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Hinckley & Bosworth
Borough Council

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

Date: 04 March 2020

To: Members of the Planning Committee

Mrs MJ Crooks (Chairman)	Mr A Furlong
Mr DJ Findlay (Vice-Chairman)	Mr SM Gibbens
Mrs CM Allen	Mr E Hollick
Mr RG Allen	Mr KWP Lynch
Mr CW Boothby	Mrs LJ Mullaney
Mr MB Cartwright	Mr RB Roberts
Mr DS Cope	Mrs H Smith
Mr WJ Crooks	Mr BR Walker
Mr REH Flemming	

Copy to all other Members of the Council

(other recipients for information)

Dear Councillor,

Please see overleaf a Supplementary Agenda for the meeting of the **PLANNING COMMITTEE** on **TUESDAY, 3 MARCH 2020** at **6.30 pm**.

Yours sincerely

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

Rebecca Owen
Democratic Services Manager

SUPPLEMENTARY AGENDA

7. 19/01308/FUL - LAND NORTH OF CADEBY LANE, CADEBY

Application for development of the land for the erection of three timber lodges for holiday let purposes on land north of Cadeby Lane (resubmission of 18/00805/FUL).

'Late items:'

Consultations:-

Cadeby Parish have objected to the proposal on the following reasons:-

- 1) Cadeby Parish Council concurs with the observations submitted by the Market Bosworth Parish Council
- 2) The site location plan implies the vehicle access will involve works on land that is outside of the application site as denoted on the site location plan submitted
- 3) The proposed development could support existing local facilities or services, however given the size of the development, the resulting effect is likely to be small in scale and minimal in terms of the effect on the economic well being in the wider area, and therefore not considered to accord with Policy 23 of the Core Strategy
- 4) The site is a prominent location on a main vehicle route into the village of Market Bosworth. This 'gateway' entrance is characterised by listed buildings and open countryside. The ribbon residential development along the north side of The Park is offset by the open countryside on the south side, comprising of pasture land, paddocks and the open area of the Country Park
- 5) This development of residential buildings with distinctive fully glazed elevational elements does not have the appearance of a 'stable complex', the appearance of the buildings is clearly that of residential accommodation this together with the car parking area visible to the front of the buildings and external lighting is clearly residential in character and is not in keeping with the open countryside character of the rural location
- 6) The development of three log cabins and associated access will compromise the open character of this area which provides the wider setting for the Country Park. The development would not assimilate well with the character of the surrounding area
- 7) The design of the proposed cabins is markedly different to the vernacular within Market Bosworth and would not enhance the local character of the distinctiveness of Market Bosworth or Cadeby
- 8) The Parish Council notes that the officer recommendation is to grant planning permission for this development subject to conditions
Condition 15 requires the cabins shall be used only for 'holiday purposes' and requires that:-

"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...."

The information required to be kept does not require the purpose of the period of occupation to be recorded.

The condition clearly precludes occupation in connection for other purposes, e.g. in connection with any form of business activity such as an overnight business stop or trades people working remotely from their place of employment

Appraisal:-

Condition 15

The comments in relation to Condition 15 are noted. The purpose of such a Condition is to ensure that, if required, the LPA would be able to assess the duration of the visits to the site and thus differentiate between short stays associated with holidays/ short stays as opposed to longer term rentals or permanent living. The purpose of the visit, albeit for a holiday or for an overnight business stop would not be considered as a 'different purpose' which would be excluded from the term 'holiday let', whereas a long term let or permanent living accommodation would not be considered as a 'holiday let' and such use would clearly be in breach of this Condition, as the condition limits the duration of stays within a 12 month period, and re-returns within a 2 week of stay. However, it is considered for clarity, that the wording of the condition could be altered.

Recommendation:-

Reword condition 15, and replace with:-

"The timber cabins, hereby approved, shall be for short term letting 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."

9. 19/01327/FUL - SPRING ACRE, LYCHGATE LANE, BURBAGE

Application for change of use of land to mixed use for stationing of caravans for residential occupation (four pitches) with two dayrooms and for the keeping of horses.

'Late items:'

Consultations

The Council is in receipt of the consultation response submitted by Burbage Parish Council and LCC as the Local Highway Authority in response to an amended plan submitted. These responses are assessed below.

Burbage Parish Council

The Parish Council confirm that they continue to object to the proposal for the following reasons:

- 1) The proposal constitutes over development of the site
- 2) There are no marked parking bays for the amount and size of vehicles using the site
- 3) The amended plan submitted is of poor quality and cannot be scaled
- 4) Councillors should visit the site to fully appreciate the lack of visibility splays and the position of an existing septic tank

LCC Highways

No objection subject to conditions including permanently closing the eastern vehicular access, hard surfacing the access drive for the first 10 metres and setting the gates back 10 metres from the highway.

Appraisal

Over-development of the site

The Officer's report outlines the scale of the proposal. The proposal is assessed against the criteria in Policy 18 of the Core Strategy which requires sites to be capable of sympathetic assimilation into the surroundings and against Policy DM10 of the SADMP (2016) which seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout and design. It is considered that the scale of the proposal would meet the criteria as laid out in Policy 18 and Policy DM4.

Highway Safety

Revised information in the form of a revised drawing in support of the proposal has been submitted. The local planning authority has been made aware that some of the works in this drawing have already been carried out on site by the applicant to rectify the previous concerns raised by the Highway Authority.

Site Access

The revised drawing ref: Proposed Site Plan (Rev A) details that the eastern access would be closed off, a gate setback distance of 10 metres, hard bound surfacing for a distance of 10 metres and the fence to be relocated to the highway boundary. The Highway Authority confirms that these proposed works are acceptable and that the relocation of the boundary fence has greatly improved the available visibility at the western access to in excess of 65 metres. In addition, the proposals have reduced the number of access points on to Lychgate Lane by closing off the eastern access, which had poor visibility to the east. Therefore, on balance, it is considered that the amended proposals are acceptable given the closure of the eastern access and the imposition of a planning condition to ensure that the visibility splays are maintained.

The eastern access has been closed with a fence. However, there is a need for the kerbs within the highway to be removed and the gravel re-instated as verge along the highway boundary. A planning condition can be imposed for this work to be completed within one month of the date of the decision notice.

Conclusion

It is considered that the impacts of the development on highway safety would not be unacceptable and when considered cumulatively with other developments, the impacts on the road network would not be severe. Therefore, the proposal would be in accordance with Policy DM17 of the SADMP (2016) and the National Planning Policy Framework (NPPF).

Amend conditions 5 and 6

5. Within one month of the date of this decision notice the eastern access as shown on the Proposed Site Plan Rev A received by the local planning authority on 4 February 2020 shall be permanently closed and reinstated in accordance with details first submitted to the local planning authority for their approval in writing.

Reason: To ensure that this substandard access is permanently blocked up in the interests of general highway safety and in accordance with the National Planning Policy Framework (2019).

6. Within one month of the date of this decision notice the access drive (western) to be retained shall be surfaced with hard bound porous material for the first 10 metres from the edge of the carriageway and the gates shall be hung no closer than 10 metres from the edge of the carriageway. Once so provided, the access drive and gates shall be permanently maintained at all times thereafter.

Reason: To ensure safe and satisfactory access, parking and turning to serve the development in the interests of highway safety in accordance with Policy DM17 of the Site Allocations and Development Management Policies DPD (2016) and Paragraphs 108 and 110 of the National Planning Policy Framework (2019).

Additional condition

8. Vehicular visibility splays of 2.4 metres by 65 metres shall be provided and maintained from the site access at all times whilst the site is occupied. There shall be nothing within those splays higher than 0.6 metres above the level of the adjacent highway.

Reason: To afford adequate visibility at the access to cater for the expected volume of traffic joining the existing highway network, in the interests of general highway safety and in accordance with Policy DM17 of the SADMP (2016).

Additional Informatives

4. 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.

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