath Lane. The applicant has submitted a very brief noise assessment with this current application relating to the new dwellings within the site bordering the employment land, and stating that they will be fitted with double glazing in accordance with Building Regulations Approved Document F. There would be a minimum distance of 40 metres from the application site boundary to the rear

elevations of the dwellings on Heath Lane. In addition to this, a 7 metre easement is proposed before the rear elevation of the industrial buildings. The outline application referred to the employment use being B1 (c) – light industry appropriate in a residential area and condition 16 of the outline consent reads: *“Development shall not begin until a scheme for protecting nearby existing dwellings and dwellings forming part of the proposed development from noise from the commercial/industrial elements of the proposed development has been submitted to and approved by the Local Planning Authority. All works which form part of the scheme shall be completed before permitted development first comes into use.”* On these grounds it is not considered that the presence of employment land in this location would adversely impact upon residential amenity.

- 8.35. Within the site there is sufficient separation distance between the new build dwellings to prevent loss of amenity through direct overlooking and loss of privacy. The dwellings have good size outdoor amenity space, good natural surveillance to harness community spirit and prevent anti-social behaviour, along with easy access to the open space within the site. In addition, due to the proposed layout, there would be no loss of residential amenity by virtue of overbearing impact, loss of natural light or overlooking to any of the existing dwellings adjoining the site.
- 8.36. Whilst there would not be any facilities on the site itself in terms of shops or schools due to the size of the development, the Heath Lane Surgery is located at the main access to the site, and the town centre can be easily reached via the proposed footpath link through Wood Street Park.
- 8.37. The site, on its eastern boundary, is adjacent to the Earl Shilton Town Cricket Club. Plots 62 – 70 would face directly on to the Cricket Club. Due to the close proximity of the proposed dwellings to the cricket pitch, and in line with Sport England advice to ensure that the use of the Cricket Club is not adversely affected by the development, the applicant has undertaken a risk assessment in line with England Cricket Board (ECB) advice. This risk assessment relates to the potential for cricket balls to be hit out of the club boundary and into the application site. There is currently a 6 metre high hedge bounding this part of the site, following the technical assessment looking at the trajectory of balls and the range of players at the site the report concludes that in order to stop all balls landing beyond the club boundary a mitigation system 11 metres high would be required, however, the erection of netting at 8 metres in height would significantly reduce the frequency of balls landing within the application site. On this basis, and to ensure that the mitigation fencing does not adversely impact on the visual amenity of the area, it is considered that the proposed 8 metre high netting for a length of 110 metres would be appropriate in this instance. The netting would be wholly within the application site and the applicant has confirmed that the ongoing maintenance would be included within the management company responsibilities.
- 8.38. Conditions were imposed on the outline consent in relation to the treatment of contaminated land further to the application site’s agricultural past. The details in relation to these will be addressed by way of the discharge of these conditions. The investigations so far have not found anything for which remediation in line with minimum national standards is not possible, and therefore the amenity of future residents would not be adversely affected.
- 8.39. The proposed site layout includes large areas of public open space across the site and a dedicated Neighbourhood Play Area (NEAP) and kickabout area to the north eastern corner of the site. The presence of, and ease of access to, open space contributes to the quality of the built environment, and subsequently the amenity of residents. There is considered to be sufficient distance between open spaces and dwellings to prevent any significant loss of amenity through noise and disturbance

above and beyond that expected from the enjoyment of open space. The NEAP and kickabout area would give rise to the noise of youngsters playing, and therefore these have been positioned away from the majority of the built development, at a distance in excess of 30 metres from the main elevation of the nearest dwelling. Overall the benefits of the open space would outweigh any likely noise and disturbance. The positioning of the open space within the site would allow natural surveillance from surrounding dwellings to prevent anti-social behaviour, this is except for the Nature Reserve, which due to the presence of protected species (badgers) is relatively secluded. However, on the basis of the location of the Nature Reserve within the site, its narrow access point and the proposed planting of trees to the entrance, along with the applicant's confirmation that there will be no 'signage' to the area it is not considered that significant impact to residential amenity would result.

- 8.40. The construction of this site may result in noise and dust within the immediate area and therefore Environmental Health requested the imposition of conditions requiring a Construction Environmental Management Plan (CEMP), no burning of waste material and restrictions on construction hours to:

- 8am – 6pm – Monday – Friday
- 9am – 1pm Saturdays
- No work Sunday or Bank Holidays

These requested conditions were imposed on the outline consent and are considered sufficient to protect the amenity of existing residents.

- 8.41. Overall, the proposed development, subject to conditions as discussed above, is considered to be in accordance with Policies DM7 and DM10 of the SADMP.

Impact upon highway safety

- 8.42. Policy DM7 of the SADMP seeks to ensure that developments make the best use of existing public transport, provide convenient and safe access for walking and cycling to services and facilities, and ensure there is not a significant adverse impact upon highway safety. In the case of developments that would generate significant movement, ensure the development is located where the need to travel is minimised, use of sustainable transport can be maximised and the residual cumulative impacts of the development on the transport system are not severe. This is supported by Chapter 9 of the NPPF (2018).

- 8.43. The suitability of the access to the application site, and the capacity of the Highway Network was assessed at the outline stage and found to be acceptable. The details that are now being considered relate to the internal layout of the development.

- 8.44. Following the submission of amended plans and further details, the Highway Authority are now satisfied that the internal layout of the proposal will comply with their requirements on safety grounds.

Sustainable forms of transport

- 8.45. Policy DM17 identifies that development should have 'convenient and safe access for walking and cycling to services and facilities' and 'the need to travel will be minimised and the use of sustainable transport modes can be maximised'. On the grounds that the site would have a strategic influence on the growth of the settlement contributions towards sustainable forms of transport were negotiated at the outline stage and included within the approved s.106 agreement.

- 8.46. The PROW (footpath U26) that crosses the site will be diverted, and as discussed above contributions towards improvements to connectivity of the site with Wood Street Park were secured through the s.106 agreement.

Parking Provision

- 8.47. The provision of parking is provided in accordance with the guidance outlined in the 6 C's Design Guide. The parking provision is generally 1 parking space for 1 bedroom flats, 2 parking spaces for 2-3 bedroom dwellings and 3 parking spaces for 4 bedroom dwellings. All garage dimensions meet the required dimensions outlined in the 6C's Guide to ensure they are 'usable' as garages.

Impact upon the Highway Network during construction

- 8.48. Due to the large scale nature of the development the construction could have a significant impact upon the highway network. These impacts can be appropriately mitigated and a condition was imposed on the outline consent which requires the submission of a construction environmental management plan prior to the start of development.

Emergency Access to/from Keats Lane

- 8.49. This element of the scheme, which also includes pedestrian and cycle access from Keats Lane, was approved at the outline stage with condition 7 of 14/1279/OUT requiring the submission of a detailed design prior to the commencement of any development. This emergency access will not be used by vehicular traffic other than emergency vehicles and cycles; the scheme to be approved shall include details of how this will be managed.
- 8.50. Overall it is concluded that the development would represent an acceptable form of development in compliance with Policies DM17 and DM18 of the SADMP.

Drainage and Flood Risk

- 8.51. Policy DM7 of the SADMP seeks to ensure the protection of surface waters and groundwater quality, and that development does not create or exacerbate flooding by being located away from areas of flood risk. This is supported by chapter 14 of the NPPF (2018).
- 8.52. A site specific flood risk assessment (FRA) was submitted with the outline application which addressed issues relating to flood risk, surface water drainage and foul water drainage and conditions relating to the provision of a SUDs scheme were secured by condition on the outline consent.
- 8.53. The submitted plans identify the proposed attenuation has not be significantly altered from the outline application, and remains consistent with the calculations previously submitted. As such the proposal would comply with Policy DM7 of the SADMP.

Ecology

- 8.54. 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. On-site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term. This is supported by paragraph 170 of the NPPF (2018). Thurlaston Brook hedgerow is a potential locally important site and there is known wildlife on the former landfill site adjacent to Heath Lane Surgery.
- 8.55. Phase 1 and 2 ecology surveys were submitted with the outline application. These showed that there were protected species within or adjacent to the site in the form of badgers and great crested newts (GCN). Relevant conditions were imposed on the outline consent and further surveys have been submitted in this regard to both address these conditions and support this application for reserved matters.

- 8.56. Badgers: There is a well-established badger sett located partially within the site and partially within the woodland to the rear of 7 - 41 Mountfield Road. The layout of the current proposal respects this by designating this land as Nature Reserve. A foraging corridor of 4m wide minimum has been maintained around the eastern boundary of the site to allow the badgers to safely travel away from their sett, and to prevent conflict between the badgers and new residents on the site. The planting of this corridor is shown to be enhanced where appropriate. The northern boundary of the site would be enhanced with additional native hedgerow, and whilst there is not a 4m wide corridor within the site it bounds open countryside here. The Nature Reserve will not be 'closed off', as this would adversely impact upon the badgers ability to forage in the established area, however, it will not be signposted, and will have a number of trees planted in front of the entrance to reduce its visibility to those using Upper Green, and thereby protecting the badger sett within. The gardens immediately bounding the Nature Reserve area will have metal 'netting' to the bottom of their boundary fences to protect both residents and badgers.
- 8.57. GCN: GCN are present within 50 metres of the application site and therefore appropriate mitigation is required as the application site forms part of their habitat. The GCN mitigation plan as submitted is acceptable and includes the licencing, through Natural England, of all works within 250m of the GCN population, and to use a Method Statement for all works within 500m of the GCN population. This approach is considered to be acceptable given the sub-optimal nature of the habitats at the present time. The creation of new habitats to the north and west of the site, along the watercourse corridor is welcomed, but these do need to be supported by adequate connectivity along the site boundaries. The treatment of the eastern and northern boundary connectivity corridors have been detailed above and are considered to be in line with the requirements of the relevant conditions of the outline consent.
- 8.58. Bats: Condition 27 of the outline consent deals with the protection of bats in relation to the need for further bat surveys to be submitted prior to the demolition of any of the existing farm buildings on the site. This is considered to be sufficient.
- 8.59. Landscaping: Overall the proposed landscaping scheme, which includes native species, is welcomed. The boundaries to the north and east of the site have been 'reinforced' with native planting to ensure sufficient cover for badgers and other wildlife using this as a corridor to the wider area.
- 8.60. Accordingly, subject to conditions, the development would be in accordance with Policy DM6 of the adopted SADMP and the Ecology Plan dated June 2016 by virtue of it respecting the existing and securing biodiversity enhancements.

Impact upon Trees

- 8.61. Trees are to be retained across the site where possible with the landscaping scheme showing the planting of many new species both to enhance the existing hedgerows and within the areas of public open space. The TPO trees near to the main site access and adjacent to the employment area are shown to be retained, and will contribute to the visual amenity and identity of the site. In order to protect these trees during the construction process a condition has been imposed requiring the works to be carried out in accordance with BS 5837:2012.

Public Right of Way

- 8.62. There is a Public Right of Way (PROW), Footpath U26, crossing the site. This has one point of entry through Wood Street Park to the east, and the other on the north west boundary. This application shows the rerouting of the PROW through the site on pedestrian footpaths and in a logical manner and the applicant has stated their agreement to the provision of the necessary signage within the site and this would

be required by way of condition. The re-routing of the PROW would need to be formalised under a Diversion Order.

Developer Contributions

- 8.63. Policy DM3 of the SADMP identifies that where development will create a need to provide additional or improved infrastructure, amenities or facilities, developers will be expected to make such provision directly or indirectly through the appropriate funding mechanism.
- 8.64. A section 106 Agreement was required as part of the outline consent and this has been approved making the following contributions (subject to any relevant increases):
- Education: Primary School contribution of £1,016,316.84. Secondary School contribution of £1,268,268.75 and a Special School contribution of £115,519.29.
 - Civic Amenity: £17,336 for enhancing the waste facilities at Barwell Civic Amenity Site.
 - Library: £13,996.50 for enhancing provision at Earl Shilton Library.
 - Leicestershire Police: £112,697 towards equipping staff; polices vehicles; radio cover/capacity, and police database capacity; control room telephony; ANPR CCTV deployment; premises and equipment for additional access hub to serve the locality.
 - Health: 0.3 ha of land to allow the expansion of Heath Lane Surgery which is likely to be used by the additional population and is currently running at capacity, plus a monetary contribution of £50,944.
 - Play & Open Space: £102,000 towards the provision of a Neighbourhood Play Area (NEAP), with 9 pieces of play equipment; to be provided on site; £98,980 towards the maintenance of the NEAP within the application site; £210,540 towards the provision of a Multi-Use Games Area (MUGA) at Weaver Springs Park, of which £92,400 would be towards maintenance; and £188,123.30 towards the provision and maintenance of 3.76ha of public open space across the application site for a 10-year period (informal amenity space, semi-natural amenity space and kickabout area).
 - Public Realm: £240,625 to improve connectivity and the public realm between the site, Wood Street Park and Earl Shilton High Street.
 - Highways: Travel packs £18,497.50; 6 month bus passes £245,000; improvements to 2 nearest bus stops £6,526; bus shelter at 1 nearest bus stop £4,908; Real Time Information system at nearest bus stop £10,000; disability access and signage improvements £8,760 and monitoring fee £11,337.50.
- 8.65. All of the above contributions are considered to be necessary, directly related and fairly and reasonably related in scale and kind to the development proposed. There are no proposed changes to the Section 106 and the application will have to be undertaken in accordance with the agreed details of this legal agreement.

9. Equality Implications

- 9.1. Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-

(1) A public authority must, in the exercise of its functions, have due regard to the need to:

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.2. Officers have taken this into account and given due regard to this statutory duty in the consideration of this application. The Committee must also ensure the same when determining this planning application.

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

11. Conclusion

11.1. The proposed development has outline consent and therefore the principle of the development has been found to be acceptable. This application for reserved matters is considering the details of the proposal, including layout, scale, appearance and landscaping, and how they comply with the policies of the Development Plan.

11.2. The proposed layout and design of the dwellings would create sense and place and identity whilst also linking the development to the existing facilities within Earl Shilton through the improvements to the public footpath and public realm.

11.3. The proposal would not adversely impact upon Highway Safety and would provide sufficient off-street parking. Residential amenity within and adjoining the site would not be adversely affected. The ecology and biodiversity of the site would be protected and appropriate mitigation measures put in place for during, and following, the construction phase.

11.4. Overall the proposal is considered to be in accordance with Policies 2, 15, 16 and 19 of the Core Strategy; Policies DM1, DM3, DM4, DM6, DM7, DM10, DM17, DM18 and DM20 of the SADMP along with the relevant guidance in the NPPF (2018).

12. Recommendation

12.1. **Grant planning permission** subject to:

- Planning conditions outlined at the end of this report.

12.2. That the Interim Head of Planning be given powers to determine the final detail of planning conditions.

12.3. **Conditions and Reasons / Reasons**

1. The proposed development shall be carried out strictly in accordance with the following drawings:

Site location plan (13.023/02) deposited with the Local Planning Authority on 28 February 2018

Planning Layout (EARL-SL-014 rev K) deposited with the Local Planning Authority on 28 September 2018

Landscape Masterplan (8271-L-01 rev. G) deposited with the Local Planning Authority on 9 October 2018

House type pack September 2018 deposited with the Local Planning Authority on 11 September 2018

Public footpath plan (EARL-PFP-001) deposited with the Local Planning Authority on 4 July 2018

Cricket Ball Stop Netting (EARL-CN-01) deposited with the Local Planning Authority on 1 October 2018
Green Areas Layout (EARL-GA-001 rev. A) deposited with the Local Planning Authority on 6 September 2018
Details of NEAP (15469 rev. A) deposited with the Local Planning Authority on 1 October 2018
Sections through Attenuation Areas (1690 – 126 rev. A) deposited with the Local Planning Authority on 6 August 2018
Site Sections (EARL-SE-01) deposited with the Local Planning Authority on 4 July 2018

Reason: To ensure a satisfactory appearance and impact of the development to accord with Policies DM1 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

2. The cricket ball stop netting as detailed on the Cricket Netting Details drawing (EARL-CN-01) deposited 1 October 2018 shall be erected along the full length shown on the planning layout rev. K approved under condition 1 above prior to the first occupation of any unit on plots 57 – 77 (inclusive) and 108 – 112 (inclusive). The netting shall be maintained and retained for the life of the development.

Reason: In the interests of residential amenity to accord with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

3. Retained trees and hedgerows are to be protected throughout the construction period in accordance with BS 5837: 2012 – Trees in Relation to Design, Demolition and Construction – Recommendations unless other agreed in writing with the Local Planning Authority.

Reason: In order to ensure the retention of the trees and hedgerows across the site to preserve and enhance the character and appearance of the area and maintain its biodiversity value in accordance with Policies DM4 and DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

4. The landscaping scheme shall be carried out in accordance with the approved Landscape Masterplan (8271-L-01 rev G scale 1:1000) received by the Local Planning Authority on 9 October 2018. All hard landscaping, planting, seeding or turfing shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. 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.

Reason: To ensure that the works are carried out within a reasonable time period and thereafter maintained to accord with Policies DM4 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

5. No development shall commence on site until a footpath management plan, to include details of signage, has been submitted to and approved in writing by the Local Planning Authority. Such a plan shall include details of temporary diversion, fencing, surfacing, signing and a timetable for provision.

Reason: To ensure that footpath U26 is available for use throughout the construction process and is suitably signposted for the future in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

6. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in general accordance with Planning Layout drawings numbered EARL-PL-001 rev. K.

Reason: To ensure that adequate off-street parking provision and turning facilities are provided on site prior to the occupation of development 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).

12.4. 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. This planning permission must be read in conjunction with outline planning permission reference 14/01279/OUT and implemented in accordance with the specific details approved under the discharge of conditions imposed therein.
3. Planning Permission does not give you approval to work on the public highway. To carry out off-site works associated with this planning permission, separate approval must first be obtained from Leicestershire County Council as Local Highway Authority. This will take the form of a major section 184 permit/section 278 agreement. It is strongly recommended that you make contact with Leicestershire County Council at the earliest opportunity to allow time for the process to be completed. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>
4. If the roads within the proposed development are to be offered for adoption by the Local Highway Authority, the Developer will be required to enter into an agreement under Section 38 of the Highways Act 1980. Detailed plans will need to be submitted and approved, the Agreement signed and all sureties and fees paid prior to the commencement of development. The Local Highway Authority reserve the right to charge commuted sums in respect of ongoing maintenance where the item in question is above and beyond what is required for the safe and satisfactory functioning of the highway. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>
5. If an Agreement is not in place when the development is commenced, the Local Highway Authority will serve Advanced Payment Codes in respect of all plots served by all the roads within the development in accordance with Section 219 of the Highways Act 1980. Payment of the charge must be made before building commences. Please email road.adoptions@leics.gov.uk in the first instance.
6. To erect temporary directional signage you must seek prior approval from the Local Highway Authority in the first instance (telephone 0116 305 0001).

7. All proposed off site highway works, and internal road layouts shall be designed in accordance with Leicestershire County Council's latest design guidance, as Local Highway Authority. For further information please refer to the Leicestershire Highway Design Guide which is available at <https://resources.leicestershire.gov.uk/lhdg>
8. The recycling and waste collection service operates from the boundary with the public highway. If the proposed access road is to be adopted, the developer's attention is drawn to the need for the design and construction of the access road to be suitable for passage and turning of HGV waste and recycling collection vehicles. Waste and recycling bins are no longer provided free of charge and the developer, incoming residents or managing agents will need to place an order with the waste services department for their supply.
9. The applicant will need to apply to the Borough Council for a diversion order under section 257 of the Town and Country Planning Act to move footpath U26 to a new route.

Planning Committee 23 October 2018
Report of the Interim Head of Planning

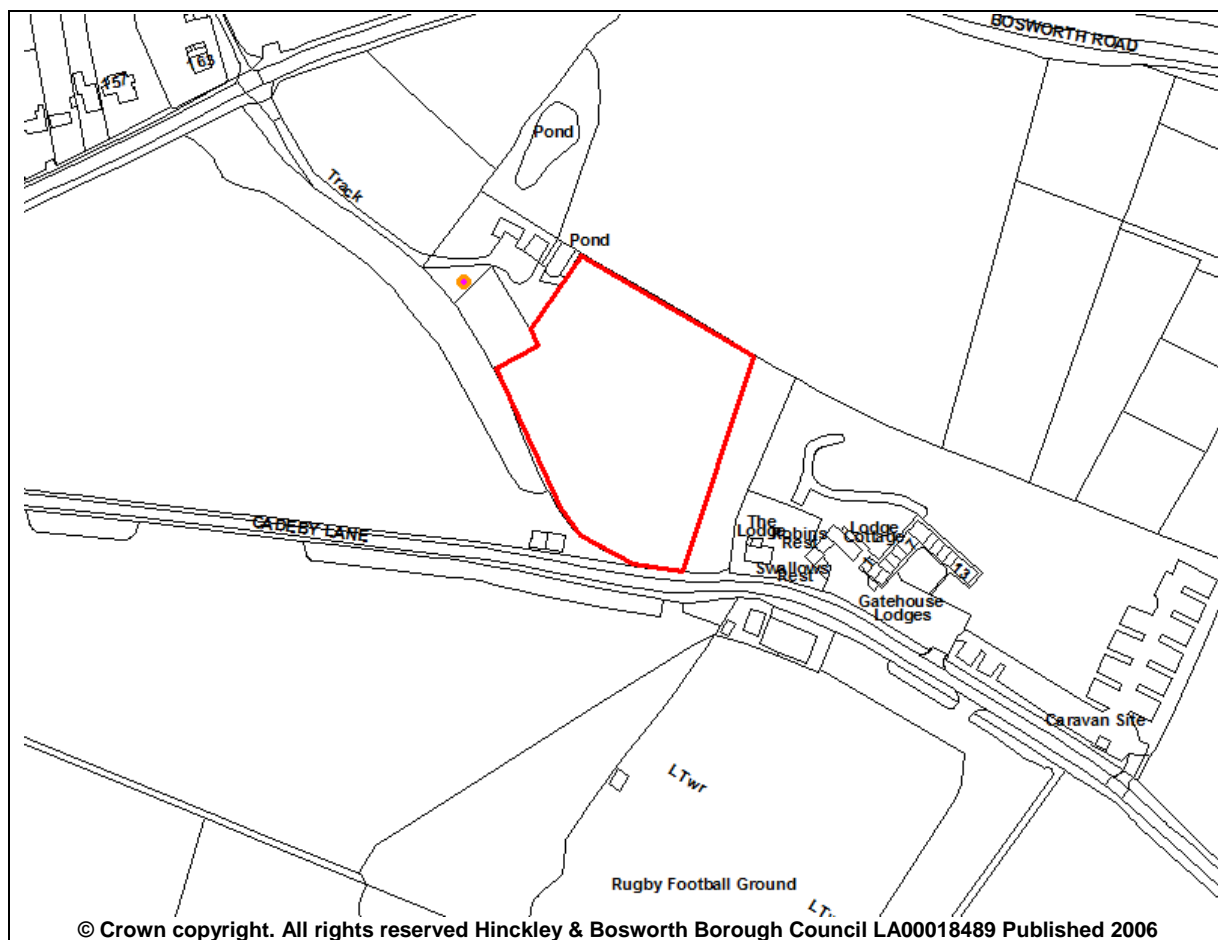
Planning Ref: 18/00805/FUL
Applicant: Ms Pauline Martina Smullen
Ward: Cadeby Carlton M Bosworth & Shackerstone



Hinckley & Bosworth
Borough Council

Site: Land North Of Cadeby Lane Cadeby

Proposal: Development of the land for the erection of three log cabins for holiday let purposes



1. Recommendations

1.1. Grant planning permission

- Planning conditions outlined at the end of this report.

2. Planning Application Description

- 2.1. The application seeks full planning permission for the erection of three (3) timber cabins for holiday letting purposes with associated hard core access driveway from the existing field access, bin store and additional landscaping.

3. Description of the Site and Surrounding Area

- 3.1. The site relates to a field on the north side of Cadeby Lane. The field is currently used for grazing of horses in conjunction with the applicant's stables and yard adjacent to the west (coloured blue on the accompanying Plans).

- 3.2. The site is within a Countryside location close to the Conservation area of Market Bosworth. It is located opposite the Market Bosworth Country Park.
- 3.3. To the east is Gatehouse lodges and Market Bosworth Caravan Park both existing tourism facilities.

4. Relevant Planning History

00/00196/COU	Construction of manege	Permission	28.04.2000
95/00873/FUL	Erection of stable and tack room	Permission	04.01.1996
93/00018/4	Erection of an agricultural building	Permission	24.03.1993
92/00139/4	Agricultural vehicular access	Permission	24.03.1992

5. Publicity

- 5.1. The application has been publicised by sending out letters to local residents. A site notice was also posted within the vicinity of the site.
- 5.2. There have been four letters of objection received from third parties with the following concerns raised:
- 1) Outside settlement boundary
 - 2) Erosion of Green wedge
 - 3) Narrow access road - used by walkers, horse riders and cyclists
 - 4) Lane recognised as a Public Walk within the Market Bosworth Neighbourhood Plan joining up the Country Park and Market Bosworth
 - 5) Emerging ribbon development of holiday lets
 - 6) Existing tourist accommodation would lose its identity
 - 7) Significant historic finds within the adjacent site
 - 8) Unsustainable development
 - 9) Heritage Assets need protection
 - 10) Lack of screening between the site and adjacent property
 - 11) Log cabins do not promote local distinctiveness
 - 12) Out of keeping with local vernacular
 - 13) The log cabins will compromise the open character of the area
 - 14) If approved, will set a precedent
 - 15) Fails to provide safe vehicle access
 - 16) It will domesticate the site which is currently undeveloped

6. Consultation

- 6.1. No objections, some subject to conditions received from:-
- Environmental Health (Drainage)
 - Environmental Health (Pollution)
 - Hinckley and Bosworth Borough Council Waste
 - LCC Highways Authority
 - LCC Ecology
 - LCC Archaeology
 - LLFA

- 6.2 No comments received from:-
- Leicestershire County Council (Archaeology)
 - Western Power
 - Market Bosworth Neighbourhood Forum
 - Severn Trent Water
- 6.3 LLFA originally requested a Flood Risk assessment as the site is larger than 1ha. However a mistake was made by the applicant on the application form which stated that the site was 2.15ha. The red lined site area is less than 1ha and therefore a FRA is not required. A response confirming that a FRA is not required has been received from the LLFA.
- 6.4 LCC Archaeology make the following comments: *Having reviewed the above application against the Leicestershire and Rutland Historic Environment Record (HER), we do not believe the proposal will result in a significant direct or indirect impact upon the archaeological interest or setting of any known or potential heritage assets. We would therefore advise that the application warrants no further archaeological action (NPPF Section 16, para. 189-190).*
- 6.5 Market Bosworth Parish Council object on the following grounds:
- 1) It would impact significantly on the character and environment of the area and views into the conservation area
 - 2) The site is opposite the Country Park and would set a significant precedent for development on the entire site
 - 3) This part of Cadeby Lane is recognised by regular local users as a ‘ danger spot’ for vehicles
 - 4) Outside of Settlement boundary and although it is situated alongside an established ‘visitor site’ the existing site is well screened from the road and does not impact on views.
 - 5) Design does not fit in with others in the vicinity
 - 6) Significant historical finds have apparently been found on adjacent site
- 6.6 Cadeby Parish Council object on the following grounds:
- 1) Site location plan implies that vehicle access will involve works on land outside of the application site
 - 2) Proposed development does not accord with Core Strategy Policy 23 as unlikely to contribute to the economic well being of the area
 - 3) Unclear how design of cabins would complement the tourist themes of the borough
 - 4) Site is in a prominent location on a main vehicle route which is characterised by listed buildings and open countryside. The development of three log cabins and associated access will compromise this character
 - 5) The design of the cabins are distinctive but will not enhance the character or distinctiveness of Market Bosworth

7. Policy

- 7.1. Market Bosworth Neighbourhood Plan 2014-2026
- The site falls outside of the Neighbourhood Plan Area but is adjacent to Area G (Country Park). The policies of the MBNP are therefore not applicable.
- 7.2. Core Strategy (2009)
- Policy 7:Key Rural Centres Stand Alone
 - Policy 23: Tourism Development

- 7.3. 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 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: Preserving the Borough's Archaeology
 - Policy DM18: Vehicle Parking Standards
 - Policy DM24: Cultural and Tourism Facilities
- 7.4. National Planning Policies and Guidance
- National Planning Policy Framework (NPPF) (2018)
 - Planning Practice Guidance (PPG)

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
- Drainage
- Impact upon Archaeological Heritage Assets
- Impact upon Heritage Assets

Assessment against strategic planning policies

- 8.2. Paragraph 2 of the National Planning Policy Framework (NPPF) states that the development plan is the starting point for decision taking and that the NPPF is a material consideration in determining applications. The development plan in this instance consists of the Core Strategy (2009), and the Site Allocations and Development Management Policies Development Plan Document DPD 2016 (SADMP).
- 8.3. Policy DM1 of the SADMP sets out a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved without delay unless material consideration indicate otherwise.
- 8.4. Policy DM4 of the SADMP seeks to safeguard the countryside from unsustainable development and identifies that development in the countryside will be considered sustainable where proposed development 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; subject to it meeting further detailed criteria.
- 8.5. Policy 11 of the Core Strategy seeks to support the development of the tourism industry within Key Rural Centres Stand Alone, for which Market Bosworth (the nearest settlement) is considered to be.
- 8.6. Policy 23 of the Core Strategy encourages tourism development, including accommodation where it meets the following criteria:

- The development can help to support existing local community services and facilities;
 - 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;
 - Complements the tourism themes of the borough; and
 - The development adds to the economic wellbeing of the area.
- 8.7 The NPPF at Section 6 supports economic growth. At paragraph 83 (c), it states that planning policies and decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside. At paragraph 84, it states that planning policies and decisions should recognise that such sites may be found adjacent to or beyond existing settlements and in locations which may not be well served by public transport. In such circumstances, it is important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example improving the scope for access on foot, by cycling or by public transport. The application site is situated outside any defined settlement boundaries, and is therefore situated within the countryside.
- 8.8 The site is located within an established tourism area within walking distance from Market Bosworth and the Country Park. Bosworth Battlefield and Twycross Zoo are a short driving distance away. The applicant has submitted a Business Plan with information as to the marketing of the cabins with rental rates and the reasons why she has chosen this particular location for her proposals due to its benefits to Market Bosworth through creating local employment, enhanced spending in local shops and restaurants as well as local visitor attractions. The site is well connected to Market Bosworth and within a range of existing tourist accommodation and accords with Core Strategy Policy 23 in this regard.
- 8.9 Although the site is not well served by public transport, in accordance with paragraphs 83 (c) and 84 of the NPPF, there are opportunities for cycling within the area and due to the short distance of tourist features it is considered reasonable to assume that cycling maybe used as a form of transport to these locations. Although it is accepted that users of the proposal would likely use their vehicles at some point when investigating the area, due to the positioning of the site within the borough close to key tourism facilities it is considered that the site is located within a suitable location to support the tourist facilities within the borough. Therefore the provision of accommodation is supported in principle.

Design and impact upon Heritage Assets

- 8.10 Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that *In the exercise, with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*
- 8.11 The site lies outside of any defined settlement boundaries and therefore within an area designated as countryside. It is not within a designated Green Wedge or an Area of Outstanding Natural Beauty (AONB). It is not within a designated Conservation Area, however it is close to the northern boundary of the Market Bosworth Country Park (which lies to the south of the site separated by Cadeby lane) which has historical significance. It is the impact the proposal may have on the country Park (as Historical Asset) that is considered here.

- 8.12 Paragraph 170 of the NPPF states that the planning policies and decisions should contribute to and enhance the natural and local environment. Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation. 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, and protect its intrinsic value, beauty and open character. 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. Policies DM11 and DM12 seek to protect and enhance the historic environment and heritage assets. If the impact of any proposal causes harm to a heritage asset it must be weighed against the public benefits of the proposal.
- 8.13 The 3 timber cabins would be situated close to the northern boundary of the site. The site is screened by a belt of mature woodland along the western boundary and a mature hedgerow on both northern and southern boundaries. The eastern boundary between the site and the adjacent residential property is currently defined by a post and rail fence although a native hedgerow is proposed on the landscape plan to add additional screening along this internal boundary.
- 8.14 Although the site is not within a conservation area it is adjacent to the Market Bosworth Country Park which forms part of the Market Bosworth Conservation Area, and therefore consideration must be given to the impact the proposal may have on the historic setting of this heritage asset.
- 8.15 As identified in the Market Bosworth Conservation Area Appraisal (2014) (MBCAA) the development of Market Bosworth has been influenced by its location as a ridge top settlement, its agricultural economy and the strong manorial tradition based on Bosworth Hall within its parkland setting. In 1885 the ownership of the hall passed from the Dixie family to Charles Tollemarhe Scott who improved the estate, replanting woodland and rebuilding lodges and farms.
- The historical relationships between the village of Market Bosworth, the hall and the park and the agricultural landscape are clearly apparent and define the setting of the conservation area and hugely contribute to its unique sense of place. The countryside around the settlement and its relationship to the entrance roads is a major factor in the appreciation of the character of the village and its conservation area.
- 8.16 When approaching the conservation area along Cadeby Lane from Cadeby the road is flanked by open pasture and managed parkland. As confirmed by historical mapping, the conservation area boundary which runs along the western boundary of the site marks the extent of the managed parkland associated with the hall, despite the Gate House Cottage which was erected during the late 19th century being located slightly further east and adjacent to the site. The character of the site reflects its past use as pasture and current use for grazing rather than having a parkland character, however, the current character of the site is typical of the varied agricultural landscape that borders the hall parkland so the site sits comfortably within the parkland setting. Subsequently the site is considered make a neutral contribution to the significance of the Market Bosworth Conservation Area.8.17.
- 8.17 The timber cabins would be served by a single access from the existing field gate access from Cadeby lane. Each would have 2 parking spaces and a small private amenity area denoted by hedgerows which would aid screening from the road. A

mature band of trees along the western edge of the site further adds screening from views. The location of the cabins incorporating the proposed landscaping and additional screening would not be readily visible from Cadeby Lane or from wider views within the Country Park. The cabins are of modest proportions, single storey in height and due to their scale and finishes are considered to have an acceptable appearance within this location. The overall floor area of each cabin would be approximately 84.5 sqm with a maximum ridge height of 3.94 m, eaves height of 2.56m, 8.42m in width and 10.93m in length. The cabins would be situated width ways towards the front of the site with native hedging along the southern edge of the plots to add additional screening. The applicant has verbally agreed to stain the timbers green which would blend in harmoniously within their rural setting. The log cabins themselves would cause no further harm than those existing tourist accommodations adjacent and would reflect the predominantly rural nature of the site and its setting. In this regard it is considered that the proposal would have a neutral impact on the setting of the Market Bosworth Conservation Area and consequently cause no harm to its significance.

Impact upon neighbouring residential amenity

- 8.18 Policy DM10 criterion (a) 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.
- 8.19 The nearest residential dwelling The Lodge, is situated to the east of the application site. Although The Lodge itself is a residential dwelling, it forms part of The Gatehouse Lodges and Bosworth Caravan Park, a tourist accommodation complex comprising self catering holiday accommodations and serviced caravan/motorhome pitches.
- 8.20 The Lodge has windows facing west at both ground floor level and from dormer windows. The dwelling is over 30 metres away from the shared side boundary and approximately 36 metres from the proposed access road. The cabins themselves are in excess of 100m to the north-west. It is not considered that the proposed development would result in any adverse impacts of neighbouring residential amenity in regard to excessive noise, overlooking or loss of privacy and would therefore comply with Policy DM10 (a) of the SADMP.

Impact upon highway safety

- 8.21 Policies DM17 and DM18 of the SADMP require adequate access and off-street vehicle parking facilities to be provided to serve developments.
- 8.22 Although it has been submitted by third parties that Cadeby Lane is a narrow bendy lane used by walkers, horse riders and cyclists and is recognised as a public walk joining up the Country Park with Market Bosworth it is also a classified 'C' road with a speed limit of 60mph and a weight restriction of 7.5 tons and is used by vehicular traffic. Accompanying the application is a Road Safety Audit (RSA) which identified no road safety issues.
- 8.23 Additional plans have been received showing a 120m visibility splay to the east and 215m to the west. LCC Highways have verbally agreed that these distances are acceptable as despite the road having a 60mph speed limit, it is unlikely that when travelling westwards from Cadeby, maximum speeds would be achieved due to the bend in the road close to the entrance with the adjacent caravan park. A 120 metre visibility is acceptable travelling at 40 miles per hour.
- 8.24 The cabins provide 2 parking spaces per unit. As each unit has 2 bedrooms it is considered that the parking proposed is ample. An area for cycle storage is also shown on the plan which could be utilised by each individual cabin if required.

- 8.25 The access is shown on the landscaping plan to be hardbound with black tarmacadam up to 10 m back from the highway. Inside the field the track will be laid as compacted hardcore similar to typical internal tracks within agricultural fields. Part of the road access lies outside of the red line on Highways land, Permission for this would be required from Leicestershire County Council and an informative on the planning permission is added. Given that the RSA concludes that there are no road safety issues that need to be further addressed and appropriate visibility splays can be achieved, it is considered that the proposal meets the requirements of Policies DM17 and DM18.

Drainage

- 8.26 Policy DM7 of the SADMP requires adverse impacts from flooding to be prevented and that development should not create or exacerbate flooding and be located away from area of flood risk unless adequately mitigated. The applicant has indicated that foul and surface water will be directed to the private mains sewer which runs from Bosworth Road along the northern boundary of the site in to Gatehouse Lodges.
- 8.27 The site is located within Flood Zone 1 with a low risk of fluvial flooding and generally at low risk of surface water flooding. The response from Leicestershire County Council (Drainage) advises that as the site is over 1ha a site specific Flood Risk Assessment (FRA) is required. However, the applicant has since advised that the site calculation on the accompanying forms was incorrect and as the site is less than 1ha a FRA is not required. A further response from the LLFA is still awaited confirming their position. However despite this, a planning condition requiring the submission of surface water drainage details, incorporating sustainable drainage principles can be imposed upon the decision to ensure compliance with Policy DM7 of the adopted SADMP.

Impact upon Ecology

- 8.28 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. On-site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term.
- 8.29 Although the application is not for a major development, it has been accompanied by an Ecology Report. This states that currently the site supports no habitats or vegetation of significant biodiversity interest with the species-poor semi-improved grassland supporting only common and widespread species. It is intended that most of the existing hedgerows and trees would be retained and added to with indigenous or berry bearing trees and shrub species which have a far higher value for local wildlife and would enhance and improve habitats by enhancing the biodiversity of the site. The County Ecologist welcomes any opportunities to enhance the site with the proposals indicated on both the landscaping plan and within the accompanying Ecology Report, including the addition of Species Rich meadow grass and wildflower meadow areas within the central (undeveloped) areas of the site. The proposal would not have an adverse impact on the existing biodiversity and improved landscaping would be beneficial to both the immediate site and local wildlife in general thus in accordance with Policy DM6

Impact on archaeology

- 8.30 Policy DM13 states that where a proposal has the potential to impact a site of archaeological interest, developers will be required to provide appropriate desk-based 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.

- 8.31 Anecdotal information from third parties has been received which states that historical artefacts have been discovered close by. However, Leicestershire County Council (Archaeology) do not believe that the proposal would result in a significant direct or indirect impact upon the archaeological interest or setting of any known or potential heritage assets and advise that the application warrants no further archaeological action in accordance with Section 16 of the NPPF. However, in regard to the Historical interest within the area, it is considered prudent to attach a Condition requiring further investigation should any artefacts be discovered once work commences to ensure compliance with Policy DM13.

9 Equality Implications

- 9.1 Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:-
- (1) A public authority must, in the exercise of its functions, have due regard to the need to:
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.2 Officers have taken this into account and given due regard to this statutory duty in the consideration of this application. The Committee must also ensure the same when determining this planning application.

10 Conclusion

- 10.1 The NPPF and Core Strategy support the development of tourist accommodation proposals in rural areas. As a result of the siting, scale, existing hedge planting and topography it is considered that the proposal would not have any adverse impact on the character or visual amenity of the site or the surrounding countryside. The proposal is found to have a neutral impact on the setting of the Country Park. The proposal would be sufficient distance from the nearest neighbouring property to not have a detrimental impact upon residential amenity. The proposals are therefore in accordance with Policy 23 of the Core Strategy and Policies DM4, DM6, DM7, DM10, DM11, DM12, DM17 and DM18 of the SADMP together with the overarching principles of the NPPF.

11 Recommendation

- 11.1 **Grant planning permission** subject to Conditions below

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 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:

Dwg No KL-386-002 – Location Plan received 13 August 2018

Dwg No KL-386-001 - Proposed Site Plan received 4 October 2018

Reason: For the avoidance of doubt and in the interests of proper planning.

3. No development above slab level shall take place until samples of the materials and colours to be used in the construction of the timber cabins have been submitted to and approved by the local planning authority in writing. Development shall be carried out in accordance with the approved sample details.

Reason: To ensure that the development has a satisfactory external appearance to accord with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document.

4. The timber cabins, hereby approved, shall be for holiday purposes only and shall not be used as the sole or main residence of the occupiers. No person shall occupy any cabin for a period exceeding four weeks within a 12 month period. Furthermore, no person shall occupy any cabin within a period of two weeks following the end of a previous period of occupation by that same person. The owners/operators of the holiday accommodation shall maintain an up-to-date register of the names and main home addresses of all the individual occupiers and shall make this information available for inspection at all reasonable times to the Local Planning Authority following prior written notification.

Reason: Having regard to Policy DM4 of the Site Allocations and Development Management Policies Development Plan Document permanent residential units would not be acceptable in this rural location.

5. No development above slab level shall commence until a scheme to dispose of surface water drainage has been 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

6. Notwithstanding the submitted plans no development shall commence above slab level until comprehensive details of hard and soft landscape works have been 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 fencing to be erected
- e) Maintenance schedule
- f) Implementation programme
- g) Treatment of hard surfaced areas (including the footway access and road layouts and hardstanding for each pitch)

Reason: To ensure that the development has a satisfactory external appearance to accord with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document.

7. 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 5 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 DM10 of the Site Allocations and Development Management Policies Development Plan Document.
8. The vehicular access to the site shall be widened to a minimum width of 6 metres to a distance of 10 metres to the back edge of the highway. Before first use of the development hereby permitted, the access drive shall be provided and shall thereafter be permanently so maintained.
Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway and not cause problems of dangers within the highway, in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document.
9. Before first use of the development hereby permitted, the vehicular access to the site shall be provided with 6 metre radii on both sides of the access.
Reason: To enable vehicles to enter and leave the highway in a slow and controlled manner and in the interests of general highway safety and to afford easy access to the site and protect the free and safe passage of traffic in the public highway, in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document.
10. Any gates, barriers, bollards, chains or other such obstructions shall be inward opening only and shall be set back a minimum of 10 metres from the back edge of the highway.
Reason: To enable a vehicle to stand clear of the highway whilst the gates are opened/closed in the interest of highway safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document.
11. Before first use of the development hereby permitted the access drive shall be surfaced in a hard bound porous material for a minimum distance of 10 metres from the back edge of the highway and shall be so maintained at all times.
Reason: To reduce the possibility of deleterious material behind 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.
12. Before first occupation of the development hereby permitted, visibility splays of not less than 2.4 metres by 120 metres to the east (right) and by 215 metres to the west (left) shall be provided out of the access at its junction with Cadeby Lane. These shall be in accordance with the standards contained in the current County Council design guide and shall be so maintained in perpetuity. Nothing shall be allowed to grow above a height of 0.6 metres above ground level within the visibility splays.

Reason: To afford adequate visibility at the access/junction to cater for the expected volume of traffic joining the existing highway network and in the interests of general highway safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document.

13. If during development, any items of archaeological interest are found to be present at the site, no further development shall take place until a Written Scheme of Investigation is submitted to and approved in writing by the Local Planning Authority. No further works shall take place other than in accordance with the approved Written Scheme of Investigation.

Reason: To ensure that no development shall take place which may adversely affect any items of archaeological interest in situ without adequate prior investigation in accordance with Policy 13 of the Site Allocations and Development Management Policies Development Plan Document.

11.3 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. 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.

PLANNING APPEAL PROGRESS REPORT

SITUATION AS AT: 12.10.18

WR - WRITTEN REPRESENTATIONS

IH - INFORMAL HEARING

PI - PUBLIC INQUIRY

FILE REF	CASE OFFICER	APPLICATION NO	TYPE	APPELLANT	DEVELOPMENT	Appeal Valid	DATES
	AC	18/00624/OUT (PINS Ref 3213307)	WR	Mr W Richardson 295 Main Street Stanton Under Bardon	295 Main Street Stanton Under Bardon Coalville (Erection of one dwelling (outline - access only))	Appeal Valid Awaiting Start Date	08.10.18
	AC	18/00156/FUL (PINS REF 3213146)	WR	Mr Peter Hunt Apex Homes 16A Cadle Close Stoney Stanton	Land To The Rear Of 19 De La Bere Crescent Burbage Hinckley (Erection of new dwelling (resubmission of 17/01138/FUL))	Appeal Valid Awaiting Start Date	11.10.18
	RW	17/01268/FUL (PINS Ref 3210717)	WR	Miss Anna Vaughan Mobile Home Meadow Barn Shenton Lane Upton	Meadow Barn Shenton Lane Upton (Removal of two mobile homes and residential storage barn and erection of dwelling)	Appeal Valid Awaiting Start Date	12.09.18
18/00041/PP	AC	17/01292/FUL (PINS Ref 3210610)	WR	Mr Daniel Kitching 29 Brook Street Whetstone Leics	38 Almeys Lane Earl Shilton (Erection of one detached bungalow (resubmission of 17/00636/FUL))	Start Date Final Comments	10.09.18 29.10.18
18/00045/RPAGDO	EC	18/00343/CQGDO (PINS Ref 3210268)	WR	Mr Martyn Taylor 55 Foxs Covert Fenny Drayton	Cotton View Bosworth Road Wellsborough (Prior Approval for change of use of an existing agricultural building to a dwelling (C3) and associated building operations)	Start Date Statement of Case Final Comments	24.09.18 29.10.18 12.11.18
18/00043/PP	AC	18/00160/OUT (PINS Ref 3208803)	WR	Mr Jon Wetton 154 Wolvey Road Burbage	154 Wolvey Road Burbage (Erection of a dwelling and creation of an access to serve No. 154 (outline - all matters reserved) (resubmission of 17/01135/OUT))	Start Date Statement of Case Final Comments	17.09.18 22.10.18 05.11.18

		18/00165/UNBLDS (PINS Ref 3209195)	PI	Mr Nigel Salt Salt Construction Limited 304 Leicester Road Wigston	Land South Cadeby Hall Main Street Cadeby (Unauthorised erection of a dwelling)	Appeal Valid Awaiting Start Date	13.09.18
18/00042/PP	RH	18/00186/FUL (PINS Ref 3209111)	WR	GPH Hinckley Road Development LTD	65 Hinckley Road Burbage (Proposed residential development of 7 dwellings)	Start Date Statement of Case Final Comments	10.09.18 15.10.18 29.10.18
18/00040/FTPP	TW	18/00459/HOU (PINS Ref 3208837)	WR	Mrs Terri Greenwood	207 Sketchley Road Burbage (Erection of a boundary wall to front of property (retrospective))	Start Date Awaiting Decision	04.09.18
18/00035/PP	AC	18/00321/FUL (PINS Ref 3207339)	WR	Saga Construction Ltd Lime Tree Barns Desford Road Kirkby Muxloe	45 - 47 Ashby Road Markfield (Demolition of all buildings and residential development of 8 dwellings)	Start Date Awaiting Decision	13.08.18
	AC	18/00377/HOU (PINS Ref 3207112)	WR	Mr & Mrs D Sullivan Harcourt Mill Barton Road Carlton	Harcourt Mill Barton Road Carlton (Two storey side extension and construction of a swimming pool and associated landscaping)	Appeal Valid Awaiting Start Date	16.07.18
18/00031/PP	JB	17/00988/FUL (PINS Ref 3206304)	IH	Mr Gavin Ingham Gnarley Farm Osbaston Hollow Osbaston	Gnarley Farm Ashby Road Osbaston (Erection of log cabin for an agricultural worker.)	Start Date Hearing Date	03.08.18 24.10.18
	LL	16/00277/UNUSES (PINS Ref 3206296)	WR	Mr F Tailor Oldlands Fenns Lane Dadlington	Oldlands Fenn Lanes Dadlington	Appeal Valid Awaiting Start Date	09.08.18
18/00033/FTPP	TW	18/00333/HOU (PINS Ref 3206141)	WR	Mr Dyer 4 Hall Lane Obstone	4 Hall Lane Odstone (Two storey side and single storey front & rear extensions)	Start Date Awaiting Decision	07.08.18
18/00036/PP	AC	17/00776/FUL (PINS Ref 3204517)	WR	Dr David Hickie 7 Hunters Walk Witherley Atherstone	7 Hunters Walk Witherley Atherstone Erection of timber post and wire fence adjacent to Kennel Lane (resubmission of 17/00310/FUL)	Start Date Awaiting Decision	13.08.18

18/00037/PP	RW	17/01341/FUL (PINS Ref 3204303)	WR	Mr Leighton Parsons Oakdene Leicester Lane Desford	Oakdene Leicester Lane Desford (Erection of one dwelling and associated detached triple garage)	Start Date Awaiting Decision	13.08.18
18/00044/PP	HK	17/00765/FUL (PINS Ref 3203971)	WR	Orbit Group Ltd	The Big Pit Land to the rear of 44 - 78 Ashby Road Hinckley (Erection of 60 dwellings including	Start Date Statement of Case Final Comments	18.09.18 23.10.18 06.11.18
18/00019/FTTREE	CJ	18/00234/TPO (PINS Ref 6812)	WR	William Burke 1 Goulton Crescent Desford	1 Goulton Crescent Desford (1x Scots pine, reduce overall height by 20 feet)	Start Date Awaiting Decision	30.05.18
18/00018/HEDGE	TW	18/00040/HEDGE (PINS Ref 512)	WR	AH Oliver & Son Sweepstone Fields Farm Snarestone Road Newton Burgoland	Odstone Hill Farm Newton Lane Odstone	Start Date Awaiting Decision	16.05.18
18/00039/PP	JB	18/00249/OUT (PINS Ref 3202284)	WR	Mr Jeffrey Allen Medworth Desford Road Desford	Land Adjacent Medworth Desford Lane Ratby (Erection of a single Dwelling after demolition of existing redundant outbuildings)	Start Date Awaiting Decision	13.08.18
18/00030/PP	JB	17/00552/OUT (PINS Ref 3201693)	WR	Mr & Mrs T & G Moore 42 Coventry Road Burbage	42 Coventry Road Burbage (Demolition of garage and erection of one new dwelling to rear of existing property (Outline - access, layout and scale only))	Start Date Awaiting Decision	13.07.18
18/00016/FTTREE	CJ	18/00211/TPO (PINS Ref 6767)	WR	Brian Higginson Village House Coventry Road Marton	32 Northumberland Avenue Market Bosworth Nuneaton (T1 Oak - Fell and replace; T2 Beech - Remove 2 damaged lower limbs)	Start Date Awaiting Decision	16.05.18
18/00026/PP	RW	17/00877/OUT (PINS Ref 3200713)	WR	Mr M Hurst C/O Andrew Granger & Co. Phoenix House, 52 High Street Market Harborough	Land rear of 43 Park Road, Ratby (Outline planning application for development of 5no. dwellings and associated vehicular access) (Re-submission of 16/00999/OUT)	Start Date Awaiting Decision	12.07.18
18/00025/PP	RW	17/00747/OUT (PINS Ref 3199326)	WR	Mr K Petcher 128 Preston Drive Newbold Verdon	Land Rear Of 143 Dragon Lane Newbold Verdon (Erection of single storey bungalow (outline - access only))	Start Date Awaiting Decision	12.07.18

18/00034/PP	RH	15/00441/FUL (PINS Ref 3197865)	WR	Cartwright Homes Ltd Vicarage Street Nuneaton	Land South Of Chapel Fields Livery Stables Chapel Lane Witherley (Erection of 10 dwellings and associated access)	Start Date Awaiting Decision	13.08.18
18/00020/PP	AC	17/00695/FUL (PINS Ref 3196957)	WR	Mr D Tallis Basin Bridge Bungalow Hinckley Lane Higham on the Hill Nuneaton	Basin Bridge Bungalow Hinckley Lane Higham On The Hill Nuneaton (Demolition of existing dwelling and erection of replacement two-storey, two- bedroom dwelling)	Start Date Awaiting Decision	25.07.18
18/00038/PP	JB	17/00982/FUL (PINS Ref 3194858)	WR	Mr R Harrison R&W Harrison Builders Ltd 40 Farrier Lane Leicester	Holly Cottage 20 Rookery Lane Groby (Erection of one dwelling)	Start Date Letter Awaiting Decision	13.08.18

Decisions Received

18/00021/FTHP	AC	18/00193/HOU (PINS Ref 3202279)	WR	Mr T Knapp 18 Strutt Road Burbage	18 Strutt Road Burbage (Single storey attached garage to front of property (resubmission of 17/00777/HOU))	ALLOWED	17.09.18
18/00007/PP	RWR	17/00115/FUL (PINS Ref 3189810)	IH	Mr K Saigal Centre Estates 99 Hinckley Road Leicester	Land Off Paddock Way Hinckley (Residential development of 55 dwellings, creation of a new access and associated works to include 72 on-site parking spaces)	ALLOWED	13.09.18
18/00011/FTHP	AC	18/00038/HOU (PINS Ref 3204410)	WR	Mr & Mrs Smith 15 Denis Road Burbage	15 Denis Road Burbage (First floor extension to bungalow to form two and a half storey dwelling with alterations to all elevations (resubmission of 17/00546/HOU))	DISMISSED	20.08.18
18/00024/FTHP	RH	18/00098/HOU (PINS Ref 3204820)	WR	Mr D Power 37 Wykin Lane Stoke Golding	37 Wykin Lane Stoke Golding (Proposed Studio and Playroom above approved garages)	DISMISSED	20.08.18
18/00023/FTHP	EC	18/00412/HOU (PINS Ref 3204710)	WR	Mrs Samantha Mather 64 Manor Road Desford	64 Manor Road Desford (Detached garage to front elevation and roof lantern to existing summer house in rear garden)	SPLIT	20.08.18

18/00017/PP		17/01119/FUL (PINS Ref 3197114)	WR	Mr Andrew Ward Ben Venuto Thornton Lane Markfield	Ben Venuto Thornton Lane Markfield (Erection of detached dwelling)	DISMISSED	14.08.18
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Appeal Decisions - 1 April - 12 October 2018

No of Appeal Decisions	Allowed	Dismissed	Split	Withdrawn	Officer Decision			Councillor Decision			Non Determination		
					Allow	Spt	Dis	Allow	Spt	Dis	Allow	Spt	Dis
23	5	17	1	0	5	1	15	0	0	1	0	0	0

Enforcement Appeal Decisions

No of Appeal Decisions	Allowed	Dismissed	Split	Withdrawn
1	0	0	0	1

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