

**Committee Report 4th June 2024
Report of Head of Planning**

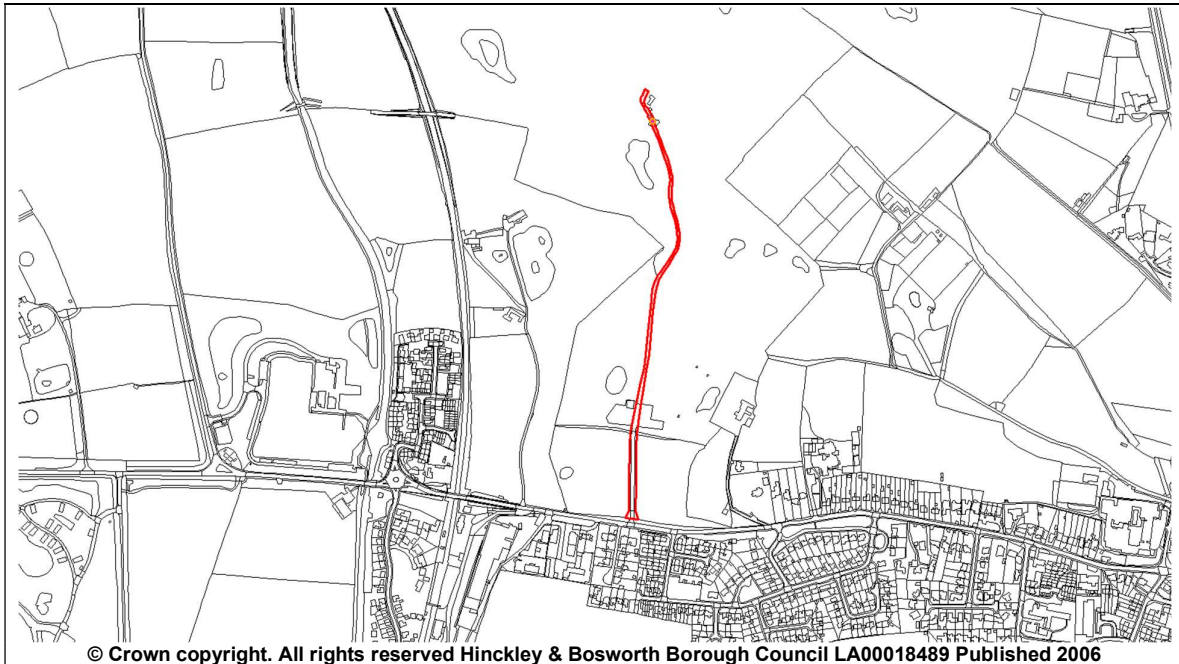
**Planning Ref: 24/00026/FUL
Applicant: STATUE HOMES LTD
Ward: Cadeby, Carlton, Market Bosworth & Shackerstone**



**Hinckley & Bosworth
Borough Council**

**Site: Kyngs Golf and Country Club, Station Road, Market Bosworth
Nuneaton**

Proposal: Erection of 2x subterranean golf holiday lodges with associated works



1. Recommendation

1.1. Approve Planning Permission subject to conditions

2. Planning application description

- 2.1. The application seeks planning permission for the construction of two, x1 bedroomed, subterranean golf holiday lodges and associated works within the grounds of the Kyngs Golf and Country Club in close proximity to the 'half way house' within the site which has planning permission for conversion to a golf holiday lodge (application ref 19/00230/FUL).
- 2.2. The proposal comprises two subterranean structures with grass roofs. The submitted plans show the lodges to be partially hidden/submerged under raised ground, with their principal elevations comprising glazed doors and windows and facing onto the fairway of the 10th hole of the golf course. The walls of each structure would comprise granite stone gabion baskets as detailed within the application form. Each lodge would be approximately 10.3 metres in width and set into raised ground areas of the golf site. The rear elevation would face towards the 9th hole of the golf course.
- 2.3. Each proposed subterranean lodge would consist of an entrance, with an open plan kitchen/diner and living room area, a double bedroom with en-suite and storage area.

3. Description of the site and surrounding area

3.1. The application site extends to 1.53 hectares and is located wholly within the existing boundaries of Kyngs Golf and Country Club, a 126 acre golf course, on the western edge of the settlement of Market Bosworth.

3.2. The application site consists of an area of raised ground situated between the 9th and 10th holes of the golf course.

4. Relevant planning history

4.1. There is various planning history associated with this site:

92/01068/COU

- Golf course, driving range, club house and maintenance buildings
- Refused
- 23.07.1997

98/00963/COU

- Proposed golf course and ancillary facilities including club house
- Planning Permission
- 09.11.2000

02/00685/COU

- Proposed golf course and ancillary facilities including siting of club house and associated parking
- Planning Permission
- 30.04.2003

07/01287/FUL

- Erection of a greenkeepers store associated with the golf course
- Planning Permission
- 21.12.2007

08/00217/FUL

- Retention of slab area
- Planning Permission
- 09.04.2008

08/00365/FUL

- Erection of a golf club house, new access and associated parking and manager's flat
- Withdrawn
- 23.04.2008

08/00750/FUL

- Erection of golf club house, new access and associated parking and managers flat
- Planning Permission
- 24.09.2008

13/00272/CONDIT

- Variation of condition 18 of planning permission 02/00685/COU to remove right hand turn lane and propose other off site highway works
- Planning Permission
- 17.02.2014

17/00528/FUL

- Erection of multi-functional recreational building, the erection of a golf simulator building, the erection of a golf buggy garage, formation of a new car parking area for 242 vehicles and new access roads and the proposed erection of 15 golf holiday homes and all associated ancillary works and landscaping
- Refused
- 15.09.2017

18/00732/FUL

- Resubmission of refused planning application (LPA ref: 17/00528/FUL) for the erection of multi-functional recreational building, the erection of a golf simulator building, the erection of a golf buggy garage, formation of a new car parking areas and new access roads and the proposed erection of 15 golf holiday homes and all associated ancillary works and landscaping
- Refused
- 23.10.2018 (dismissed at appeal on 24.10.2019)

19/00230/FUL

- Change of use of vacant outbuilding to No. 1 holiday lodge and alterations to existing vehicular access onto Station Road to include the extension to the access drive
- Refused
- 18.04.2019 (allowed at appeal on 24.10.2019)

19/01437/FUL

- Erection of a multi-purpose golf clubhouse (D2), formation of new car parking areas and access roads and the erection of 6 Golf holiday homes (C1) and all associated ancillary works and landscaping
- Planning Permission
- 15.06.2020

21/00195/FUL

- Erection of 9 holiday cabins with associated parking and landscaping
- Refused
- 16.12.2022

21/01473/FUL

- Erection of 9 single storey holiday lodges with vehicle parking and associated works
- Refused
- 18.01.2023

23/00273/DISCON

- Application to discharge conditions 13 (contamination) 16 (surface water management) 17 (drainage during construction) 18 (long term maintenance of drainage) 19 (Infiltration) 21 (habitat management plan) 24 (construction management plan) attached to planning permission 19/01437/FUL
- Split Decision - Discharge of Conditions

- 30.08.2023

23/00434/DISCON

- Application to discharge conditions 9 (Hard and Soft Landscaping), 10 (Levels), 15 (Land Contamination) and 22 (Footpath Management Plan) of planning application 19/01437/FUL
- Split Decision - Discharge of Conditions
- 23.08.2023

23/00508/FUL

- Erection of 9 single storey holiday lodges with vehicle parking and associated works
- Refused
- 18.07.2023

24/00019/FUL

- Proposed erection of 50x room golf and leisure accommodation facility with associated works
- Planning Permission
- 12.04.2024

24/00027/FUL

- Erection of 4 golf holiday lodges and associated works
- Refused
- 09.05.2024

5. Publicity

- 5.1. This 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. 23 separate third party and/or neighbour objection letters have been received raising the following concerns (in summary):
 - I object to this planning application. No golf course has been established which I believe was a condition before further development would be considered. Having walked along the footpath across this land recently there is no evidence of this taking place.
 - The community has previously shown its support for a sustainable and viable solution but only once a playable golf course has been established before any further development can be considered. Since changing hands there has been no evidence of any attempts to maintain or reinstate a golf club or course.
 - The application contains only 2 plan documents: a site location plan and a drawing of the possible layout of submerged dwelling. It is impossible to comment on how this will impact the important landscape within the countryside setting and on the potential hazards to vehicles and people caused by wayward golf balls.
 - The proposed dwellings are identified as Holiday lodges. All previous applications were for Golf Holiday lodges. This could indicate that the applicant is looking to depart from the use of the land as a golf course by stealth.
 - There is simply not enough detail to be able to understand the issues which this application will have.

- I object on the grounds of the views and vistas on the approach into Bosworth being compromised AND a previous application ruled that there would need to be a viable and playable golf course in situ prior to any associated development.
- This proposed development is also contrary to the Neighbourhood Plan.
- This is one of a series in the attempts to build on the site of the old golf course. Although they all refer to the golf course in some way, shape or form, in the last 8 years, there has been no attempt to even give lip service to the re-instatement of the playing facilities, nor to providing a financial base for the capital and revenue costings associated with this. For these reasons, I request that this application be refused.
- The application is for Holiday Lodges, something Bosworth and near surroundings has a surplus of, indeed those at Goose Green seem to have become permanent residences due to lack of demand for these type of properties in the area, Without the connection of a golf course to attract customers to these lodges, so they become Golf lodges, then again this appears a Trojan Horse application to get further permissions in the future.
- Although not shown presumably this application will require networks connecting to the local infrastructure which would intrude on the local environment against the uses shown in the local plan.

6. Consultation

6.1. No objection has been received from:

- HBBC Conservation Officer
- HBBC Waste Services
- LCC Archaeology
- LCC Highways – subject to a condition
- Sport England

6.2. Market Bosworth Parish Council/Visionary Group - We have a number of concerns and specific reasons for objection in respect of this application. Whilst submitting detailed objections to the various planning applications relevant to the now defunct Kyngs Golf Course and Country Club, has consistently stated there will be support for an application that identifies a sustainable and viable solution which includes a playable golf course at the outset. BVPG has always expressed concerns regarding permitting development of permanent features such as a clubhouse, lodges or cottages in advance, which in themselves cannot guarantee the former golf course will be restored to a playable condition. There is a temporary clubhouse that functioned well and could be utilised until such time as membership and casual players can demonstrate the need for additional facilities. Golf Lodges are certainly a feature of some established courses but until a fully restored course has reached maturity the demand for these features cannot be proven viable and therefore cannot be deemed sustainable development. Kyngs Golf Course was initially developed by a professional golfer with an ambition to establish a challenging 18 hole golf course supplemented by a 9 hole short course. The course had been operational for several years and had started to gain growing membership as the course became established and recognised. However, the golf course apparently encountered financial difficulties and was purchased by the Appellant in 2016. It is understood the existing membership offered to maintain the golf course until the new owners were able to put together ground staff and employees required to enable the course to continue functioning. The offer was refused, and the course has gradually become overrun with dominant grass weeds and wildflowers with no perceptible difference between the fairways, rough, tees or greens. The maintenance of a golf course to

ensure it remains viable requires specialist greenkeepers and equipment plus all year-round care and attention. Since changing hands there has been little attempt to reinstate a golf club or course. From the table of Planning History for the site it can be noted that from 2017 onwards, each application (17/00528/FUL, 18/00732/FUL, 19/00230/FUL, 19/01437/FUL, 21/00195/FUL, 21/01473/FUL and 23/00508/FUL) are related to develop holiday accommodation in advance of restoring the golf facility. As previously stated in responses to these previous applications and associated appeals, it is well known that restoration of a golf course is a significant financial and long term project usually requiring with major ground works. Occupants of holiday lodges, a hotel and users of golf club house are incompatible with that level of groundworks and the heavy machinery involved to restore the course when these facilities are in occupation. BVPG are concerned that this proposal for subterranean holiday lodges can come forward as a serious application with only two documents a site location plan and a drawing of the possible layout of dwelling submerged in existing artificially made-up land. The site plan does not give any clear indication of precise location. Therefore it is impossible to comment on how this will relate to the important landscape within the countryside setting. The two proposed subterranean dwellings are identified as holiday lodges. This is a departure from all previous applications for Golf Holiday lodges. This could indicate that the applicant is looking to depart from the use of the land as a golf course by stealth. Wherever such subterranean lodges are situated on a golf course there must be concerns about the health and safety of guests who could well be in the firing line of wayward golf balls. BVPG are concerned that the application form states that foul sewage is to be disposed by other means than the usual options identified on the form. The application itself gives no indication as to how the foul sewage or in fact other residential waste will be disposed of. The foul sewage aspect is of particular concern given that the imprecise location of the site and the potential distance from other the proposed clubhouse facilities. With no clear understanding of location other than the lodges will be set in land that has already been artificially sculptured to create artificial hills and mounds BVPG have significant concerns about the substructure of the made up land and its suitability for such purposes. With no Design and Access statement, no ecological, landscape report or definitive site locations and visualisations it is impossible to comment with any certainty on anything other the basic concept and the failure of the application to provide sufficient evidence to support the application moving forwards. On this basis BVPG object to this application for the reasons above. BVPG believe this application should be refused and no further work permitted on this site until such time as all conditions identified in Appeal B APP/K2420/W/18/3218401 and HBBC decision statement for Application 19/01437/FUL are implemented. This application should be considered as part of a more significant holistic plan to transform the golf course into holiday accommodation when considered alongside all the other application references.

- 6.3. The Market Bosworth Society – The Market Bosworth Society does not normally comment upon applications outside of the Market Bosworth Conservation Area. In this case the application is located on a valued Community Asset, Green Space, Golfing Course and on the approaches to the Conservation Area. This latest application is in line with a long string of applications to build upon the Kyngs Golf Course and has little to recommend it. Siting lodges on the Golf Course will have a negative impact on the ability to play the game and also put users at risk from flying golf balls. It is assumed that the owner considers that sinking the lodge into the ground will overcome the landscape objections. This is not the case as the lodges would be visible from the road and the Public Footpath. The current issue of the NPPF 2023 Paragraph 84 states Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply. It goes on to set out 5 exceptions, none of which apply here.

Whilst the NPPF refers to isolated homes, it equally applies to Holiday Lodges. Holiday Lodges will be home to people throughout the year, whether it is the same people or different people it is still a home. In the absence of any other information it must be the intention for the lodges to be available all year round and therefore Paragraph 84 applies. The application also conflicts with the Market Bosworth Neighbourhood Plan Policy CE1 and CE1a As the inclusion of a lodge as applied for will prevent the playing of golf due to health and safety rules. It will also impact on vista 11 & 12 as identified. It is our opinion that this application should not be allowed to proceed as it stands. Once the golf course has been restored to a playable condition and is once again in use as a golf course the Market Bosworth Society would be willing to look again at provision of lodges and even that of a clubhouse, as has been the conditions appended to previous successful applications. As it stands the likelihood is that the lodges would be unattractive to potential holidaymakers due to the extremely remote position, subterranean nature and lack of facilities. It is our opinion that they would become the target for vandals and other antisocial behaviour. The Market Bosworth Society vigorously opposes this application.

- 6.4. LCC Ecology – Object. I have also consulted Leicestershire and Rutland Environmental Records Centre (LRERC) for existing protected species data and designated sites within the locality, which may incur potential impacts depending on the proposals. This identified that the site falls within a great crested newt 'Impact Buffer Zone' due to the presence of waterbodies and an existing records of this species within close proximity. As a result, impacts upon great crested newts will need to be considered further. No ecological appraisal has been submitted as part of the application which is required at before any decision is made on the application. Therefore I would advise that this application is delayed until the following information has been submitted:

- Preliminary Ecological Appraisal (PEA) - This needs to include a UKHabs survey, protected species survey, as well as an assessment of impacts and proposed mitigation and enhancement measures. Any recommendations will need to be incorporated into the submitted plans.

Further response received from LCC Ecology 8 May 2024 – No objection. The PEA Rev1 report dated Feb 2024 completed by Swan Environmental is satisfactory. The assessment identified that the proposed development site was of no significant ecological significance and no further surveys are required prior to the determination of the planning application. There have however been recommendations for precautionary measures in relation to vegetation clearance and construction phases, along with provision of ecological enhancements which can form a suitable planning conditions. I have no holding objections or further comments to make at this stage.

- 6.5. HBBC Environmental Health - During previous applications for the site investigations for land contamination and landfill gas were carried out with recommendations made for areas of the site regarding gas protection measures. Advice should be sought regarding the suitability of the site for the proposed subterranean lodges and if suitable any gas protection measures required.
- 6.6. Carlton Parish Council – We are concerned that this application, in conjunction with application 24/00027/FUL would establish the principle of dispersed holiday lodge development over this site. Carlton Parish Council objects to this application on the grounds that the proposed lodges are in an isolated position in open countryside, not well related to other built development, and with a long access track which crosses a public footpath. The PC is concerned that no details have been provided as to how

foul sewage is to be disposed of. If the LPA should be minded to approve this application, the PC requests conditions that the lodges shall only be occupied as short term holiday lets associated with the proposed club house and hotel, and shall not be occupied until the golf course is fully operational.

- 6.7. HBBC Drainage - Surface water drainage details should be submitted to clearly indicate the location of the proposed development within the wider site drainage permitted by condition under 19/01437/FUL.

Further response received 26 March 2024 - Notes to applicant:

Surface water should be managed by sustainable methods, preferably those which disperse runoff by infiltration into the ground strata: i.e. soakaways, pervious paving, filter drains, swales, etc. and the minimisation of paved area, subject to satisfactory porosity test results and the site being free from a contaminated ground legacy. If the ground strata are insufficiently permeable to avoid discharging some surface water off-site, flow attenuation methods should be employed, either alone or in combination with infiltration systems and/or rainwater harvesting systems.

Any proposed access drives, parking and turning areas, paths and patios should be constructed in a permeable paving system, with or without attenuation storage, depending on ground strata permeability. On low-permeability sites surface water dispersal may be augmented by piped land drains, installed in the foundations of the paving, discharging to an approved outlet (See Environment Agency guidance on the permeable surfacing of front gardens).

7. Policy

- 7.1. Market Bosworth Neighbourhood Plan 2014-2026
CE1: Character and Environment
CE3 Important Views and Vistas
CE5: Landscape of the Wider Parish

The Market Bosworth Neighbourhood Plan Review is underway and has reached Regulation 15 of the process.

- 7.2. The Core Strategy (2009)
Policy 11: Key Rural Centres Stand Alone
Policy 23: Tourism Development
- 7.3. Site Allocations and Development Management Policies DPD (2016)
Policy DM1: Presumption in favour of sustainable development
Policy DM4: Safeguarding the Countryside and Settlement Separation
Policy DM6: Enhancement of Biodiversity and Geological Interest
Policy DM7: Preventing Pollution and Flooding
Policy DM10: Development and Design
Policy DM11: Protecting and Enhancing the Historic Environment
Policy DM12: Heritage Assets
Policy DM13: Preserving the Borough Archaeology
Policy DM17: Highways and Transportation
Policy DM18: Vehicle Parking Standards
Policy DM24: Cultural and Tourism Facilities
- 7.4. National Planning Policies and Guidance
National Planning Policy Framework (NPPF) (2021)
Planning Practice Guidance (PPG)
National Design Guide (2019)

- 7.5. Other relevant guidance
Good Design Guide (2020)
National Design Guide (2019)
Leicestershire Highway Design Guide

8. **Appraisal**

- 8.1. The following list represents the key issues for assessing this planning application:

- Principle of Development
- Impact upon Highway Safety
- Design and Layout
- Landscape and Visual Impact
- Impact on Residential Amenity
- Archaeology
- Flood Risk and Drainage
- Ecology and Biodiversity
- Heritage Impact
- Other Matters
- Planning Balance

Principle of Development

- 8.2. Paragraph 2 of the National Planning Policy Framework (NPPF) July 2021) states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise and that the NPPF is a material consideration in determining applications. Paragraph 12 of the NPPF confirms that the presumption in favour of sustainable development does not change the statutory status of the Development Plan as the starting point for decision making.
- 8.3. Paragraph 11 of the National Planning Policy Framework (NPPF) and Policy DM1 of the Site Allocation and Development Management Policies Development Plan Document (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 other material considerations indicate otherwise. The development plan in this instance consists of the adopted Core Strategy (2009) (CS), the Site Allocations and Development Management Policies DPD (2016) (SADMP) and the Market Bosworth Neighbourhood Plan (MBNP).
- 8.4. The Emerging Local Plan for 2020-39 has previously been out for consultation at Regulation 19 draft stage (February to March 2022). The latest Local Development Scheme (LDS), was approved at Full Council on 13 December 2022. The updated LDS extends the Local Plan period to 2041, revises the timetable for production of the Local Plan and establishes key milestones for public consultations, including a second Regulation 19 Consultation which is not scheduled until May-June 2024. The Replacement Local Plan is therefore delayed. Therefore little weight can be given to this.
- 8.5. The application site is situated outside any defined settlement boundary and is therefore within the countryside. Policy DM4 of the SADMP seeks to safeguard the countryside from unsustainable development. Policy DM4 identifies several criteria outlining where development in the countryside will be considered sustainable.

- 8.6. Policy DM4 of the SADMP identifies that development in the countryside will be considered sustainable where proposed development is for outdoor sport or recreation purposes (including ancillary buildings) and it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; subject to it meeting further detailed criteria.
- 8.7. However, Policy DM4 of the SADMP also identifies that a proposal which significantly contributes to economic growth, job creation and/or diversification of rural business could be acceptable subject to meeting other criteria. It is accepted that the proposed development and use would result in a degree of economic growth as part of the construction process and ongoing use of the subterranean lodges, as part of the Golf course's overall offer to users of the site.
- 8.8. The application site is not designated within the Site Allocations and Development Management Policies DPD, it is however identified within the Market Bosworth Neighbourhood Plan (MBNP) as a Leisure and Tourism facility.
- 8.9. Policy 11 of the Core Strategy seeks to support the development of the tourism industry within Key Rural Centres Stand Alone, for which Market Bosworth is considered to be. Policy 23 of the Core Strategy encourages tourism development, including accommodation where it meets the following criteria:
- The development can help to support existing local community services and facilities: and
 - Is of a design and at a scale which is appropriate to minimise impact and assimilate well with the character of the surrounding area with acceptable landscaping: and
 - The development adds to Hinckley & Bosworth's local distinctiveness:
 - Complements the tourism themes of the borough: and
 - The development adds to the economic wellbeing of the area.
- 8.10. Permission was granted under planning application reference 19/01437/FUL for the erection of a multi-purpose golf clubhouse (D2), formation of new car parking areas and access roads and the erection of 6 Golf holiday homes (C1) and all associated ancillary works and landscaping. This permission has been confirmed to have commenced by the Council's enforcement team in June 2023 and is therefore an extant permission.
- 8.11. The position of the local planning authority is that proposed holiday golf lodges would need to be linked to the re-opening and ongoing operation of the existing golf course for the LPA to consider that the proposal complies with the Development Plan in principle. The recognition of the site as a Tourism and Leisure facility in the Market Bosworth Development Neighbourhood Plan (MBDNP) is on the basis that the site operates as a golf and country club, not for holiday lodges within a small, remote and isolated section of the site. To ensure that the proposed accommodation is linked to the golf course it is considered that a condition could be imposed in this instance which stipulates that the accommodation could only be brought into use once the 18 hole Golf course is reinstated and in use and the Clubhouse is fully operational (extant permission 19/01437/FUL).
- 8.12. Given that the Enforcement Team at HBBC have confirmed that development has commenced on site and permission 19/01437/FUL is now extant, the principle of accommodation for 'golfing holiday' purposes is considered to be compatible with the extant permission 19/01437/FUL (Erection of a multi-purpose golf clubhouse (D2),

formation of new car parking areas and access roads and the erection of 6 Golf holiday homes (C1) and all associated ancillary works and landscaping).

- 8.13. However, this is subject to the proposal being acceptable with respect to all other material planning considerations, as set out below.

Impact upon Highway Safety

- 8.14. Policy DM17 of the SADMP supports development that makes best use of public transport, provides safe walking and cycling access to facilities, does not have an adverse impact upon highway safety. All proposals for new development and changes of use should reflect the highway design standards that are set out in the most up to date guidance adopted by the relevant highways authority (currently this is the Leicestershire Highway Design Guide (LHDG)).
- 8.15. Paragraph 115 of the NPPF (2023) outlines that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Paragraph 116 (e) of the NPPF states development should be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.
- 8.16. Access to the site is off Station Road which is an adopted classified C road subject to a 30mph speed limit via the existing priority access junction to Kyngs Golf Club. Whilst the Applicant has not provided any detailed scaled access drawings, the LHA are satisfied the existing access arrangement would be acceptable to cater for the proposed level of traffic that could be generated by the two holiday lodges.
- 8.17. The Applicant has not provided any detailed visibility splays drawings, however, the LHA have information on record that speeds along Station Road are faster than the posted speed for the road (30mph). The LHA have undertaken its own assessment and finds that visibility splays for the recorded 85th percentile speeds of the road can be achieved entirely within the highway in accordance with Table DG4 of Part 3 of the Leicestershire Highway Design Guide (LHDG).
- 8.18. There have been two Personal Injury Collision's (PIC's) within 500 metres on either side of the golf site access within the last five years which were recorded as being 'slight' in severity. The LHA are satisfied that there are no spatial trends / patterns in the data, and are therefore satisfied that no new highway safety issues would be introduced into the vicinity of the site contrary to the National Planning Policy Framework (December 2023).
- 8.19. Whilst the Applicant has not identified specific off-street car parking spaces for each unit of accommodation, the LHA are satisfied there is adequate space in front of the lodges and also across the site to accommodate car parking for users of the proposed accommodation. A condition for the implementation for parking and turning is proposed by the local highway authority to be in accordance with the submitted plans.
- 8.20. The LHA also notes that the access drive leading to the subterranean holiday lodges crosses Public Right of Way S70. However, the LHA consider it unlikely this would impact on the use and enjoyment of the PRoW.
- 8.21. Taking all the above into consideration, the LHA would not seek to resist the proposals on highway safety, access or parking grounds.

8.22. This application is considered to be acceptable with respect to highway safety, traffic and access considerations, subject to the parking condition, and, is therefore in accordance with Policies DM10, DM17 and DM18 of the Site Allocations and Development Management DPD 2106 and the requirements of the NPPF.

Design and Layout

8.23. Policy DM10 of the SADMP seeks to ensure that development complements or enhances the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features and that the use and application of building materials respects the materials of existing adjoining/neighbouring buildings and the local area generally.

8.24. Paragraph 135 of the NPPF states that planning decisions should ensure that development is visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

8.25. The proposal comprises two, one bedroomed, subterranean golf holiday lodges and associated works within the grounds of the Kyngs Golf and Country Club in close proximity to the 'half way house' within the site. The submitted plans show that the lodges would have grass roofs and would be partially hidden/submerged under raised ground, with their principal elevations comprising glazed doors and windows and facing onto the fairway of the 10th hole. The walls of the proposed structures would comprise granite stone gabion baskets as detailed within the application form. Each lodge would be approximately 10.3 metres in width and set into raised ground areas of the golf site. The rear elevation would face towards the 9th hole of the golf course.

8.26. Each golf holiday lodge would comprise an entrance, with an open plan kitchen/diner and living room area, a double bedroom with en-suite and storage area.

8.27. Policy 23 of the Core Strategy encourages tourism development, including accommodation where it meets the following criteria:

- The development can help to support existing local community services and facilities: and
- Is of a design and at a scale which is appropriate to minimise impact and assimilate well with the character of the surrounding area with acceptable landscaping: and
- The development adds to Hinckley & Bosworth's local distinctiveness:
- Complements the tourism themes of the borough: and
- The development adds to the economic wellbeing of the area.

8.28. This proposal is considered to accord with Policy 23 in that the design and scale of the lodges are appropriate to minimise impact and assimilate with the character of the surrounding area with acceptable landscaping. Details/samples of the materials can be conditioned to be submitted to and approved in writing by the local planning authority to help further ensure quality and appropriateness for the site and its context.

8.29. In design terms, it is therefore considered that 2x subterranean holiday golf lodges comprising natural materials are acceptable and accord with Policy DM10 of the SADMP and the requirements of the NPPF.

Landscape and Visual Impact

- 8.30. The site lies outside of any defined settlement boundaries and therefore within an area designated as countryside. Paragraph 17 of the NPPF states that the planning system should recognise the intrinsic character and beauty of the countryside. Paragraph 174 states that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes (in the manner commensurate with the statutory status or identified quality in the development plan) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services.
- 8.31. Policy DM4 of the SADMP seeks to resist unsustainable development within countryside locations and seeks to ensure proposals reflect the surrounding character of the countryside, and protect its intrinsic value, beauty, and open character.
- 8.32. Policy DM10 of the SADMP seeks to ensure that new development should complement or enhance the character of the surrounding area with regard to scale, layout, density, mass, design, materials and architectural features.
- 8.33. The Market Bosworth Neighbourhood Development Plan (MBNDP) was made in 2015 and therefore full weight is afforded to relevant policies within the Document. The Market Bosworth NDP, identifies the site as falling within Character Area A, and describes the site as follows:-
- “A large, landscaped 126 acre site forming an 18 hole golf course and associated facilities. The course spans north to the parish boundary of Carlton”*
- 8.34. The Market Bosworth NDP describes the character as:
1. Open landscape features including open bodies of water and green countryside landscape
 2. Large wide open aspect (within individual sites)
 3. Outdoor leisure pursuits including water based activities
 4. Heritage
- 8.35. Policy CE1 seeks to ensure that all new development within the Neighbourhood Plan area of Market Bosworth should in keeping with its Character Area with regards to scale, layout and materials. Policy CE3 of the Market Bosworth NDP (Important Views in Vistas) seeks to restrict development which would harm important views and vistas as defined in the NDP. The proposal falls directly within defined Character Area A. Policy CE5 of the Market Bosworth NPD identifies that development outside the settlement boundary will be permitted for sport or recreation where it does not cause harm on the landscape or biodiversity of the countryside.
- 8.36. The application site is identified within the Market Bosworth NDP as the Kyngs Golf Course as providing and contributing to the approach into Market Bosworth from the west along the B585. The Market Bosworth NDP identifies this view as being important because it shows how close the countryside is to the built form of the village and the fact that the settlement sits on an open wooded hilltop. The site also forms an important vista due to its extensive views of north west Leicestershire.
- 8.37. Local objectors and the Parish Council have raised concerns about the impact the proposed lodges would have on the important vistas and views identified within the Market Bosworth Neighbourhood Plan.

- 8.38. Policy 23 of Core Strategy seeks to ensure that development relating to tourism is of a design and scale which is appropriate to minimise impact and assimilate well with the character of the surrounding area with acceptable landscaping.
- 8.39. The application site is situated within Landscape Character Area C, Bosworth Parkland as identified within the Landscape Character Assessment (LUC, 2017). Key characteristics of this area are of rolling farmland and parkland with gentle slopes which rise and fall reaching a high point around the town of Mark Bosworth. The golf course comprises of approximately 48 hectares of former agricultural land situated within the countryside. Due to the nature of a golf course the agricultural landscape has been altered however over time this has matured into the landscape and retains the open and verdant nature of the countryside.
- 8.40. The landscape is not valued at a national or regional level, but it is given local importance within the MBNDP due to important vistas and views from the site of north west Leicestershire.
- 8.41. The public rights of way S68 and S69 lie to the north and south of the location proposed to accommodate the subterranean lodges. Glimpses of the subterranean lodges and hardstanding areas may be partly visible from points along these footpaths given that the footpaths cross the golf there is no substantial screening from these footpaths towards the site. The views from these footpaths are currently of the undulating golf course to the south, open countryside to the north, sporadic woodland copses in all directions, and existing small-scale buildings adjacent to the site and to the south west. Wider views from surrounding public vantage points are largely restricted due to the existing topography of the site and the location of the site relative to access points. However, by their nature, the subterranean design of the proposed lodges would limit their exposure to users of the footpaths and the grass roof design and submerged nature would not result in prevalent or incongruous development. It is therefore considered that the views of the proposed subterranean lodges would be very localised and not necessarily apparent on approach to the site.
- 8.42. The location of the proposed subterranean lodges approximately 1km north of Station Road results in a development which would be isolated and remote from services in Market Bosworth, and highly reliant on the use of private motor vehicles. It is acknowledged that an inherent aspect of holiday lodges is that they are located away from built-up areas as their attraction lies in factors such as a quiet environment and proximity to nature and countryside views. However, the proposed golf holiday lodges are to be located within an area allocated within the Market Bosworth Neighbourhood Plan for tourism and leisure purposes and users of these lodges would be able to access the facilities provided on site that have been given permission e.g. the Golf Clubhouse.
- 8.43. The introduction of 2x subterranean golf lodges within this setting is not considered to adversely alter the character and verdant nature of the site, particularly given the scale and size of the golf course taken as a whole. It is considered that with the existing landscape features on site, and by way of their design, the lodges would be screened to an acceptable degree to help soften and mitigate their overall appearance against the backdrop of the golf course and wider countryside beyond. The subterranean design would also very much help to both hide and blend the lodges into the countryside setting which again would further soften and alleviate any minor impacts on the vistas/views across the golf course.

8.44. In terms of landscape and visual impact therefore the proposal is considered to be acceptable in this instance for the reasons set out above and in compliance with the relevant development plan policy.

Impact upon Residential Amenity

8.45. Policy DM10 (a) and (b) of the SADMP states development will be permitted provided that it would not have a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, including matters of lighting and noise and that the amenity of occupiers would not be adversely affected by activities within the vicinity of the site.

8.46. Paragraph 130 of the NPPF states that decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

8.47. Paragraph 185 of the NPPF states that decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development.

8.48. The golf lodges are considered to be sited a suitable distance from existing, neighbouring residential properties to ensure that privacy and noise would not be adversely affected by the proposals.

8.49. A large number of local objections have been received in respect of this application. Some objectors raise amenity concerns in respect of the proposed proximity of the lodges to the golf course which could be hazardous to people and vehicles by wayward golf balls. This is not considered to be a pertinent amenity consideration and users of a golf holiday lodge would be visiting and staying in accommodation with the full knowledge that they are located within a golf course and to be on alert and aware of potential golf ball hazards. The same could also be said for users of the public rights of way across the golf course. Being aware of potential golf balls would be common knowledge given you are walking through/visiting a golf course.

8.50. This application is therefore considered to be acceptable in amenity terms and in compliance with Policy DM10 a and b of the SADMP, The Good Design Guide SPD and the requirements of the NPPF.

Archaeology

8.51. Policy DM13 of the SADMP states that where a proposal has the potential to impact a site of archaeological interest developers should provide an appropriate desk based assessment and where applicable a field evaluation. Paragraph 194 of the NPPF also reiterates this advice.

8.52. In line with the National Planning Policy Framework, Section 16, the planning authority is required to consider the impact of the development upon any heritage assets, taking into account their particular archaeological and historic significance. Paragraph 199 states that where loss of the whole or a material part of the heritage asset's significance is justified, local planning authorities should require the developer to record and advance understanding of the significance of the affected resource prior to its loss. The archaeological obligations of the developer, including publication

of the results and deposition of the archive, must be proportionate to the impact of the proposals upon the significance of the historic environment.

- 8.53. LCC Archaeology have been consulted on the application. They have responded to say that having reviewed the application against the Leicestershire and Rutland Historic Environment Record (HER), they do not believe the proposal will result in a significant direct or indirect impact upon the archaeological interest or setting of any known or potential heritage assets. The application therefore warrants no further archaeological action (NPPF Section 16, para. 194-195). The application is therefore considered to accord with Development Plan Policy and the requirements of the NPPF.

Flood Risk and Drainage

- 8.54. Policy DM7 of the SADMP seeks to prevent development from resulting in adverse impacts on flooding by ensuring that development does not create or exacerbate flooding.
- 8.55. Paragraph 167 of the NPPF states that when determining planning applications local planning authorities should ensure that flood risk is not increased elsewhere.
- 8.56. The site is located in flood zone 1 (less than 1 in 1,000 annual probability of flooding). HBBC Drainage and the LLFA have been consulted on the proposal.
- 8.57. The LLFA (Drainage team) have no comments or concerns from a flooding, drainage or foul water perspective. No conditions have been requested in this case.
- 8.58. The HBBC Drainage officer initially commented to say that surface water drainage details should be submitted to clearly indicate the location of the proposed development within the wider site drainage permitted by condition under 19/01437/FUL. A flood risk assessment was submitted by the applicant. In a further response from HBBC Drainage some drainage notes have been suggested for the applicant to peruse. It is considered that if Members are minded to approve this application the notes can be added as an informative to the planning permission.
- 8.59. The development is therefore considered to satisfy Policy DM7 of the SADMP and the NPPF with respect to drainage and flooding matters.

Ecology and Biodiversity

- 8.60. Policy DM6 of the SADMP states that development proposals must demonstrate how they conserve and enhance features of nature conservation and geological value including long term future management. Paragraph 174 of the NPPF states that development proposals should contribute to and enhance the natural environment by minimising impacts on and providing net gains for biodiversity.
- 8.61. LCC Ecology initially responded to say that the site falls within a great crested newt 'Impact Buffer Zone' due to the presence of waterbodies and an existing records of this species within close proximity. As a result, impacts upon great crested newts will need to be considered further. The 'Ecological Appraisal' briefing note dated June 2021 submitted as part of the planning application is no longer valid due to the time that has lapsed. This time limit is set due to the potential for habitats to alter naturally over time, which can both positively and negatively impact upon the suitability for protected or notable species. Further information was sought from the applicant in this regard.

- 8.62. An up to date Preliminary Ecological appraisal was subsequently supplied by the applicant and a re-consultation with LCC Ecology was carried out. They have stated that the Preliminary Ecological Appraisal dated Feb 2024 completed by Swan Environmental is satisfactory. The assessment has identified that the proposed development site is of no significant ecological significance and no further surveys are required prior to the determination of the planning application. There have however been recommendations for precautionary measures in relation to vegetation clearance and construction phases, along with provision of ecological enhancements which can form a suitable planning conditions.
- 8.63. As such, it is considered that subject to the proposed conditions as advised by LCC Ecology, the proposals meet the requirements of Policy DM6 of the SADMP with respect to ecology matters, as well as Paragraph 186 of the NPPF (2023).

Heritage Impact

- 8.64. Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. In determining planning applications, local planning authorities should take account of paragraph 197 of the NPPF and:
- a) The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) The desirability of new development making a positive contribution to local character and distinctiveness.
- 8.65. Policies DM11 and DM12 of the Site Allocations and Development Management Policies (SADMP) Development Plan Document seek to protect and enhance the historic environment and heritage assets. Policy DM11 states that the Borough Council will protect, conserve and enhance the historic environment throughout the borough. All development proposals affecting the significance of heritage assets and their setting will be assessed in accordance with Policy DM11 and will require justification as set out in this policy. Policy DM12 requires all development proposals to accord with Policy DM10: Development and Design. Policy DM12 also states that all proposals for development affecting the setting of listed buildings will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting.
- 8.66. There are designated heritage assets located within a proportionate study area from this application site including the Ashby Canal Conservation Area which is c.700m west of the site and the Market Bosworth Conservation Area which is c.900m south-east of the site. The Market Bosworth Conservation Area includes a large number of listed buildings with the tower and spire of St. Peter's Church, which is a grade II* listed building, being a prominent feature within the historic settlement core and the surrounding rural landscape.
- 8.67. There are no designated heritage assets located within the application site. There is no particular or key inter-visibility between the application site and any of the designated heritage assets identified above due to the presence of built form, vegetation and topography, nor is there any known key historic, functional or other relevant relationships between the application site and these heritage assets. The application site is therefore not considered to fall within their setting and due to the form of the proposal it is considered that none of the designated heritage assets

would be sensitive to or affected by an appropriate form of development within the application site.

- 8.68. The Conservation Officer does not object to the proposal on heritage grounds. It is therefore considered that the proposal will have no effect upon the significance of any designated heritage assets and is compliant with Development Plan Policy with respect to heritage considerations.

Other Matters

- 8.69. During previous applications for the site, investigations for land contamination and landfill gas were carried out with recommendations made for areas of the site regarding gas protection measures. Advice should be sought regarding the suitability of the site for the proposed subterranean lodges and if suitable any gas protection measures required.

- 8.70. This is considered to be a reasonable request that can be appropriately sought through condition.

Planning Balance

- 8.71. Section 38(6) of the Planning and Compulsory Purchase Act 2004 and S70(2) of the Town and Country Planning Act 1990 require that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

- 8.72. The site is identified within the Market Bosworth Neighbourhood Plan (MBNP) as a Leisure and Tourism facility.

- 8.73. The proposal for holiday accommodation is therefore compatible with Development Plan policy including the Market Bosworth Neighbourhood Plan.

- 8.74. Whilst impact on the visual and landscape character of the area is a material consideration it is considered in this instance that the subterranean nature and minimal number of lodges proposed would have a very localised and limited impact on the vistas and views. The scheme is not considered to adversely alter the character and verdant nature of the site, particularly given the scale and size of the golf course taken as a whole. It is considered that with the existing landscape features on site, the subterranean lodges with grass roofs would be screened to an acceptable degree to help soften and mitigate their overall appearance against the backdrop of the golf course and wider countryside beyond.

- 8.75. There are no other material considerations to warrant refusal of this application and subject to the conditions set out below the application is therefore recommended to Members for approval.

9. Equality implications

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

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.
- 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. Recommendation

10.1. Grant planning permission subject to:

- Planning conditions outlined at the end of this report.
- 10.2. That the Planning Manager be given powers to determine the final detail of planning conditions.

11. 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 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall only be carried out in accordance with the following approved plans:

- Site Location Plan received 8 January 2024
- Site Plan Drg No. A-EL-004 received 20 March 2024
- Proposed Floor Plan & Elevations - received 8 January 2024
- Rear façade elevation drawing received 1 March 2024

Reason: To ensure a satisfactory impact of the development to accord with Policies DM1, DM4 and DM10 of the adopted Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF (2023).

3. No development shall commence until representative samples of the types and colours of all materials to be used on the external elevations of the approved subterranean lodges is submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with those approved material 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 2016 and the requirements of the NPPF (2023).

4. No development shall commence until verification of the opted mitigation in respect of gas protection measures as per BS8485 is submitted to and approved in writing by the LPA. The development shall only be implemented in accordance with the agreed details.

Reason: As the site lies within 250 metres of a known landfill/made up ground site and in the absence of detailed information which demonstrates that the site does not have ground gas egress, in order to safeguard human health and to ensure that the necessary measures are taken to avoid any risk to public safety, in accordance with Policy DM7 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the requirements of the NPPF (2023).

5. No development shall commence on site until a low impact lighting strategy is submitted to and approved by the Local Planning Authority for the site during and post-development, which will include the measures as set out in the Preliminary Ecological Appraisal March 2024.

Reason: To ensure that protected species and areas of ecological value are not harmed by the development, in accordance with Policy DM6 and Section 15 of the National Planning Policy Framework (2023).

6. No development shall commence on site unless and until the following Reasonable Avoidance Measures (RAMs) are carried out under the supervision of a licenced Great Crested Newt Ecologist:
 - All site contractors are to be inducted through a Toolbox Talk hosted by a suitably qualified ecologist on the presence of great crested newts and their legal protection. All contractors are to sign the Toolbox Talk and agree to the proposed RAMs;
 - A designated working area will be maintained to minimise total working area (limited to the access track itself), which will be marked out by the ecologist (where necessary). A fence and/or sign will be situated to mark the working areas to ensure no contractors and vehicles do not enter areas which have not been checked for great crested newts.
 - Any vegetation on site to be cleared should first be strimmed to approximately 15 cm and left overnight, allowing any animals the chance to naturally disperse from site. A fingertip search of any vegetated areas should then be undertaken to check for the presence of great crested newts.
 - Once the ecologist has declared all areas of potential for great crested newts have been checked, the proposed works can continue unsupervised.
 - Storage of materials is to be on pallets i.e. raised off the ground and on areas of hard standing or tarmac. No materials to be stored on vegetation.
 - All working areas are to be maintained as bare ground or hardstanding throughout the construction phase.
 - All open pits and pipes are to be covered during the night, with a check for presence of amphibians conducted prior to covering.

- If excavations are exposed and/or created, a slope will be positioned within the excavation to allow amphibians and mammals to escape should they fall in.
- Under no circumstances should site contractors attempt to handle great crested newt.
- Ecologist to undertake a site visit upon completion of works to confirm that the works have been undertaken using the above risk avoidance measures and that habitats have been restored.
- Should a great crested newt be located during the RAM's, all works must cease immediately, your ecologist notified where applicable (an email, text, or voicemail is not sufficient), and Natural England contacted for advice. No great crested newt is to be handled and the refugia is to be placed back to provide suitable cover.

Reason: To ensure that protected species and areas of ecological value are not harmed by the development, in accordance with Policy DM6 and Section 15 of the National Planning Policy Framework (2023).

7. No trees and shrubs shall be removed on site during the bird nesting season (1st March - 31st July inclusive).

Reason: To ensure the development does not have a detrimental impact upon nesting birds in accordance with DM6 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF 2023.

8. Prior to occupation of the development hereby approved details of the provision of bat and bird boxes and insect hotels shall be submitted to and approved in writing by the local planning authority. The approved details shall be implemented prior to first use of the accommodation and shall be retained as such thereafter.

Reason: To help encourage wildlife species and their habitats in accordance with Policy DM6 of the Site Allocation and Development Management Policies DPD 2016 and Section 15 of the National Planning Policy Framework (2023).

9. Prior to commencement of development a Precautionary working method statement for badgers shall be carried out by a suitable, qualified ecologist and submitted to and approved in writing by the local planning authority. The details set out below shall be followed and implemented:
 - A pre-commencement badger survey should be conducted by a suitably qualified ecologist to ensure the current badger situation is known and that the recommendations are correct.
 - All site personnel should be fully briefed concerning the method statement, the presence of badgers, the mitigation measures to be followed, the relevant legislation, the penalties imposed and who to contact should they need to.
 - Trees and shrubs should be felled so that they fall away from the direction of a sett and outside exclusion zones.
 - Ensure excavations or trenches left overnight are covered or have an escape route such as a shallow gradient at one or both ends.
 - Ensure excavations or trenches are inspected each morning and evening to ensure no badgers have become trapped.

- Open pipework with a diameter of more than 120mm should be properly covered or capped at the end of the working day to prevent badgers from entering and becoming trapped.
- During the work, the storage of any chemicals should be contained in such a way that they cannot be accessed or knocked over by any roaming badgers.
- The storage of topsoil or other “soft” building materials within the site should be given careful consideration.
- Badgers will readily adopt such mounds and dig setts which would then be afforded the same protection as established setts. To avoid the adoption of such mounds, they should be subject to daily inspections before work commences or alternative measures put in place, such as being fenced off for higher-risk areas.
- Litter, tools and potentially dangerous materials on site should be cleared at the end of the working day. Care should be taken that there are no sharp metal objects or pointed protrusions on the ground which could seriously injure a badger due to their poor eyesight.
- Ensure no dogs are brought to the work site.
- Security lighting should be kept to a minimum and away from setts to avoid disturbance to any badgers on site.
- Fires should be lit only in secure compounds away from areas of badger activity and should be fully extinguished at the end of the working day.
- Use of noisy plant or machinery should cease at least two hours before sunset and not commence until an hour after sunrise to avoid causing a disturbance to badgers or preventing access or egress.

Reason: To ensure that protected species and areas of ecological value are not harmed by the development, in accordance with Policy DM6 and Section 15 of the National Planning Policy Framework (2023).

10. Prior to first use of the development hereby approved, works to reinstate the 18-hole golf course including, drainage, fairways, greens, tees and bunkers shall be completed and brought into use.

Reason: To ensure the retention and operation of the Golf Course as a leisure facility to accord with Policy DM24 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

11. Notwithstanding the provisions of Classes C1 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 or any change of use by any subsequent order, the holiday units hereby approved shall be occupied as holiday accommodation only and for the avoidance of doubt they shall not be occupied as permanent, unrestricted accommodation or a principal or primary place of residence.

Reason: This is development which is only permitted at this location because it provides holiday accommodation. This needs to be carefully controlled to accord with Policy 23 of the Core Strategy.

12. No person shall occupy any part of the accommodation for a period exceeding four weeks. Furthermore, no person shall occupy the accommodation within a period of two weeks following the end of a previous 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 on demand by an authorised officer of the Council.

Reason: The site of the permission is outside any area where planning permission would normally be forthcoming for residential development and is permitted only as a dwelling for holiday purposes in the interests of contributing to tourism and the economy of the area and to ensure compliance with Policy DM4 of the adopted Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF 2023.

13. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Housemartin Designs, drawing floor plans and elevations received 8 January 2024. Thereafter the onsite parking and turning provision shall be kept available for such use 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 Policy DM17 of the Site Allocations and Development Management Policies DPD 2016 and the requirements of the NPPF 2023.