

**Planning Committee 3 March 2020
Report of the Planning Manager**

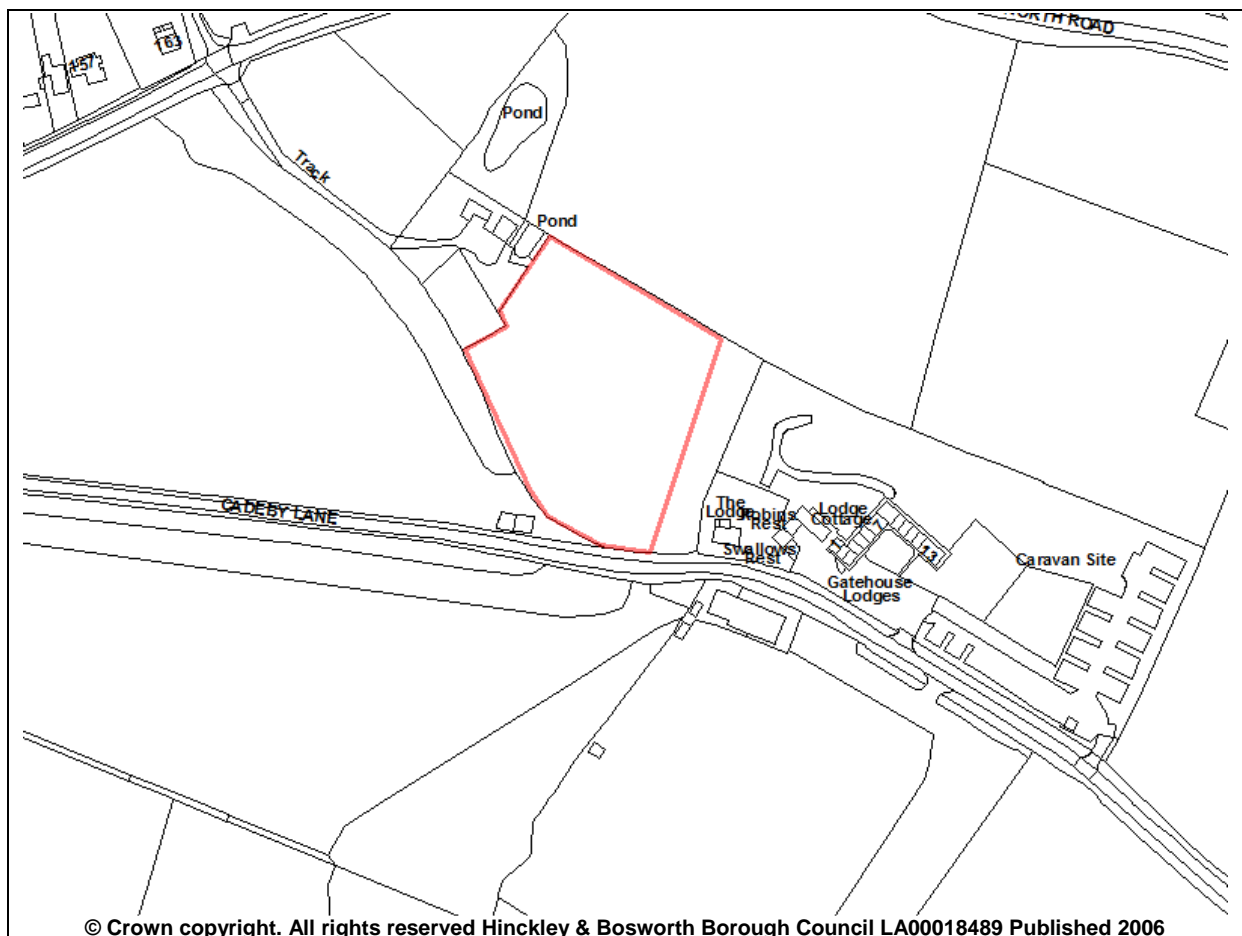
Planning Ref: 19/01308/FUL
Applicant: Ms Pauline Martina Smullen
Ward: Cadeby Carlton M Bosworth & Shackerstone



Hinckley & Bosworth
Borough Council

Site: Land North Cadeby Lane Cadeby

Proposal: 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)



1. Recommendations

1.1. Grant planning permission subject to:-

- 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 access driveway from an improved field access, bin store and additional landscaping. This application is a re-submission of the previously refused application (18/00805/FUL) was refused on the following grounds:-

1. *The timber cabins, by virtue of their location outside of a defined settlement, along with the creation of an access road, would introduce urbanising features within a countryside location which would be detrimental to the intrinsic value and open character of the surrounding countryside, contrary to Policy DM4 of the Site Allocations and Development Management Policies DPD (adopted July 2016)*
 2. *The timber cabins by virtue of their design, form and materials would not respect the materials or design of adjoining buildings. The cabins would therefore have an adverse effect on the visual amenity of the surrounding area, contrary to Policy DM10 of the Site Allocations and Development Management Policies DPD (adopted July 2016)*
- 2.2. The subsequent Appeal was dismissed on 16 May 2019. The Inspector found that the proposal would be in breach of Policy DM4 of the SADMP which requires, amongst other things, that development does not have a significant adverse effect on the intrinsic value, beauty and open character of the countryside.
3. **Description of the Site and Surrounding Area**
- 3.1 The application site is located within the countryside outside of any settlement boundary adjacent to the Market Bosworth Conservation Area and is therefore within the setting of this designated heritage asset. The character of the eastern section of the conservation area, this being adjacent to the application site, is one of parkland associated with Bosworth Hall. Such historic character is considered to make a positive contribution to the significance of the conservation area.
- 3.2 To the west of the site, on land also within the ownership of the applicant are stables, a barn and ménage. To the east is a dwelling house which is associated with the adjacent 'visitor site which includes holiday lodges and a caravan park.
4. **Relevant Planning History**
- | | | | |
|--------------|--|-----------|------------|
| 19/00005/PP | Development of the land for the erection of three log cabins for holiday let purposes | Dismissed | 16.05.2019 |
| 18/00805/FUL | Development of the land for the erection of three log cabins for holiday let purposes. | Refused | 23.11.2018 |
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 17 third party representations from 10 different addresses with the following matters raised:-
- 1) The lodges will destroy the ambience and character of the area
 - 2) Discharge of storm water to sewage pipes will cause an environmental disaster
 - 3) Nuisance to nearby neighbour
 - 4) No respect for the historical character of the area
 - 5) No requirement for additional holiday accommodation in the area
 - 6) Threat of further development if this is allowed
 - 7) Noise and litter will increase

- 8) Will result in more traffic on this dangerous road/junction
- 9) There will be unsociable behaviour associated with the lodges
- 10) Will commercialise this area for tourism

6. Consultation

6.1. The following consultees have no objection to the scheme:-

LCC Highways Authority

LCC Archaeology

LCC Ecology

HBBC Conservation

HBBC Environmental Services (Drainage)

HBBC Environmental Services (Pollution)

Severn Trent Water advise that the use of soakaways for surface water should be the primary method. The applicant would be required to make an application for the connections for the use of public sewers

LLFA: seek a FRA (NB the site is under 1ha in size and a FRA is not required)

No comments have been received from:-

Cadeby PC

Western Power

Market Bosworth Neighbourhood Forum

6.2. The following consultee objects to the scheme:-

Market Bosworth Parish Council object to the scheme for the following reasons:-

The proposal would have a negative impact on the character and environment of both Cadeby and Market Bosworth, to develop this site would conflict with the Market Bosworth Neighbourhood Plan Character and Environmental Policies

The application could set further precedent for development within the whole site which would have a significantly detrimental impact on both the amenity values of the country park and the approach to Market Bosworth

The proposed new development would create a ribbon development in open countryside despite being situated alongside an established 'visitor site' with caravan and bed and breakfast accommodation

The site is outside the settlement boundary. The Lodges should not be for permanent habitation and the Parish Council questions the need for these tourist facilities given the ample facilities already in existence

The lodge design does not enhance or fit with others in the vicinity nor does it complement or enhance the surrounding area

The development would be contrary to Local Plan Policy DM11 when considering significant historical finds have been found nearby

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) (2019)
- Planning Practice Guidance (PPG)

8. Appraisal

8.1. Key Issues

- Assessment against strategic planning policies
- Design and impact upon the character of the area including Heritage Assets
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Drainage
- Impact on Ecology
- Impact on Archaeology

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. Policies DM11 and DM12 of the Site Allocations and Development Management Policies (SADMP) DPD seek to protect and enhance the historic environment. Development proposals should ensure the significance of a conservation area is preserved and enhanced.

- 8.6. 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.
- 8.7. 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.
- 8.8. 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).
- 8.9. 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. Development for recreation purposes is considered sustainable where it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries subject to a further range of restrictive criteria. Although the application site is situated outside any defined settlement boundaries, it is located within an established tourism area within walking distance from Market Bosworth and the Country Park with Bosworth Battlefield and Twycross Zoo a short driving distance away. The site is well connected to Market Bosworth and within a range of existing tourist accommodation and therefore accords with Policy DM4 of the SADMP and both Core Strategy Policies 11 and 23.
- 8.10. 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 in line with CS Policies 11 and 23. Therefore the provision of tourist/holiday accommodation is supported in principle.

Design and impact upon the character of the area including Heritage Assets

- 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 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.

- 8.12. Section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area. Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment with Paragraph 170 stating the planning policies and decisions should contribute to and enhance the natural and local environment. Paragraph 193 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. On dismissing the appeal on the previous application, the Inspector surmised at P11 of his Report that: *'The cabins are of a scale and form that is out of keeping with the rural surroundings. The design of the cabins has no visual relationship with the stables next door or the Lodge which is visible on the east boundary. Their position on the northern boundary make them particularly prominent in a rural setting. Whilst the appellant has provided a street scene view, it shows a level of screening that could be achieved after five years of growth. Whilst there is some screening now, the position of the cabins, the increased access width of the service road together with its position along the full length of two boundaries does mean the appeal proposal is incongruous in a rural setting'*.
- 8.14. The timber cabins have been re-designed and now have the appearance of a stable complex –similar in height, scale and form to the barns and stables to the north-west of the site. The complex would be situated closer to the north-west boundary of the site and have been re-arranged into a 'U' shape formation with a ridge height of 3.8 metres and 2.4 metres to eaves. Private sitting out areas for each cabin are proposed to the east, west and north sides of the complex and further details of these areas are to be conditioned to ensure that boundary treatments and surface treatments do not add clutter or change the rural character of the site. The site is screened by a belt of mature woodland along the western boundary and a mature hedgerow on the remaining north, south and eastern boundaries. Additional planting within the site forms part of the proposal and two street scene elevations have been submitted showing both the view in year 1 of the proposed planting scheme and one projecting 5 years into the future. Although within 5 years the majority of the building would be screened from public views by the additional planting, the short term views into the site would not be incongruous to the countryside location due to the revisions in both location and design. The scheme would now be 'read' in context with the existing stables and agricultural barns rather than as a 'stand alone' development thus their re-siting and revised design provides a much improved visual relationship with the adjacent stable buildings and addresses the Inspectors concern.
- 8.15. The re-positioning of the buildings approximately 105 metres from the highway gives them a less imposing appearance from public vantage points along Cadeby

Lane. The access road into the site has now been re-configured along the western edge of the field away from the eastern boundary and the nearest neighbouring dwelling 'The Lodge'. The finishes of the road way has been changed from crushed stone to a 'grass covered' road using a cellular grassed permeable paving system such as 'grasscrete' or similar. This type of cellular system allows the grass to grow through its voids and is load bearing up to 40 tonnes gross vehicle weight thus alleviating concerns raised that a grass track would lead to vehicles 'churning up' the field and potentially getting stuck in the mud. Once laid and established, the surface would not cause visual intrusion or look 'urbanising'. Although a cattle grid was originally proposed at the access this has been amended to a gate to prevent unwarranted noise nuisance (particularly at night) as well as for additional security purposes. The eastern boundary between the site and the adjacent residential property is currently defined by a post and rail fence and hedgerow whilst and supplementary tree planting is proposed on the landscape plan to add additional screening along this internal boundary. A refuse store adjacent to the main access would allow for holiday makers to deposit their rubbish when leaving the site whilst allowing for a refuse vehicle to access the bins thus alleviating concerns that have arisen regarding litter.

- 8.16. In relation to the impact of the development on the conservation area, 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 Tollemarche Scott who improved the estate, replanting woodland and rebuilding lodges and farms (Market Bosworth Conservation Area Appraisal (2014) (MBCAA).
- 8.17. 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.
- 8.18. 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 in its existing form and use is considered to make a neutral contribution to the significance of the Market Bosworth Conservation Area.
- 8.19. The timber cabins would be served by a single access from the existing field gate access from Cadeby Lane with a modular grass system covered drive and a small parking area running along the western boundary. The mature band of trees along the western edge of the site provides a screening effect when the vegetation is in full leaf. Additional planting within the site, including along the access road and the eastern boundary will further increase the screening effect. There will however, be views of the cabins from the access point on Cadeby Lane and from the wider area at the times of the year when the vegetation is not in full leaf. Notwithstanding this, due to the careful siting of the cabins, their associated relationship laid out in a U-

shaped form, their modest scale, their timber cladding construction, and the grass covered road would significantly reduce any urbanising effect, it is considered that the proposal would reflect the predominantly rural nature of the site and its setting, this includes the stable buildings located directly to the north of the application site which have a similar appearance to the proposed cabins.

- 8.20. For the above reasons it is considered that the proposal would have a neutral impact on the setting of the Market Bosworth Conservation Area and consequently preserve its significance. It is also considered that the revisions to the scheme have overcome the original reasons for refusal and the Inspectors concerns regarding urbanisation and the impact of the development within the countryside location.
- 8.21. Information on the materials are suggested in the design and access statement and on the submitted plans. However details and/or samples of the materials to be used on all external elevations (including the timber material and treatments for the facing walls and roof) of the cabins, the boundary treatments and surface areas for the sitting out area and the materials to bind the grass covered road should be confirmed by a condition to ensure the special character and appearance of the adjacent Market Bosworth Conservation Area is preserved.
- 8.22. In conclusion, and in regard to the impact on the character and appearance of the area, the proposal complies with Policies DM4, DM10, DM11 and DM12 the SADMP, section 16 of the NPPF and the statutory duty of section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact upon neighbouring residential amenity

- 8.23. Policy DM10 of the SADMP requires that development should not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings.
- 8.24. The nearest residential dwelling is The Lodge, 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.
- 8.25. The Lodge has windows facing west at both ground floor level and from dormer windows. The dwelling is approximately 30 metres away from the shared side boundary and approximately 36 metres from the proposed access gates. The proposed service road then veers to the west with the car parking area approximately 125 metres away from the neighbouring dwelling. The cabins themselves are in excess of 110m to the north-west. Lighting at the site entrance and parking areas would comprise low level bollard lighting activated via PIR movement sensors.
- 8.26. Potential nuisance to this neighbour has been appraised. The relocation of the service road and its proposed finishes would alleviate potential noise nuisance from vehicles accessing the site. A proposed cattle grid has been removed from the scheme as this was also considered to cause potential noise nuisance particularly for this neighbour. Lighting to the site is considered appropriate as it is restricted to low level bollard lighting to the entrance, parking area and footpath linking the parking area to the accommodation. The sitting out areas adjacent to the cabins would be in excess of 130 metres from 'The Lodge'. As 'The Lodge' forms part of an adjacent holiday complex then any additional noise from guests - even when all 3 cabins would be occupied - would not be significant when considering the similar neighbouring uses.

- 8.27. Overall, it is not considered that the proposed development would result in any adverse impacts of neighbouring residential amenity in regard to excessive noise, light pollution, overlooking or loss of privacy and would therefore comply with Policy DM10 of the SADMP.

Impact upon highway safety

- 8.28. Policies DM17 and DM18 of the SADMP require adequate access and off-street vehicle parking facilities to be provided to serve developments.
- 8.29. Cadeby Lane is 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.
- 8.30. Leicestershire County Council as Highways Authority consider that the revisions to the scheme do not result in a material change to any highway impact and, subject to conditions, the proposal is acceptable in highways terms and the proposal is acceptable under Policies DM17 and DM18 of the SADMP.

Drainage

- 8.31. 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.
- 8.32. The site is located within Flood Zone 1 with a low risk of fluvial flooding and generally at low risk of surface water flooding. Despite a response from the LLFA requesting a Flood Risk Assessment (FRA) the site is less than 1ha and FRA is not required. 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

- 8.33. 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. 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. There is no evidence of protected species found on site. 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.
- 8.35. Low level lighting is proposed at the site entrance, the parking area and the footpath linking the parking area to the accommodation. The lighting would not be directed at hedgerows or trees to minimise impact on foraging bats. All lighting sources are to be fitted with directional accessories (ie hoods, cowls, shield) to minimise any potential light spillage.

- 8.36. 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. Recommendations have been made within the submitted Ecology report to minimise the impact on local biodiversity and the County ecologist considers these to be acceptable. 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 of the SADMP.

Impact on archaeology

- 8.37. 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.
- 8.38. 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 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.
- 9.4. The decision has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including General Data Protection Regulations (2018) and The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

10. Conclusion

- 10.1. The NPPF and Core Strategy support the development of tourist accommodation proposals in rural areas. As a result of the revised siting, scale, built form, re-siting of the access road and revised finishes, boundary treatments including gates, additional landscaping including tree planting and lighting solutions, it is considered that the proposal would not have any adverse impact on the character or visual amenity of the site, the conservation area, neighbouring residential or visual amenity, highway safety or the surrounding character and appearance of the countryside. Consequently, officers consider that the proposal has addressed both the previous reasons for refusal and the subsequent dismissal of the appeal which followed. The proposals satisfy the Councils statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Area) Act 1990, and are 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:-

- Planning conditions outlined at the end of this report.

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:

Location Plan - Dwg No KL-386-002

Received 19 November 2019

Site plan - Revised Scheme (access), Dwg No 18/101 04A

Site Plan - Revised Scheme (landscaping and lighting) Dwg no 18/101, 02D

Street Scene (5 years in the future), Dwg no 18/101 -1D

Street Scene (first year planting) Dwg no 18/101 01E

Proposed units (Elevations and Floor Plans), 18/101 03C

All received on 29 January 2020

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

3. No development above ground 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. No development above ground level shall commence until a scheme to dispose of both surface water drainage and foul water 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.

5. Notwithstanding the submitted plans no development shall commence above ground 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) finished floor levels
 - e) Details of any fencing/gates to be erected
 - f) Details of boundary treatments and surface finishes for the sitting out areas;
 - g) Treatment of hard surfaced areas (including the car parking area, footpaths, access and service road)
 - h) Implementation programme
 - i) Maintenance schedule

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

6. 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.

7. Before first occupation of the development hereby permitted, the vehicular access to the site shall be widened to a minimum width of 5 metres to a distance of 10 metres to the back edge of the highway as shown on Dwg no 18/101 04A received by the Local Planning Authority on 29 January 2020 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.

8. No part of the development hereby permitted shall be occupied until such time as vehicular visibility splays of 2.4m x 215m in a Westerly direction and 2.4m x 120m in an Easterly direction have been provided at the site access. These shall thereafter be permanently maintained with nothing within those splays higher than 0.6 metres above the level of the adjacent footway/verge/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 the National Planning Policy Framework (2019).

9. No external lighting of the site shall be installed until details have been submitted to and approved in writing by the Local Planning Authority. This information shall include a layout plan with beam orientation and a schedule of equipment proposed in the design (luminaire type, mounting height, aiming angles and luminaire profiles). The lighting shall be installed, maintained and operated in accordance with the approved details unless the Local Planning Authority gives its written consent to the variation.

Reason: To protect the appearance of the area, the environment and local residents from nuisance from artificial light in accordance with Policies DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

10. No part of the development hereby permitted shall be occupied until 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.

11. No part of the development hereby permitted shall be occupied until the 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.

12. No part of the development hereby permitted shall be occupied until such time as the parking and turning facilities have been implemented in accordance with Site Plan - Revised Scheme drawing number 02D received by the Local Planning Authority on 29 January 2020. Thereafter the onsite parking provision shall be so maintained in perpetuity.

Reason: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally (and to enable vehicles to enter and leave the site in a forward direction) in the interests of highway safety and in accordance with the National Planning Policy Framework (2019).

13. Notwithstanding the provisions of Part 2 of Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order) no gates, barriers, bollards, chains or other such obstructions shall be erected within 10 metres of the highway.

Reason: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with the National Planning Policy Framework (2019).

14. 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.

15. 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.

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.
3. The suitability of the ground for soakaways should be ascertained by using the test in B R E Digest No. 365 before development is commenced. The porosity test and soakaway design requires the approval of the Building Control Section. The soakaway must be constructed using concrete ring sections with a liftable cover or other approved materials to the satisfaction of the Local Authority.