

Planning Committee 20 November 2018  
Report of the Interim Head of Planning

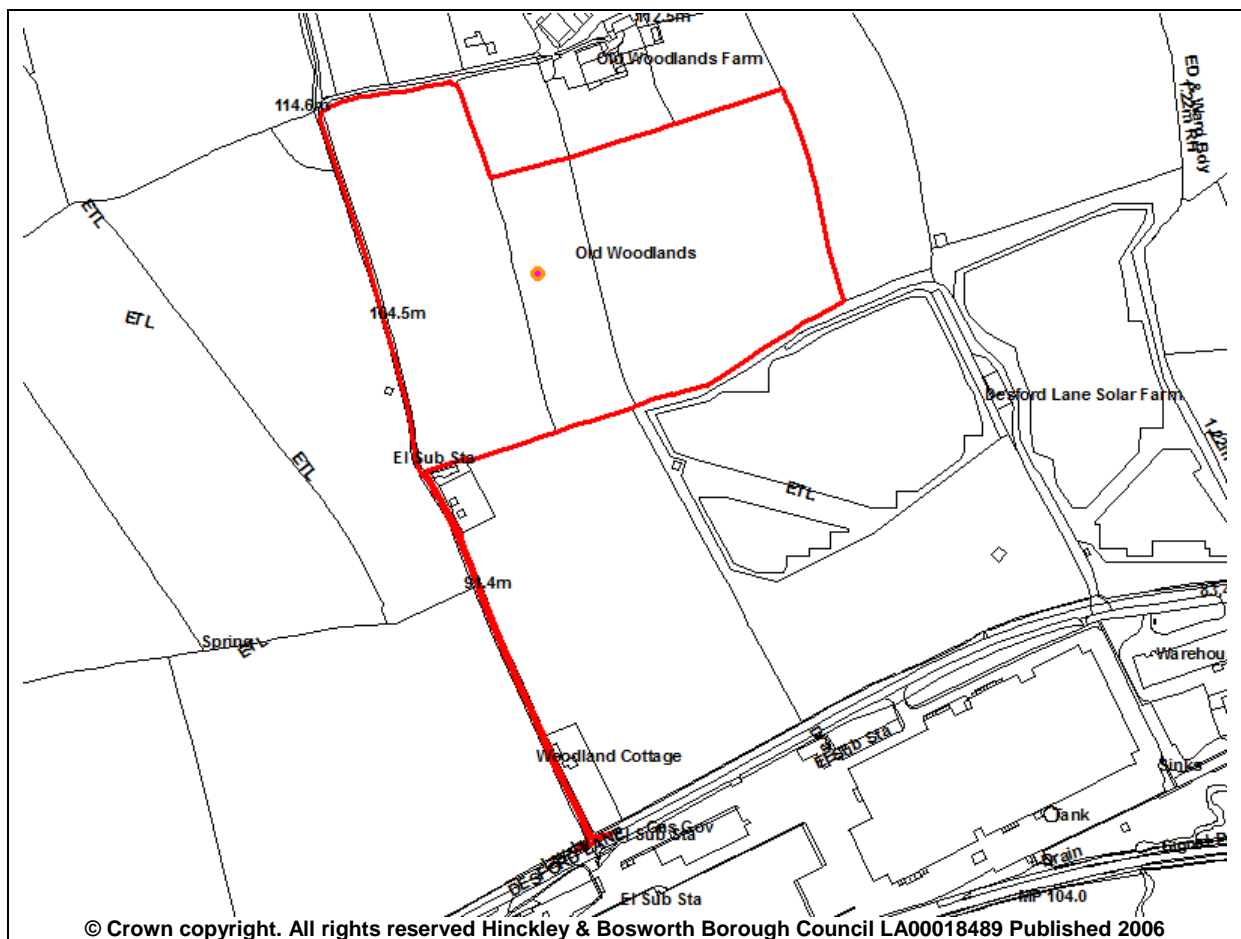


Hinckley & Bosworth  
Borough Council

Planning Ref: 18/00843/FUL  
Applicant: Woodland Trio  
Ward: Newbold Verdon With Desford & Peckleton

Site: Old Woodlands Desford Lane Ratby

Proposal: Change of use of woodland area to leisure/camping site including associated access tracks, car park, camping zone, wooden eco pods, amphitheatre, mounds, tunnel maze and ponds



**1. Recommendations**

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

**2. Planning Application Description**

2.1. The proposal relates to the change of use of the woodland to form a wilderness sanctuary for recreational and educational purposes along with camping and glamping pods. The aims of the scheme are to grow and manage the woodland and maintain and establish new woodland to create a wilderness sanctuary to act as a carbon sink, encourage bio-diversity and provide habitats. Being a mixed use scheme of recreational, educational and residential uses the proposal would be classed as a sui generis use. The proposal includes:

- Camping and Hammock Zones
  - 10 Glamping pods
  - Bush craft activity areas and picnic facilities
  - Two entrances into the site with access roads within the site
  - A 48-space car park
  - Footpaths raised by no more than 1 metre above existing ground level
  - Bridleway raised by no more than 2 metres above existing ground level
  - Hard surfacing to be used as a maintenance area
  - Excavation and raising of ground levels to form a large pond
  - A teaching amphitheatre
  - A perimeter bund constructed around the whole of the site (with gaps left for the two entrances). The width of the bund ranges from between 20 – 22 metres and has a height of up to 4 metres above existing ground level
  - A spiral mound to a height of some 11 metres above existing ground level with a diameter of some 54 metres
  - A Zig Zag Mound to a height of some 12 metres above existing ground level with a diameter of some 52 metres
  - Extraction to create a small pond
  - A Cave Mound to a height of some 12 metres above existing ground level with a diameter of some 51 metres
  - A tunnel maze to a height of some 2 metres above existing ground level with a diameter of some 22 metres
- 2.2. Two new vehicular accesses would be created into the site directly from the access drive leading onto Desford Lane.
- 2.3. The proposal would be phased with the engineering works constructed first and the full provision of the glamping pods expected to be in year 5 of the development. Approximately 100,000 tonnes of material would be required to be imported onto the site to construct the engineering features. This would involve up to 50 lorry loads of material per day over a minimum 10 month period.
- 2.4. The planning application is accompanied by the following documents:
- Woodland Management Plan
  - Flood Risk Assessment
  - Planning and Design Document
  - Transport Statement
  - Preliminary Ecological Appraisal
  - Construction Management Plan

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

- 3.1. The site known as “Old Woodlands” relates to a young broad leaf woodland plantation which was planted as part of the National Forest Company’s Tender Scheme in 1999/2000. The Tender Scheme agreement lasts 25 years and allows public access to the woodland. The site comprises of an area of approximately 10 hectares and contains more than 20,000 trees which are mainly oak and ash trees.
- 3.2. To the north of the site there are three residential properties, to the east and west of the site are agricultural fields and to the south of the site is an electricity substation, a solar farm and a residential property.
- 3.3. The site is located approximately 360 metres from Desford Lane and is accessed by a private access drive which is also a definitive public bridleway. The access drive is some 3 metres in width with hedgerows either side and currently serves four residential properties.

#### 4. Relevant Planning History

17/00987/GDO	The woodland track, turning area and wood stacking zones are required to fulfil forestry operations within the woodland	Permitted Development	25.10.2017
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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.

5.2. 51 letters of objection from local residents have been received regarding the following issues:

- 1) Loss of trees and vegetation within the National Forest
- 2) Light pollution
- 3) Noise pollution
- 4) Overlooking into neighbouring properties from the mounds proposed
- 5) Highway safety issues particularly from the amount of HGVs using this narrow access track which is also a public bridleway
- 6) Use of access onto Desford Lane would cause highway safety issues and there has been a road traffic fatality along this stretch of road
- 7) The access track is privately owned so applicants cannot create passing places or install traffic lights
- 8) The access track is already well-used as a public bridleway and vehicular access so cannot cope with additional traffic
- 9) The bus stop on Desford Lane will have to be closed during the construction activity
- 10) Large amounts of HGVs will be required to construct the bunds and mounds generating fumes and additional traffic
- 11) This is a waste operation under the disguise of an amenity activity
- 12) This proposal is contrary to the policies in the Development Plan
- 13) Pedestrian safety issues with users of the public footpaths around the site and the permitted footpaths within the site
- 14) Campers and people with shotguns already in the woods and these are leaving litter and human faeces in plastic bags and intimidating users of the permissive footpath
- 15) Permissive walkways through the Old Woodlands would be removed and these have been funded through a National Forest grant
- 16) The amount of waste proposed to be imported onto the site would harm the character of the area and the trees on the site
- 17) The importation of a large amount of material is contrary to the concept of wild camping
- 18) The importation of material could take years to be completed
- 19) Would the whole of the proposal be implemented or just the importation of material aspect?
- 20) The mounds would be visible from surrounding area as located on edge of site and are not features common to the area
- 21) The proposal would create a large holiday camp
- 22) There is no evidence provided that a camp site is viable in this location and no details of how it will be managed, the numbers of campers using the site and how long they can stay

- 23) The documentation submitted with the application refers to buildings, shops and a house being built on the site
- 24) The applicants' company has insufficient capital to carry out this proposal
- 25) The wildlife using the site will be destroyed and the Ecological Study submitted with the application is deficit in many areas.

A letter of objection has been received from David Tredinnick MP regarding impact on the amenity of the surrounding residential properties; the impact on highway safety; the potential for the proposal to destroy the ecological value of the site; and the impact on the adjoining bridleway from HGVs accessing the site.

Four letters of support have been received regarding the following issues:

- 1) The proposal would transform the area in a positive way
- 2) The proposal would draw visitors into the local area and boost local businesses.

## **6. Consultation**

6.1. No objections have been received from:

Section 106 Monitoring Officer  
 Natural England – standing advice should be used  
 LCC Ecology Unit – subject to conditions  
 LCC Minerals  
 LCC Drainage – subject to conditions  
 Environmental Health (Pollution) – subject to conditions  
 Environmental Services (Drainage) – subject to condition  
 Waste Services – subject to condition  
 Planning Policy  
 Environment Agency – subject to notes on drainage  
 Severn Trent Water Ltd – subject to conditions

Objections have been received from:

- LCC Highways – the advice is that the residual cumulative impacts of the development are severe in accordance with the NPPF 2018 and so the LPA (Local Planning Authority) is advised to consider refusal on transport/highway grounds.
- Ratby Parish Council - the proposal would adversely affect R49 Bridleway and R43 Footpath particularly from the earth moving activity.
- Leicestershire Local Access Forum – conflict would be caused between walkers and users of the site in relation to the use of bridleway R49 and Footpath R43 and access into these woods should be provided in accordance with the National Forest fund granted.

Letters of concern have been received from:

- National Forest Company (NFC) – they confirm that the range of accommodation proposed would be in line with the NFC's Tourism Growth Plan. However, they are concerned about the scale of enabling works proposed which has the potential to affect public access to the woodland and use of the adjoining bridleway. The enabling works would require large amounts of the tree removal. However, the mounds would provide features within the site. A planning condition is recommended requiring an Ecological Management Plan.
- Leicestershire and Rutland Bridleways Association – have no objection to the proposal for wild camping. However, they are concerned about the location of

the mounds proposed in relation to the permissive bridletrack through the woods; the permissive bridletrack would be closed during the construction operation; there would be a large amount of HGVs using the public bridleway.

Support has been received from:

- Desford Parish Council – the proposal would provide a valuable tourist attraction and benefit local children.

## **7. Policy**

### 7.1. Core Strategy (2009)

- Policy 21: National Forest
- Policy 22: Charnwood Forest
- Policy 23: Tourism Development

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

- 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 DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM24: Cultural and Tourism Facilities

### 7.3. 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
- Pollution
- Impact on Ecology

#### Assessment against strategic planning policies

8.2. Paragraph 2 of the National Planning Policy Framework (NPPF) states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise, paragraph 47 of the NPPF states that the development plan is the starting point for decision making.

8.3. The development plan in this instance consists of the adopted Core Strategy (2009) and the Site Allocations and Development Management Policies DPD (2016).

8.4. Paragraph 11 of the National Planning Policy Framework (NPPF) and Policy DM1 of the SADMP set out a presumption in favour of sustainable development, and

state that development proposals that accord with the development plan should be approved unless material considerations indicate otherwise.

- 8.5. The site is located within the countryside and so Policy DM4 in the SADMP is relevant. This policy seeks to steer development towards sustainable locations and to safeguard the countryside from unsustainable development. One of the exceptions listed in the policy considered to be sustainable development within the countryside is where 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.
- 8.6. Indeed, the site is part of a larger area allocated as open space under reference BOT08 within the SADMP. Identified as a Natural and Semi-Natural Open Space the site was assessed within the Open Space and Recreational Facilities Study where it was noted that the open space was difficult to access as it was located a distance from the road and car parking area and that the footpath routes were unclear with poor signage. Therefore the site achieved a quality score of 62.86% and so below the target of 80%. Policy DM8 (Safeguarding Open Space, Sport and Recreational Facilities) aims to prevent the loss of open space. A small section of the site would be lost and therefore criterion c) is applicable. The development of the tourism facility would bring forward enhancements to the open space in terms of play areas, the education/community facilities aims to safeguard natural and semi-natural open space to ensure that development retains and enhances the accessibility of the space and recreational value whilst ensuring the biodiversity and conservation value is enhanced. This proposal would see limited development within the open space and the majority of the site would be retained as open space with enhanced and more diverse facilities. As such the proposal is considered to comply with the criteria in Policy DM8 of the SADMP.
- 8.7. Policy 23 of the Core Strategy seeks to support tourism development in sustainable locations subject to meeting the criteria as set out in the policy. The proposal would provide additional outdoor recreational facilities that are linked to the woodland nature of the site as well as educational opportunities and overnight accommodation of varying levels of quality. The site is well connected to the wider outdoor area through footpaths and permissive trails. Being located within the National Forest, Policy 21 of the Core Strategy supports proposals that contribute to the delivery of the National Forest strategy through increasing woodland cover, enhancing biodiversity, outdoor recreational and sports provision and tourism development.
- 8.8. Paragraph 142 of the NPPF states that the National Forest offers valuable opportunities for improving the environment around towns and cities, by upgrading the landscape and providing for recreation and wildlife. Indeed, there is some support for the proposal from the National Forest Company with regards to the provision of the timber pods and wild camping proposed which would assist the National Forest in its recently published Tourism Growth Plan.
- 8.9. Further to this, the site also falls within Charnwood Forest therefore Policy 22 of the Core Strategy is also relevant. This policy seeks to support proposals within Charnwood Forest that, amongst other things, involve sustainable tourism, green tourism initiatives and new recreational facilities. Nevertheless, the proposal involves substantial enabling works. The applicant states that the justification for the substantial enabling works is to form an integral element to the ethos of creating a wild camping experience in a setting that maximises ecological potential and allows guests to immerse themselves within the physical National Forest planting. The peripheral mounds are to surround the campsite to provide an element of enclosure and safety to site users and screen the site from external impacts such as traffic,

noise and artificial light. They also state that the mounds and bunds would afford users close up views of the woodland and wildlife at tree top level. The National Forest Company raises concerns about the scale of the enabling works and the need for the extensive bunds around the site and the number of mounds within the site. They raise the question as to why hedgerows or understory planting cannot be provided to achieve the same aims of seclusion around the site. They consider that there may be merit in allowing long range views from the mounds and from providing a surfaced route throughout the site. However, the amount of engineering operations proposed would not increase woodland cover in the area as required by Policy 21 in the Core Strategy.

- 8.10. Despite a small amount of planting planned on the earth bund surrounding the site, a large amount of the trees would be felled at the site to create the mounds, bunds, car parking and raised access roads, ponds, bridleways and footpaths which take up a large proportion of the site being approximately 40% of the site area. Indeed, there is no detail as to where the material would be stockpiled whilst construction work takes place and how the existing trees would be protected during this work. The National Forest Company shares these concerns that the scale of the proposed enabling works is likely to require tree removal to a scale that has the potential to affect the integrity of the woodland. It is acknowledged that a felling licence has been granted to remove 40% of the existing trees and that trees may be replanted on the bund. However, there are no opportunities for additional tree planting within the application site. Indeed, the widths of the mounds proposed would result in any trees planted being located at a distance away from the mounds which would reduce the appreciation of the woodland and wildlife. In addition to this, the construction of the bund around the boundary of the site would create an unnatural edge to the woodland through the changes in levels. This is in conflict with the provisions of Policies 21 and 22 of the Core Strategy that requires proposals to retain local character, complement the local landscape and enhance woodland and habitat provision.
- 8.11. As such although the principle of an outdoor recreational, educational and tourist accommodation site within the National Forest would be acceptable in this location, the detailed design of the proposal would involve large amounts of woodland being removed to facilitate the significant engineering works proposed. As such the proposal would be contrary to the aims of Policies 21 and 22 of the Core Strategy and Paragraph 142 of the NPPF which seeks to increase and enhance woodland cover in the National and Charnwood Forests and retain local character.

#### Design and impact upon the character of the area

- 8.12. Policy 21 of the Core Strategy states that outdoor sport and recreation provision and tourism developments would be supported in the National Forest provided the development respects the character and appearance of the wider countryside. Policy 22 also supports tourism and recreation proposals in the Charnwood Forest provided they retain local character and enhance woodland provision. This is in line with the aims of Paragraph 83 of the NPPF which states that planning policies and decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside.
- 8.13. The application site lies within the countryside and within the Charnwood Fringe Settled Forest Hills area as contained within the Landscape Character Assessment 2017 where the landform is gently undulating and visually open. Policy DM4 of the SADMP states that outdoor sport or recreation purposes in the countryside will be considered sustainable where the proposal does not have a significant adverse effect on the intrinsic value, beauty, open character and landscape character of the countryside.

- 8.14. Policy DM4 makes reference to the Natural England National Character Area Profiles as a supporting document. Indeed, the site lies within National Character Area Profile 71 which is the Leicestershire and South Derbyshire Coalfield. In this area the landform consists of a plateau with unrestricted views of shallow valleys and gentle ridges that become less pronounced in the south due to a layer of glacial till. The Area Profile for 71 further goes on to state that the area has a developing woodland character, heavily influenced by work of The National Forest. Indeed, the woodland at the application site, although a young plantation, forms an important part of the National Forest in this location. The land surrounding the application site comprises of predominantly flat open agricultural fields and so there are clear views into the site from public viewpoints to the east, south and west of the site. Although the land to the south is used as a solar farm, due to the siting and height of the solar panels the land underneath remains agricultural land and the long distance views into the application are not blocked by the presence of these low level solar panels.
- 8.15. The provision of outdoor recreational and sports and tourism development especially overnight accommodation linked to tourism in the National and Charnwood Forests is supported under Policies 21 and 22 of the Core Strategy. Indeed, the concept of wild camping which has a low impact on forest management and uses small glades throughout the woodland would be in keeping with the woodland character of the area. The large pond proposed would also be a suitable feature in this open landscape. The glamping pods have the potential to impact on the character of the woodland through the introduction of a built form of development. However, the temporary nature of these pods which are small in scale and limited in number along with being constructed from timber and set within woodland would reduce their impact on the surrounding landscape. Planning conditions could be imposed to restrict the camping, hammocks and glamping uses to certain areas and to limit the numbers of units on the site at any one time and the length of stay of each occupant.
- 8.16. However, the proposal also involves the importation of significant amounts of material to create a number of engineered features. Three large mounds would be constructed within the site. Being of heights of between 11-12 metres, these mounds would be substantially higher than the surrounding land. Indeed, although the application states that these features would be of similar heights to the trees within the woodland, these mounds are located close to the boundaries of the site and so on the periphery of the woodland. The woodland is a young plantation and so the trees have not reached maturity and so do not command heights of this scale. There would be little opportunity to plant trees of sufficient maturity to screen these mounds from long distance views of the site from the east, south and west. As such the eye would be drawn to these mounds which would appear as prominent incongruous features in the open landscape to the detriment of the character and appearance of the surrounding countryside.
- 8.17. Area Profile 71 further goes on to state that one of the environmental opportunities in the area is to manage and conserve plantation woodland particularly in The National Forest and to restore and reinstate hedgerows and hedgerow trees. The proposal to construct a perimeter bund around the whole of the site (with the exception of the two entrances) with widths ranging from approximately 20 – 22 metres and heights up to 4 metres above existing ground level would significantly alter the edge of the woodland by creating an unnatural feature. Although it is intended to plant the bund, no details have been provided as to the type of planting proposed. Indeed, any tree planting on the bunds has the potential to impact on the structural stability of these bunds. The bunds would be located alongside the public bridleway to the west of the site and the public footpath to the north of the site.



Indeed, at present there are views of the woodland from these paths through the gaps in the vegetation which create a pleasing environment for users. In contrast the construction of 4 metre high earth embankments along these paths would enclose the already narrow paths further and severely restrict views of the woodland. As such, it is considered that the creation of bunds around the site would also create an incongruous and dominant feature which is out of keeping with the landscape character of the open countryside around the site which mainly comprises of boundary hedgerows.

- 8.18. It is acknowledged that the engineered features may encourage visitors to the site as they are novel features. However, the amount of open ground would be significantly increased (presently 10% in The Woodland Management Plan) following the proposed engineering works particularly around the peripheries of the site to the detriment of the character and appearance of the area. As such the proposal would be contrary to Policies 21 and 22 of the Core Strategy and to Policy DM4 of the SADMP which seek, amongst other things, to increase woodland cover and to protect the intrinsic value, beauty, open character and landscape character of the countryside and the National and Charnwood Forests.

Impact upon neighbouring residential amenity

- 8.19. Policy DM10 of the SADMP states that proposals should not adversely affect the amenity of the occupiers of the neighbouring properties. Although the woodland has permissible access to the public, this use generates a small number of visitors who walk within the woods. In comparison, the change of use proposed has the potential to generate a high amount of visitors to the site. Indeed, the proposal includes a 48 space car park along with zones for camping and hammocks, glamping pods and high mounds to encourage people to use the site for extended periods of time. This, in turn, has the potential to cause noise and disturbance to the occupants of the neighbouring properties including late night noise from campers particularly around the camp fire areas proposed. The Environmental Health Officer has confirmed that they have no objections to the proposal. Planning conditions can be imposed to ensure that camping and hammock zones are located away from these residential properties. The number of units present at the site at any one time can also be restricted. The proposal does not include any lighting and so late night uses outside of these areas would be restricted with most users accessing the site during daylight hours.
- 8.20. The proposal does include high mounds of earth which would be accessed by members of the public. Through the use of these mounds there could be the potential for overlooking into the residential properties which lie to the north of the site. The closest mound to these properties is the Zig Zag mound which is positioned to the north east of the site. This mound would be some 12 metres above existing ground level, however, the residential properties are located on elevated land. Coupled with the intervening land and the distances involved, it is unlikely that the use of these mounds would have a detrimental impact on the adjoining residential properties by virtue of overlooking.
- 8.21. However, the proposal does include significant amounts of engineering operations over the whole of the site including the northern boundary which adjoins residential properties. Although temporary, the construction activity does have the potential to last for an extended period of time as it would be dependent on the applicant being able to source suitable material locally. The construction activity would involve up to 50 HGVs visiting the site in one day. Although the hours of working of this construction operation could be restricted along with the times of the deliveries, delivery of the material and ground work within the site would cause undue noise and disturbance to the adjoining residents in this semi-rural location when

compared with the existing environment over an extended period of time. Indeed, the LPA could not enforce the completion of this engineering work. As such the proposal would be contrary to Policy DM10 of the SADMP.

Impact upon highway safety

- 8.22. Policies DM17 supports development that would not have any significant adverse impacts on highway safety and DM18 of the SADMP state that proposals should ensure that there is adequate provision for on and off street parking for residents and visitors and that there is no impact on highway safety.
- 8.23. Paragraph 84 of the NPPF recognises that sites to meet local businesses and community needs in rural areas should 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. Paragraph 109 of the NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the cumulative impacts on the road network would be severe.
- 8.24. It is acknowledged that the site is located within walking distance of a public transport route and that the Transport Statement seeks to promote sustainable travel for the camping activity. However, on the basis of the site's extant use and the submitted Transport Statement, the proposal would lead to an intensification of traffic utilising the site access. The access does adjoin a C classified road with a 60 mph speed limit. Being located directly opposite the existing access to a B8 distribution facility this would effectively create a crossroads junction with increased conflict in turning movements. The planning application submission does not include any scale drawings of the site access. Neither is the proposal supported by a Stage 1 Road Safety Audit. Therefore, it has not been adequately demonstrated that the type of vehicles likely to visit the site can safely negotiate the site access from Desford Lane. In addition to this, limited information has been provided regarding existing baseline traffic along Desford Lane. The Highway Authority has stated that they would expect a speed survey and traffic counts to be undertaken at the site access to give a more accurate assessment of the impact of the development proposed. Indeed, having reviewed the Personal Injury Collision (PIC) data, the Highway Authority has identified two slight incidents close to the site access and so it would need to be demonstrated that the proposal would not exacerbate the current situation.
- 8.25. In addition to the above, the Transport Statement submitted acknowledges that there would be substantial enabling works to allow the development to be constructed which would involve significant numbers of daily HGV movements to and from the site. Indeed, the proposal would require some 100,000 tonnes of material to be imported onto the site. The Transport Statement states that between 30-50 HGVs would be required each day to visit the site on a 10 month period. The works are planned over a 10-12 month period. However, this time period is dependant on sourcing the required material and so could be of a longer time period. The Transport Statement includes suggested mitigation for the construction phase of the development by way of temporary traffic lights. Given that limited information has been submitted about the baseline situation it is unclear how this would work in practice with the existing traffic and the B8 distribution facility opposite. As such there is the potential for traffic to block back which would cause associated safety implications onto the adopted highway.
- 8.26. An alternative solution to providing traffic lights may be to provide passing places along the access. However, the applicant is not in the ownership of the proposed access drive which limits the exploration of other mitigating features such as passing bays along the access road.

- 8.27. A large car park has been provided within the site to address the requirements of DM18 of the SADMP. Nevertheless the access drive is also used as a public bridleway and so concerns have been raised about the conflicting uses of this track during both the construction phase of the proposal and the operational phase. In addition to this, both the proposal and its associated construction phase would involve an intensification of the existing access. Suitable mitigation measures have not been put forward which could be implemented on site. Neither has it been demonstrated that the types of vehicles likely to use the site can safely negotiate the proposed access. As such, the residual cumulative impact of the proposal on the local highway network would be severe which would be contrary to Policy DM17 of the SADMP which states that development should not have any significant adverse impacts on highway safety. The proposal would also be contrary to advice in the NPPF.

#### Drainage

- 8.28. Policy DM7 of the SADMP seeks to ensure that development does not exacerbate or create flooding.
- 8.29. Objections have been received on the grounds that the development would result in flooding through increasing the surface water run-off from the additional hard surfacing proposed on the site and through the importation of material to elevate the land.
- 8.30. The Environment Agency's flood maps identify the site as being located within Flood Zone 1. The land is not highlighted as being within an area with any surface water flooding issues. Indeed, no evidence has been provided to demonstrate that the proposal would adversely impact on flood risk. Both the Council and the County Council's Drainage Engineers offer no objections to the proposal subject to the imposition of planning conditions. As such, it is considered reasonable to require drainage details to be provided through a condition to ensure that any surface water drainage scheme incorporates sustainable urban drainage. Therefore, the development would be in accordance with Policy DM7 of the SADMP.

#### Pollution

- 8.31. Policy DM7 of the adopted SADMP seeks to prevent adverse impacts from all forms of pollution.
- 8.32. The Environmental Health Officer (Pollution) has not objected to the proposal provided that all the material imported onto the site is clean and would not introduce contamination on to the site. They have requested a condition be included to ensure that all material is accompanied by validation documentation. This activity is likely to be monitored by the Environment Agency under the Environment Act 1995. As such it is considered that a condition would be a reasonable approach to address the importation of clean material as required by Policy DM7.

#### Impact upon Ecology

- 8.33. 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.
- 8.34. The application is accompanied by an Ecological Appraisal. This identifies the site as a recent plantation and contains evidence that there are no protected species on the site. Some of the objection letters received highlight that protected species have been sighted in the vicinity of the application site. Leicestershire County Council (Ecology) has been consulted on the application and they confirm that they have no

objections to the proposal. However, they stress that there are opportunities to increase the biodiversity value of the site. The application includes a Management Plan written by the Forestry Commission. However, this plan relates to the present woodland on the site and does not include the proposed development. As such the County Ecologist recommends that a biodiversity management plan is submitted as part of a planning condition. This should include the planting of locally native species and wildflower grassland in open spaces. This requirement is endorsed by the National Forest Company.

- 8.35. Based on the above it is considered that a condition is reasonable and necessary in accordance with Policy DM6 of the SADMP.

## **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.

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

## **10. Conclusion**

- 10.1. Although the principle of tourism development is accepted and is in accordance with the National Forest's Tourism Strategy, the proposal includes a substantial amount of enabling work. The engineering features proposed would result in the partial loss of the existing woodland. In view of the land required for these features there would be little opportunity to replace these trees on site. The size and position of the mounds proposed would create features which are incongruous in this open landscape to the detriment of the character and appearance of the area. This would conflict with Policies 21 and 22 of the Core Strategy and Policy DM4 of the SADMP.

- 10.2. The proposal would lead to an intensification of traffic utilising the site access. The access does adjoin a C classified road with a 60 mph speed limit. Being located directly opposite the existing access to a B8 distribution facility this would effectively create a crossroads junction with increased conflict in turning movements. Suitable mitigation measures have not been put forward which could be implemented on site. Neither has it been demonstrated that the types of vehicles likely to use the site can safely negotiate the proposed access. As such, the residual cumulative impact of the proposal on the local highway network would be severe which would be contrary to Policy DM17 of the SADMP and to advice in the NPPF.

- 10.3. Whilst planning conditions could be imposed on any consent granted to restrict the intensity and location of the camping and glamping accommodation, the substantial enabling works have the potential to last for an extended period of time and thus cause undue noise and disturbance to the occupiers of the surrounding residential properties. As such the proposal would adversely affect the amenity of the

occupiers of the neighbouring properties and so would be contrary to Policy DM10 of the SADMP.

## **11. Recommendation**

11.1. **Refuse planning permission** for the reasons at the end of this report.

### **11.2. Reasons**

1. By virtue of their proposed siting and scale, the engineered features do not appropriately relate to their setting within the National or Charnwood Forests. The mounds would appear as prominent and incongruous features in the open landscape to the detriment of the character and appearance of the National and Charnwood Forests and surrounding countryside which would be contrary to the aims of Policies 21 and 22 of the Core Strategy, Policy DM4 of the SADMP and paragraph 142 of the NPPF.
2. The proposed engineering features would result in the partial loss of woodland cover and create little opportunity for on-site replacement trees to mitigate the large amount of trees lost. Therefore, the proposal would be detrimental to the aims of the National Forest Strategy and the Charnwood Forest, contrary to Policies 21 and 22 of the Core Strategy and Paragraph 142 of the NPPF.
3. The construction activity would involve significant HGV movements each day and be a continuous activity over an uncontrolled extended period of time in a semi-rural area. Such an operation would cause significant undue noise and disturbance to the detriment of the adjoining residential amenity which would be contrary to the requirements of Policy DM10 of the SADMP.
4. The proposal would result in the intensification of traffic using the site access onto Desford Lane. However, it has not been adequately demonstrated that appropriate and safe vehicular access would be provided both for the construction phase and the operational phase of the proposal. This would result in an unacceptable form of development to the detriment of the highway safety of road users of the surrounding highway network which would be contrary to Policy DM17 of the SADMP and paragraph 109 of the NPPF.