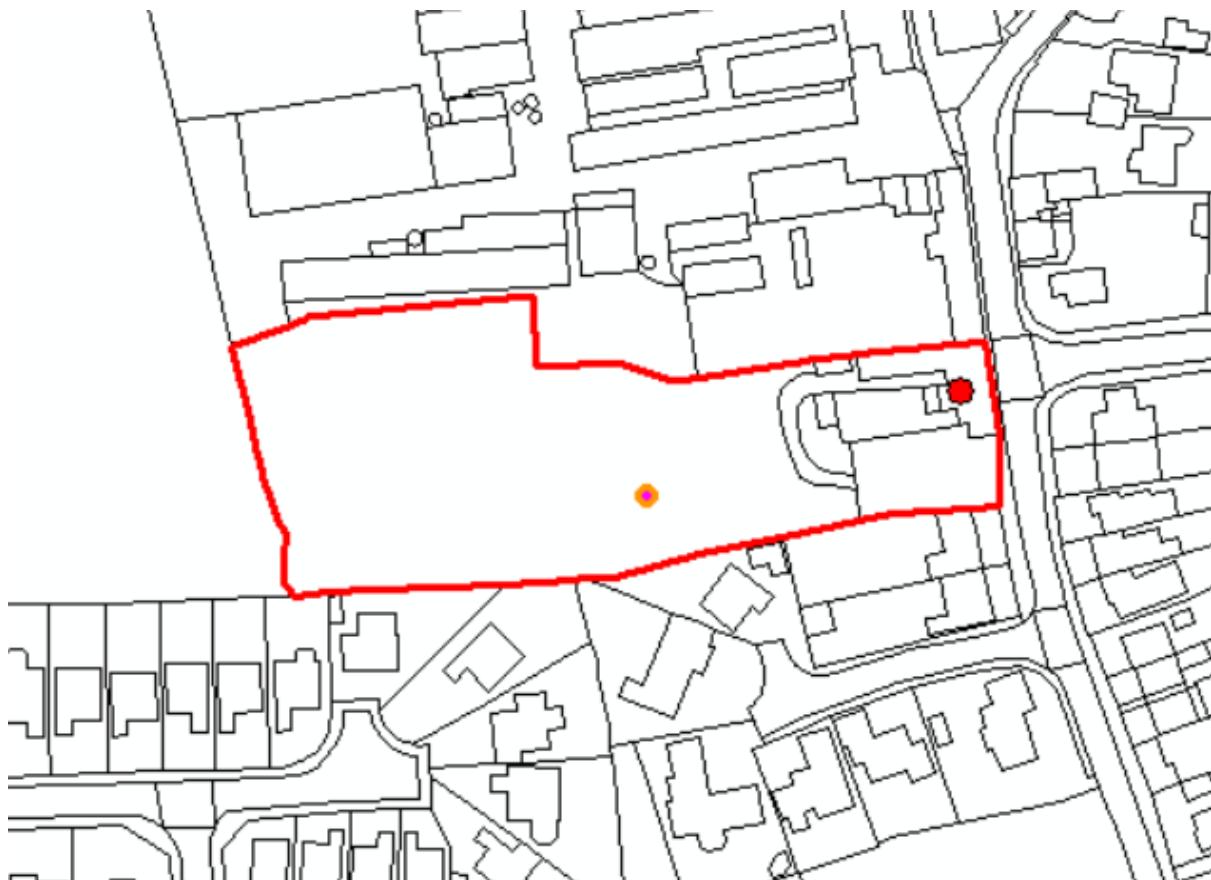




Planning Ref: 25/00347/FUL
Applicant: Mr P Sheppard
Ward: Ambien

Site: The White Swan, 47 High Street, Stoke Golding

Proposal: Extension to existing public house, change of use of existing garden land to glamping use and associated works



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LA00018489 Published 2006

1. Recommendations

1.1. Grant planning permission subject to:

- The planning conditions outlined at the end of this report.

2. Planning application description

2.1. This application seeks full planning permission for the partial demolition and single storey extension to the existing public house, construction of an external bar and pergola with dining pods, a change of use of existing garden land to use for glamping tents, and associated works.

- 2.2. The proposed demolition includes removal of existing outbuildings to the rear of the building and the removal of the existing single storey rear extension to the original public house building.
- 2.3. The proposed single storey rear extension projects a maximum of 23 metres from the rear of the public house building at a maximum width of 15.75 metres. The rear extension is sited directly on the northern boundary of the site and is separated by 11.35 metres from the southern boundary of the site.
- 2.4. The proposed single storey rear extension has an eaves height of 3.4 metres where it meets the rear of the existing building, and 2.75 metres where viewed from within the site to the west. It has a maximum ridge height of 5.55 metres. The extension has a multi-gabled roof form that sits below the height of the roofline of the original building. It has an attached wooden pergola at the rear which has dimensions of 6.1 metres by 4 metres with a flat roof form and a height of 2.85 metres.
- 2.5. The proposed single storey rear extension is to be finished in red facing brick and natural brown horizontal wall cladding. The balance of the red brick finish is concentrated along the northern side boundary, adjacent to the red brick buildings of neighbouring Mulberry Farm. The roof is to be clay tile in red/brindle to complement the existing clay roof tile on the original building. The proposed windows and doors are to be timber hardwood.
- 2.6. The proposal involves the construction of a detached external bar building as well as the erection of three dining pods, forming part of an outdoor dining area. The external dining area also involves the extension of the existing rear patio hardstanding to the rear of the proposed pergola and a gravel-surfaced area surrounding the proposed bar with tables for patron seating.
- 2.7. The proposed bar building has dimensions of 6.14 metres by 2.52 metres and has an attached deck with dimensions of 6.14 metres by 1.55 metres. The bar building has an eaves height of 2.2 metres and a ridge height of 3.05 metres. It is to be clad in natural brown horizontal wall cladding and clay roof tiles, to match the proposed extension.
- 2.8. The proposed dining pods are octagonal in shape and have a width of 3.3 metres and a total floor area of 9 square metres. The dining pods have a height of 2.1 metres and are constructed of polycarbonate.
- 2.9. The existing car parking area is located to the south of the existing public house building and provides approximately 10 car parking spaces. The proposal involves the relocation of the existing car parking access point and extension of the car parking area to the west. The expansion of the car park would provide 15 additional parking spaces, bringing the total to 25 parking spaces including 1 accessible space.
- 2.10. The proposal also includes the provision of four cycle-parking spaces and a bin storage area to the north of the car parking area. The bin storage area is to be enclosed with timber fencing at a height of 1.8 metres.
- 2.11. The proposed glamping use is located to the rear of the public house building and within the designated battlefield area for the Battle of Bosworth. The proposed glamping use comprises five bell tents with floor areas of 19.6 metres and a maximum height of 2.5 metres. The bell tents will accommodate a maximum of 4 persons of which a maximum of 2 would be adults. The bell tents would operate seasonally and be taken down annually during the winter off-season.

- 2.12. The proposal includes an amenities block building and playground area associated with the glamping use, both of which are located outside of the designated battlefield area. The proposed playground has an area of 41 square metres and will have a woodchip base. The proposed amenities building has dimensions of 6.14 metres by 2.48 metres with an attached deck with dimensions of 6.14 metres by 1.55 metres. It has an eaves height of 2.2 metres and a ridge height of 3.05 metres. The amenities building is to be clad in natural brown horizontal wall cladding and clay roof tiles.
- 2.13. The proposal would result in the re-opening of the White Swan Public House, which has in recent years been closed and out of operation.

3. Description of the site and surrounding area

- 3.1. The application site is located within the village of Stoke Golding, partially within the settlement boundary and partially within the designated open countryside. It is located wholly within the Stoke Golding Conservation Area and partially within the designated Registered Battlefield area for the Battle of Bosworth (Field) 1485, which is a Scheduled Monument.
- 3.2. The application site comprises the currently non-operational White Swan public house. The White Swan is a non-designated heritage asset as designated by the Stoke Golding Neighbourhood Plan.
- 3.3. The White Swan building is a two-storey white rendered building with a tiled, gable roof. It has an existing rear extension constructed of red facing brick, and associated outbuildings also located to the rear of the original building. The existing built form on the site is concentrated within the settlement boundary.
- 3.4. The land forming the rear of the site, west of the existing built form and within the designated open countryside, is an undeveloped grassed area of land surrounded by hedgerow with some scattered mature trees. This undeveloped grassed area includes the approximately 0.25 hectares of land on the site that is within the Registered Battlefield Battle of Bosworth (Field) 1485.
- 3.5. The site is accessed from the western side of High Street. High Street is an adopted and unclassified road subject to a 30mph speed limit. The site has an existing access point from High Street to the car parking area, to the south of the public house building.
- 3.6. To the north of the site is Mulberry Farm a site of historic agricultural use comprised of a series of agricultural buildings. The Mulberry Farm site has a current planning application under consideration for 25 dwellings and associated amenity space that includes the demolition of redundant farm buildings and the retention of the Mulberry Farmhouse.
- 3.7. To the south and east of the site are residential properties of varied character along High Street, Church Close and Roseway. To the west of the site are fields within the designated open countryside and the Registered Battlefield, beyond which is the Ashby Canal. These fields have history of ridge and furrow farming and the view from the fields adjacent the canal up toward Stoke Golding are a designated Locally Important View within the Stoke Golding Neighbourhood Plan.

3.8. The application site is in proximity to the Grade I listed Church of St Margaret to the south and Grade II listed dwelling The Birches to the north. The character of the wider surrounds is varied and includes various buildings of historic character with frequent examples of more modern development. The core of the commercial and community uses within the village are generally clustered to the south of the application site, along the southern end of High Street and its intersection with Main Street.

4. Relevant planning history

21/00070/FUL

- Proposed development of 6 detached dwellings with associated access, parking and landscaping (resubmission of 19/01244/FUL)
- Refused
- 20.05.2021

19/01244/FUL

- Erection of six detached dwellings with associated access and landscaping
- Withdrawn

5. Publicity

5.1. The application was publicised by sending letters to neighbouring properties. A site notice was also posted in the vicinity of the site.

5.2. A total of seven responses were received. Of these, five wrote in objection to the proposal and two wrote in support.

5.3. The responses received in objection to the proposal are summarised as follows:

- Concern regarding noise levels from glamping use.
- Concern regarding the potential for disruptive behaviour at the glamping use.
- Concern regarding noise levels from outdoor bar.
- Previous use of the site has resulted in noise issues from late night patrons.
- Requests to limit the hours of operation to manage noise.
- Request to limit the noise and disruption from construction on site.
- Concern regarding impacts to the privacy of backyards of neighbouring properties.
- Loss of rear outlook from gardens of neighbouring properties.
- Concern regarding traffic congestion on High Street.
- Concern regarding an undersupply of car parking spaces.
- There are existing parking issues and constraints in the surrounding streets.
- The existing traffic and parking issues in the area are exacerbated during school collection times.
- Concern regarding the siting of the glamping use within the battlefield site.
- Loss of perspective and views across the battlefield.
- Concern regarding the permanence of the amenity block structure so close to the battlefield site.

5.4. The responses received in support of the proposal are summarised as follows:

- The proposal would be an asset to the neighbourhood.

- The proposal would strengthen a local sense of community.
- Support for the design of the proposed extensions.
- Support for the maintenance of the character of the area.
- The proposal has the potential to bring trade and visitors to the village.
- Support for the introduction of a dining option to the area.

6. Consultation

6.1. Leicestershire County Council (LCC) Archaeology advised of the requirement for a Level 2 historic building survey and archaeological attendance, including provision for metal detecting, during demolition and subsequent groundworks for the development.

LCC Archaeology have recommended the imposition of one condition relating to the provision of a written scheme of investigation for historic building recording and archaeological attendance.

6.2. LCC Ecology advised that the Applicant will need to provide a Non-Licensed Method Statement (NLMS) for Great Crested Newts, badgers and reptiles. This was originally requested to form part of the application information, however LCC Ecology have agreed to this being provided through a pre-commencement condition.

LCC Ecology are satisfied with the Biodiversity Net Gain (BNG) information submitted with the application. A Habitat Management and Monitoring Plan (HMMP) and biodiversity net gain will need to be secured by condition.

LCC Ecology have recommended the imposition of three conditions relating to the provision of the NLMS, HMMP and a Landscape and Ecological Management Plan (LEMP), and one informative relating to nesting birds.

6.3. LCC Highways, the Local Highway Authority (LHA), have advised that in their view, the impacts of the development on highway safety would not be unacceptable, and when considered cumulatively with other developments, the impacts on the road network would not be severe.

The LHA requested following the review of speed and traffic survey data that the Applicant relocate the existing access to the south to allow for an increased visibility splay for vehicles exiting the site. The relocation of the access improves the shortfall in visibility of the original access point and, though still in shortfall to the north by 1 metre, the LHA advise they are satisfied that given the access is well-established and that speeds in the area are low with high street parking incidence, that the proposal would be acceptable in the site-specific circumstances.

The LHA concur with the Applicant's trip generation details as provided, which state that the proposed development would have a low impact and increase trips by only seven one-way movements in any peak period and approximately 25 two-way movements over the course of a day.

The LHA have advised that they are satisfied with the number of car parking spaces provided to the site and the revised car parking layout. The addition of cycle parking provision was acknowledged and welcomed.

The LHA have recommended the imposition of one condition relating to the implementation of parking and turning facilities.

6.4. The Battlefields Trust advised of their objection to the application based on impacts to the registered battlefield, noting the long planning history relating to the site and the bringing back into use of the White Swan public house.

The Battlefields Trust commented:

We agree that the proposed development is less impactful on the registered battlefield than an earlier application which aimed to build houses on the site which was rejected by the planning inspector, in part on the grounds of the harm to the battlefield heritage.

Against this background, the Trust remains concerned that this planning application seeks to introduce glamping tents and ancillary buildings on or directly adjacent to the registered battlefield which are not in keeping with its rural character. It seems to the Trust that the glamping tents would be noticeable from the wider battlefield to the north and west and would have a harmful effect on the rural landscape. The ancillary buildings would obviously impact the setting of the registered battlefield as, on the plans provided by the applicant, they would be visible from the tents placed on registered area.

It is not clear from the application to what extent existing or proposed landscaping would mitigate these issues and it may be that a fuller explanation of this or changes to the landscaping proposed would address these concerns, to some degree. This might allow the Battlefields Trust to have a more positive view of the proposed development.

6.5. Hinckley and Bosworth Borough Council (HBBC)'s Conservation Officer noted that the application site is wholly within the Stoke Golding Conservation Area and contains the White Swan public house. The Conservation Officer also noted that the western portion of the site is within the Registered Battlefield the Battle of Bosworth (Field) 1485 and that the site is in close proximity to the Grade I listed Church of St Margaret.

The Conservation Officer stated:

The Battle of Bosworth is one of the most important battles and an iconic event in English history and the deciding battle of the Wars of the Roses. The application site is located to the east of Crown Hill, which was almost certainly the site of Henry VII's field coronation and is the location of the final act of the battle, this being key to the significance of the battlefield as a whole. Recent research has provided a detailed understanding of the battlefield area and has led to the amendment of its designation, reinforcing the evidential basis on what that boundary was determined, and affirming the clear significance accorded to the area of the battlefield in which part of the proposed development lies.

And further that:

The application site lies away from the focus of any major engagements associated with the battle so its role and contribution in understanding the movement and engagements of the battle is low, but it does lie around 200m to the east of Crown Hill – where Henry Tudor rallied his troops and was crowned King. It is also in close proximity to the Church of St Margaret, which would have been a key landmark feature at the time of the battle.

The site forms a part of how this section of the Battlefield is experienced. In its present undeveloped state it is a positive historic space, being part of the rural agricultural fringe of Stoke Golding. In views across the battlefield towards Stoke Golding and the church from the Ashby Canal, and in views across from sections of Crown Hill, the mature western boundary of the site is a clear feature that does provide a visual buffer to the land beyond. There are gaps in the buffer and it is seasonal, so the western half of the site can still be discerned and understood as an undeveloped parcel on the edge of the village. From the western boundary the gaps in the hedgerow and its seasonal nature also allow for views to the west and north-west across the Redemore Plain.

The Conservation Officer concluded that the site makes a moderate positive contribution to the significance of the battlefield.

The Conservation Officer advised that the proposed rear extension to the public house building would have appropriate scale, siting, form and construction materials that would complement the character and appearance of the Conservation Area and have no adverse impacts on the Registered Battlefield or the Church of St Margaret.

The Conservation Officer considered the expansion of the car parking area proportionate to the proposal without having significant adverse impact upon the character and appearance of the site. The opening up of the western aspect of the parking area would allow for better appreciation of view out on to the battlefield area without adversely impacting upon the setting of the battlefield.

The Conservation Officer commented positively on the relocation of the amenity block to a location wholly outside the battlefield area and noted that its modest scale and appearance meant that it would not be inappropriate within its immediate setting. The five bell tents associated with the glamping use were noted to be of standard canvas materials and proposed to be removed during the off-season. The Officer concluded that the tents would not reduce the ability of the observer to appreciate the topographical integrity and character of the battlefield and that their pegging into the ground would cause minimal adverse physical impact to the battlefield.

The comments received from HBBC's Conservation Officer summarised that:

...in my opinion the proposal will preserve the character and appearance and thus heritage significance of the Stoke Golding Conservation Area, the Registered Battlefield the Battle of Bosworth (Field), and the grade I listed building the Church of St Margaret. Consequently, the proposal accords with Policies DM11 and DM12 of the Site Allocations and Development Management Policies DPD, section 16 of the NPPF and the statutory duties of Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

The Conservation officer recommended the imposition of two conditions relating to construction material details and boundary treatment and hard and soft landscaping details.

6.6. HBBC Drainage had no objection to the proposal and provided standard drainage notes for the Applicant's attention pertaining to surface water management and the surfacing of parking and turning areas.

6.7. HBBC Environmental Services (Pollution) recommended the imposition of five conditions relating to ventilation, noise attenuation, lighting, noise management and the prohibition of bonfires on the site.

6.8. Stoke Golding Parish Council advised that they welcomed and supported the proposed development of the White Swan and were in agreement with the majority of the application.

The Parish Council's primary concern at the time of response pertained to adequate parking and the 20 spaces originally proposed to serve the proposal, and strongly encouraged the inclusion of at least 10 additional parking spaces. They deferred judgement on relevant heritage and battlefield considerations to the planning authority.

It is noted that following the Parish Council's consultee response, the Applicant increased the number of proposed parking spaces by 5 spaces.

6.9. Hinckley CAMRA advised that they supported the re-opening of this important village facility which would contribute significantly to the local economy, social welfare and sustainability of the community. They noted that they did not wish to comment on other aspects of the proposal.

6.10. No response was received from the following consultees:

- Natural England
- Historic England
- Leicester CAMRA
- HBBC Waste

7. Policy

7.1. Core Strategy (2009)

- Policy 7: Key Rural Centres
- Policy 11: Key Rural Centres Stand Alone
- Policy 23: Tourism Development

7.2. 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's Archaeology
- Policy DM17: Highways and Transportation
- Policy DM18: Vehicle Parking Standards
- Policy DM24: Cultural and Tourism Facilities
- Policy DM25: Community Facilities

7.3. Stoke Golding Neighbourhood Plan (2024)

- Policy SG1: Decision-taking
- Policy SG7: Countryside
- Policy SG11: Locally Important Views
- Policy SG12: Ecology and Biodiversity
- Policy SG14: Non-Designated Heritage Assets
- Policy SG15: Design
- Policy SG17: Community Services and Facilities
- Policy SG20: Tourism

7.4. National Planning Policies and Guidance

- Planning (Listed Buildings and Conservation Areas) Act 1990
- National Planning Policy Framework (NPPF) (2024)
- Planning Practice Guidance (PPG)
- National Design Guide (2019)

7.5. Other relevant guidance

- Good Design Guide (2020)
- Stoke Golding Conservation Area Appraisal (SGCAA) (2013)
- Leicestershire Highway Design Guide (LHDG) (2024)

8. Appraisal

8.1. Key Issues

- Principle of development
- Design and impact upon the character of the conservation area and registered battlefield
- Impact upon neighbouring residential amenity
- Impact upon highway safety
- Archaeology
- Ecology and biodiversity

Principle of Development

8.2. Paragraph 2 of the National Planning Policy Framework (NPPF) 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 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.

8.4. The current development plan consists of the adopted Core Strategy (2009), the Site Allocations and Development Management Policies Development Plan Document (SADMP) (2016) and the Stoke Golding Neighbourhood Plan (SGNP) (2024).

8.5. In accordance with Paragraph 232 of the NPPF, existing policies should not be considered out of date simply because they were adopted or made prior to the publication of the NPPF. Due weight should be given to existing policies according to their degree of consistency with the NPPF.

8.6. The application site is located partially within the settlement boundary of Stoke Golding, while the central and rear areas of the site to the west of the existing built form are located within the designated open countryside.

8.7. Chapter 15 of the NPPF requires planning policies and decisions to conserve and enhance the natural and local environment. Paragraph 187(b) specifically highlights that this should be achieved by recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services.

8.8. Policy DM4 of the SADMP states that Council will protect the intrinsic value, beauty, open character and landscape character of the countryside from unsustainable development. To ensure this, DM4 only considers development in the countryside to be sustainable where:

- a) It 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; or
- b) The proposal involves the change of use, re-use or extension of existing buildings which lead to the enhancement of the immediate setting; or
- c) It significantly contributes to economic growth, job creation and/or diversification of rural businesses; or
- d) It relates to the provision of stand-alone renewable energy developments in line with Policy DM2: Renewable Energy and Low Carbon Development; or
- e) It relates to the provision of accommodation for a rural worker in line with Policy DM5 - Enabling Rural Worker Accommodation.

8.9. Importantly, Policy DM4 of the SADMP requires that development meets five further requirements to be considered sustainable development. These are discussed in further detail further in this report.

8.10. Policy SG7 of the Stoke Golding Neighbourhood Plan (SGNP) states that the countryside will be protected for the sake of its intrinsic character, beauty, heritage and wildlife, the wealth of its natural resources and to ensure it may be enjoyed by all. In countryside locations, only the following types of development will be supported:

1. Agriculture and forestry;
2. The re-use and adaptation of buildings in accordance with Policy SG23 and Site Allocations and Development Management Policies DPD Policy 15;
3. Rural exception housing sited and isolated homes in the countryside in accordance with Core Strategy Policy 17, Site Allocations and Development Management Policies DPD Policies DM5 and DM14, and the National Planning Policy Framework;

4. Development and diversification of agricultural and other land-based rural businesses;
5. Development by statutory undertakers or public utility providers;
6. Recreation and tourism provided it can be demonstrated that the proposed scheme cannot be provided within or adjacent to settlement boundaries; and
7. Renewable energy in accordance with Policy SG13.

8.11. Policy DM17 of the SADMP seeks that development proposals make best use of existing public transport services, ensure convenient and safe access for walking and cycling to services and facilities and that development is located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.

8.12. Policy DM24 of the SADMP states that the Borough Council will seek to support the development of new cultural and tourism facilities across the borough. To reduce reliance on the private car, where new facilities are to be established it should be demonstrated that they can be accessed by a range of sustainable transport modes.

8.13. Policy SG20 of the SGNP seeks to support the development of new tourism facilities associated with the Bosworth Battlefield and Ashby Canal, where they respect the character of the countryside and heritage assets.

8.14. The proposal involves development associated with the operation and re-opening of an existing public house, The White Swan, located centrally to the village of Stoke Golding. The proposal involves the extension of the existing public house building and the establishment of a glamping use to the rear of the site.

8.15. The existing built form of the public house is located within the settlement boundary, though the proposed rear extension would extend into an area of the designated open countryside. The proposed glamping use and associated facilities, which would be physically independent from the built form of the public house, are located wholly within the designated open countryside.

8.16. The White Swan site is located less than 300 metres from the nearest bus stops along Main Street and Station Road. The stops provide access to an hourly service that travels between Burbage, Hinckley and Nuneaton. The site is in reasonable walking distance to residential areas within the Stoke Golding settlement, and High Street has lit footways on both sides of the highway. Additionally, the site has good links to the nearby Ashby Canal towpath and its associated footpath connections into the village.

8.17. Though the elements of the proposal occurring wholly outside of the identified settlement boundary are given no support by (a) through (e) of Policy DM4 of the SADMP nor provide demonstration in accordance with Policy SG7(6) of the SGNP, it is considered that the site is in a sustainable location central to the settlement of Stoke Golding as sought by Policies DM1, DM17 and DM24 of the SADMP and the broader sustainability policies of the NPPF.

8.18. Policy DM25 of the SADMP seeks to resist the loss of community facilities including ancillary areas. The policy goes on to state that the redevelopment or loss of community facilities will only be appropriate where it can be demonstrated that:

- a) An equivalent range of replacement facilities will be provided in an appropriate location within a reasonable distance of the local community; or
- b) There is a surplus of the facility type within the immediate locality exceeding the needs of the community; or
- c) The loss of a small portion of the site would result in wider community benefits on the remainder of the site.

8.19. Paragraph 17.4 of the SADMP confirms that public houses in the rural area are considered to be community facilities for the purposes of Policy DM25. Paragraph 17.5 goes on to state that public houses can represent a social focal point for communities and community activities and can form part of the character and charm of rural settlements. Locally, the borough is suffering from a decline in public houses with the loss in rural areas having the greatest impact on rural community life and the sustainability of settlements.

8.20. Policy SG17 of the SGNP lists the White Swan as a village pub which should be retained in accordance with Site Allocations and Development Management Policies DPD Policies DM8, DM22 and DM25.

8.21. The White Swan public house is currently not operational as a pub and has not been in recent years. The proposal would support the re-opening of a public house in a rural area and therefore support the retention of a community facility.

8.22. Given the above, it is therefore considered that the proposed development would support the retention of a community facility and provide access to a community facility and associated tourism facility in a sustainable location. The proposal is therefore afforded support by Policies DM1, DM17, DM24 and DM25 of the SADMP and Policy SG17 of the SGNP.

Design and Impact Upon the Character of the Conservation Area and Registered Battlefield

8.23. The Planning (Listed Buildings and Conservation Areas) Act 1990 places duties on the Local Planning Authority (LPA) when determining applications for development. Section 66 requires that special regard be given to the desirability of preserving listed buildings and any features of special architectural and historic interest which it possesses. Section 72 of the Act states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

8.24. Section 16 of the NPPF provides the national policy on conserving and enhancing the historic environment. In determining planning applications. Paragraph 212 of the NPPF requires great weight to be given to the conservation of designated assets and the more important the asset, the greater the weight should be.

8.25. Paragraphs 213-215 of the NPPF require that great weight is given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification and for that harm to be weighed against the public benefits of a proposal.

- 8.26. Paragraph 213(b) confirms that registered battlefields are assets of the highest significance and harm to, or loss of, the significance of a registered battlefield must be accompanied by clear and convincing justification which is wholly exceptional.
- 8.27. Paragraph 219 of the NPPF states that local planning authorities should look for opportunities for new development within conservation areas and the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 8.28. Policy DM11 and DM12 of the SADMP seek to protect and enhance the historic environment and heritage assets. Policy DM11 states that conservation and enhancement of the historic environment in the borough will be done through the careful management of development that might adversely impact both designated and non-designated heritage assets. Policy DM12 states that proposals for the alteration of a listed building will only be permitted where it is demonstrated that the proposals are compatible with the significance of the building and its setting. Furthermore, development proposals should ensure the significance of a conservation area is preserved and enhanced.
- 8.29. 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 the use and application of building materials respects the materials of existing, adjoining/neighbouring buildings and the area generally and incorporates a high standard of landscaping.
- 8.30. Policy DM4(i) of the SADMP states that development in the countryside will be considered sustainable where it does not have a significant adverse effect on the intrinsic value, beauty, open character, and landscape character of the countryside.
- 8.31. Policy SG14 of the SGNP identifies the White Swan Public House as a non-designated heritage asset. Policy SG14 states that the determination of planning applications which would affect non-designated heritage assets will be assessed having regard to the scale of any harm or loss and the significance of the heritage asset. New development should take opportunities to enhance heritage assets or better reveal their significance.
- 8.32. Policy SG15 of the SGNP states that only development that reflects the traditional character of Stoke Golding will be supported unless the development is of exceptional quality or innovative design. Development must also be in keeping with the scale, form and character of its surroundings, integrate into its surroundings, respect local building styles and modest building scales and be of red brick with dark blue plain clay roof tiles or Welsh slates with prominent chimneys. Development must protect and, where possible, enhance the setting of the canal and battlefield site.
- 8.33. The application site is located within the Stoke Golding Conservation Area and partially within the Registered Battlefield Battle of Bosworth (Field) 1485. The Grade I listed Church of St Margaret is also located in the vicinity of the site.
- 8.34. The Battle of Bosworth is one of the most important battles and an iconic event in English history and the deciding battle of the Wars of the Roses. The application site is located to the east of Crown Hill, which was almost certainly the site of Henry VII's field coronation and is the location of the final act of the battle, this being key to the significance of the battlefield as a whole.

8.35. Recent research has provided a detailed understanding of the battlefield area and has led to the amendment of its designation, reinforcing the evidential basis on what that boundary was determined, and affirming the clear significance accorded to the area of the battlefield in which part of the proposed development lies.

8.36. The principal reasons for its designation are provided by Historic England in the designation description (National Heritage List for England 1000004)¹ , with of particular relevance for this application being its:

- Historical importance: an iconic event in English history, the Battle of Bosworth brought the Tudor dynasty to the throne and saw the last death of an English in in battle.
- Topographic integrity: while agricultural land management has changed since the battle, the battlefield remains largely undeveloped and permits the site of encampments and the course of the battle to be appreciated.

8.37. The application site lies away from the focus of any major engagements associated with the battle so its role and contribution in understanding the movement and engagements of the battle is low. Notwithstanding this, it does lie approximately 200 metres to the east of Crown Hill where Henry Tudor rallied his troops and was crowned King. The site is also in close proximity to the Church of St Margaret, which would have been a key landmark feature at the time of the battle.

8.38. The site contributes to how this section of the battlefield is experienced. In its present undeveloped state, it is a positive historic space, being part of the rural agricultural fringe of Stoke Golding. In views across the battlefield towards Stoke Golding and the church from the Ashby Canal, and in views across from sections of Crown Hill, the mature western boundary of the site is a clear feature that does provide a visual buffer to the land beyond. There are gaps in the buffer, and it is seasonal, so the western half of the site can still be discerned and understood as an undeveloped parcel on the edge of the village. From the western boundary the gaps in the hedgerow and its seasonal nature also allow for views to the west and north-west across the Redemore Plain.

8.39. The form and character of the site assist in experiencing the historic landscape and provides context to the area. It can be understood as a remnant of a wider area of previously undeveloped landscape which occupied this space around Crown Hill, the church and the medieval settlement of Stoke Golding. The site is therefore considered to make a moderate positive contribution to the significance of the Battlefield.

8.40. The Stoke Golding Conservation Area Appraisal (SGCAA) (2013) recognises the historic interest associated with the village's connection to the battle and the Registered Battlefield and Conservation Area share overlapping and interrelated characteristics, such as:

- The character of the conservation area is primarily derived from the agricultural origins of the settlement with strong visual links between the historic settlement and surrounding countryside.
- Importance in the rural character of spaces around Crown Hil.

8.41. The SGCAA identifies important views from Ashby Canal over the countryside towards St Margaret's Church that can be appreciated both due to its ridge top location and gaps in the built form. These views reinforce the rural nature and

agricultural origins of the settlement and provide the impression of the countryside extending into the historic core of the village.

- 8.42. The view from the Ashby Canal towpath to the east toward the rear of the White Swan site is also designated as a Locally Important View under Policy SG11 of the SGNP.
- 8.43. The form of the White Swan public house alongside cartographic evidence suggest it dates from the early 19th century, and as such it is identified as an important local building within the SGCAA. Given the key characteristics of the application site, it makes a moderate positive contribution to the significance of the Conservation Area.
- 8.44. The SGCAA also recognises:
 - The detrimental impact of the Mulberry Farm buildings (adjacent to the application site) on the setting of Crown Hill.
 - The potential for frontage improvement to the site access from High Street.
 - The threat from infill development to green spaces.
 - Concerns with development which is discordant with traditional streetscape.
 - The need for permitted infill projects to respond to the conservation area's existing architectural scale, materials and character.
- 8.45. The nearby Grade I listed Church of St Margaret is located within 100 metres of the application site, and therefore it must be assessed whether the site falls within the setting of this asset. The NPPF (Annex 2) defines the setting of a heritage asset as "the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral."
- 8.46. Historic England provide advice on the setting of heritage assets in their Good Practice in Planning Note 3 (2015), this identifies that the surroundings in which an asset is experienced may be more extensive than its curtilage. The extent and importance of setting is often expressed by reference to visual considerations.
- 8.47. The significance of the church is principally derived from its architectural and historic interest. The building demonstrates a high level of illustrative value, with the architecture demonstrating church building techniques and styles from the 13th century onwards. The aesthetic value of the church is apparent from both immediately adjacent and within the church yard, but also within the wider landscape. The church also has communal value in its continuous role as a religious centre for the community since the 13th century.
- 8.48. The clear aesthetic value of the church is apparent from both immediately adjacent within the church yard, but also within the wider landscape and this contributes to its significance.
- 8.49. The church has a tall and visually prominent tower and spire and a moderately sized church yard. The existing undeveloped areas of the application site and the siting of the intervening built form allow for views of the church tower and spire from within the site. There are also clear views of the church tower and spire from Ashby Canal looking over the application site, giving the impression of the countryside extending up toward the church. These views are more appreciable in winter when vegetation cover on the western boundary is not in full leaf. The application site is therefore considered to fall within the wider setting of the church.

8.50. There is no clear direct functional or historic connection between the application site and the church. However, the visual relationship between the application site and the church, this being apparent from numerous vantage points, demonstrates the importance of the church within the wider largely rural landscape and from within which the architectural and historic interest of the heritage asset and the character of its surroundings can be clearly appreciated. The application site is therefore considered to make a minor positive contribution to the significance of the church.

8.51. The proposal involves the demolition of the existing single storey rear extension and associated outbuildings on the site, and the construction of a new single storey rear extension. The existing sections of the building to be removed are largely mid-20th century in construction and are of no heritage interest.

8.52. The proposed single storey rear extension has a footprint of 320 square metres to accommodate operation of a restaurant as a complementary activity to the public house, which would provide an economic benefit to the site and secure long-term conservation of the existing building.

8.53. The proposed single storey rear extension has a maximum eaves height of 3.4 metres and a maximum ridge height of 5.55 metres. It is to have a mixture of red facing brick and natural brown horizontal cladding and have a clay tile roof, to complement the existing clay tile of the original building. To the rear of the extension is an attached wooden pergola with a total height of 2.85 metres located within a rear terrace area bound by brick walls to the north, west and south.

8.54. The proposed rear extension incorporates varied roof gables concealing some instances of flat roof behind. These are punctuated by the perpendicular gable on the southern elevation viewed from the car parking area. The built form of the extension is set in slightly from the building lines of the existing public house and ensures that the extension remains subservient to the original building.

8.55. The varied construction materials reflect traditional characteristics found in buildings within the surrounding area and materials prevalent in the wider Conservation Area. The use of timber cladding reflects the semi-rural character of site.

8.56. Though the extensions would be visible approaching the site from the south, when viewed directly from High Street the original building would retain prominence with the proposed extensions unseen to the rear. The character and appearance of the public house when appreciated from the High Street would therefore retain its existing significance.

8.57. It is not considered that the extensions would have any adverse impacts upon the registered battlefield as they are located wholly outside of the battlefield boundary. Furthermore, the design and siting of the building mean it is not considered it would have any negative impact upon the setting of the Church of St Margaret.

8.58. The proposal involves the expansion of the existing car parking area to the south of the existing and proposed areas of the public house building. The existing hardstanding would be extended to the west and, for the first 20 parking spaces, would be paved, and for the final 5 parking spaces would be reinforced grass surfacing. The provision of cycle parking and a bin store surrounded by timber fencing are to be sited to the north of the parking area.

- 8.59. The resulting size of the car parking area is considered to be proportionate to cater for the proposed use of the site without having a significant visual impact upon the character and appearance of the site.
- 8.60. The removal of the existing incongruous tarmac surfacing and replacement with paved car parking areas contributes to the enhancement opportunity identified within the SGCAA to improve the character of the site's frontage along High Street.
- 8.61. The semi-rural setting of the application site is reinforced with the use of timber fencing to the west of the car parking area, complemented by hedgerow, and the reinforced grass surface of the parking area to serve the glamping use. This retains the character of this section of the site which is adjacent the boundary of the Registered Battlefield area and preserves the significance of the battlefield when viewed from within the site.
- 8.62. The proposal involves the establishment of an outdoor garden dining area comprising a detached outdoor bar building and three dining pods. The proposed bar building has dimensions of 6.14 metres by 2.52 metres and an eaves height of 2.2 metres and ridge height of 3.05 metres. It is to be clad in natural brown horizontal wall cladding and have a clay tiled roof to match the proposed public house extension. The proposed dining pods are to be domed structures constructed of polycarbonate with a footprint of 9 square metres per pod and a maximum height of 2.1 metres.
- 8.63. The outdoor bar and dining pod structures are comparatively modest in scale and located to the rear of the proposed building extensions. Their visibility from beyond the site will be interrupted, if not prevented entirely, by the proposed planting of hedgerow to the south of the garden dining area and the built form of the public house building. It is not considered they would have any direct impact upon the Registered Battlefield, Conservation Area or the setting of the Church of St Margaret.
- 8.64. The proposed glamping use is located to the rear of the site and comprises five bell tents and an associated amenities building and playground. The amenities building has dimensions of 6.14 metres by 2.48 metres and an eaves height of 2.2 metres with a ridge height of 3.05 metres. It is to be clad in natural brown horizontal wall cladding and have clay roof tiles to match the public house extension. The proposed bell tents are constructed of heavyweight canvas and are to be in-situ seasonally, removed during the winter. The tents each have a footprint of 19.6 square metres and a maximum height of 2.5 metres. The five bell tents are located within the Registered Battlefield area, while the amenities building and playground are sited outside of the battlefield area.
- 8.65. The original iteration of the proposal situated the amenities building slightly over the battlefield boundary partially within the Registered Battlefield area. The Applicant has subsequently relocated the building such that it is located outside of the battlefield area, which avoids any direct physical impact upon it.
- 8.66. The scale of the ancillary building is modest, and the material finishes would be consistent with the semi-rural character of the wider site. It is not anticipated that the building or the associated playground would be appreciable in viewpoints from the wider area and therefore they would not adversely affect the setting of the registered battlefield.
- 8.67. It is considered that the proposed bell tents are modest in scale and total number. The visual impacts from the tents on the wider battlefield is considered to be negligible as they would not reduce the ability of the observer to appreciate the

topographical integrity and character of the battlefield from the wider area, or to appreciate the visual approach to Stoke Golding from the canal towpath. Furthermore, the visual impacts from the tents would be seasonal due to their removal in the off-season.

- 8.68. The glamping tents would be pegged into the ground and so any physical disturbance from their erection and removal would be minimal and unlikely to cause adverse direct physical impacts upon the registered battlefield.
- 8.69. The final details of boundary treatments and hard and soft landscaping and the final details and samples of the construction materials are to be conditioned to be provided to the LPA prior to commencement of the development, to ensure the final design details are acceptable in the setting of the site.
- 8.70. It is therefore considered that the proposal does not represent significant harm to the character and appearance or the historic significance of the Registered Battlefield, the Conservation Area, or the setting of the Church of St Margaret. It is also considered that the proposed development would be sensitive to the open landscape views within the Locally Important View from the Ashby Canal towpath.
- 8.71. The identified benefits of the proposal include the economic viability and securing the long-term functioning of the existing public house building, as well as minor improvements to the view of the application site from High Street as sought by the SGCAA.
- 8.72. It is therefore considered that the proposal would complement the character of the surrounding area, preserve the character and appearance of the Stoke Golding Conservation Area, the Registered Battlefield the Battle of Bosworth (Field) and the setting of the Grade I listed Church of St Margaret and be sensitive to the Locally Important View from Ashby Canal consistent with Policies DM10, DM11 and DM12 of the SADMP, Policies SG11, SG14 and SG15 of the SGNP, Section 16 of the NPPF and the statutory duties of Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

Impact upon Neighbouring Residential Amenity

- 8.73. Paragraph 135 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.
- 8.74. 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.
- 8.75. Policy SG15 of the SGNP requires that development not significantly adversely affect the amenity of residents in the area, including by loss of daylight/sunlight, privacy, air quality, noise and light pollution.
- 8.76. The Good Design Guide requires the way buildings relate to each other, and their orientation and separation distances, to provide and protect acceptable levels of amenity.

8.77. The application site is neighboured by residential development to the south and across High Street and along Roseway to the west.

8.78. The land to the north of the application site, Mulberry Farm, is currently comprised predominantly of dilapidated agricultural buildings with the farmhouse located adjacent High Street. Under planning application 22/00661/FUL, 25 dwellings would be constructed on the site. The currently submitted site layout for 22/00661/FUL would place 9 residential units adjacent the shared boundary with the application site. Notwithstanding this, as no permission has been granted on 22/00661/FUL, the exact resulting layout of any residential development on the Mulberry Farm site cannot be assured.

8.79. The application site benefits from an existing public house and historic use as a public house. To best serve communities, it is typical of public houses to be sited central to settlement areas and therefore surrounded by a mix of uses that includes private residential properties.

8.80. The proposed extension to the existing public house extends a maximum of 23.3 metres from the existing rear elevation of the original White Swan building for a maximum width of 15.85 metres. This brings the built form of the public house 8.1 metres deeper and further west into the site than the existing rear extension which is to be demolished.

8.81. The width of the proposed rear extension brings the public house 1.3 metres closer to the southern boundary of the site than the southern elevation of the existing original building, though only at the gable end of the proposed rear extension. All other elements of the proposed rear extension along the southern elevation maintain a separation distance equal to or in excess of the existing original building. Notwithstanding this, the public house has a separation distance of at least 11.6 metres from the southern boundary.

8.82. The proposed outdoor dining areas comprising the terrace and garden areas, standalone bar building and the outdoor dining pods are sited adjacent the northern boundary of the site. The terrace seating directly to the rear of the public house building is to be enclosed by brick walls along the northern site boundary and to the south and west of the terrace internally to the site.

8.83. The outdoor dining pods are located centrally on the site and are separated from the northern boundary by a minimum of 10 metres and the southern boundary by a minimum of 14 metres. The proposal involves the planting of hedgerows along the northern boundary and to the south of the dining pods, between the pods and the car parking area. The dining pods have rectangular openings oriented to the north but are otherwise fully enclosed.

8.84. The proposed hours of operation for the public house are 8:00 to 23:00, Monday to Friday, 8:00 to 0:00 (midnight the following day) on Saturdays and 8:00 to 23:00 on Sundays and Bank Holidays.

8.85. The Applicant has confirmed that it is not intended that the outdoor dining areas be used until the closing time of the wider premises. It is intended that a final dinner sitting in the outdoor areas will occur at 20:00 with the outdoor areas ceasing use by 22:00.

8.86. The proposed glamping use is located to the rear of the site and is neighboured to the south by dwellings on Andrew Close and Church Close. To the north, should the current layout of 22/00661/FUL receive planning permission and be constructed, there would be four dwellings adjacent the glamping use to the north.

8.87. The five bell tents proposed to comprise the glamping use are located central to the site and are separated from the northern boundary by a minimum of 11.4 metres and from the southern boundary by a minimum of 8.75 metres. The establishment of hedgerow is proposed along both the northern and southern boundaries adjacent the glamping area.

8.88. The height of the proposed tents and the establishment of hedgerows would protect neighbouring residential properties from any overlooking or overbearing impacts from the proposed use.

8.89. It is considered reasonable to assume that a tourism use in the form of glamping tents on the site would result in the potential for additional noise impacts as compared to what might be experienced through private domestic use of a site. As the glamping tents would operate seasonally, it is considered there would be no noise impact during winter months and the highest potential impact would be during the summer.

8.90. Notwithstanding the above, it is not considered that the amenity impacts arising from the use of the land for glamping would be so significant as to be inappropriate within a residential setting.

8.91. HBBC's Environmental Health Officer has reviewed the proposal and does not have any objections to the proposal on matters of amenity by way of noise or light impact. This is subject to the imposition of reasonable conditions requiring the submission of a noise management plan, ventilation details and noise attenuation scheme, and an external lighting plan, through which reasonable measures to manage the impacts of noise and lighting on the site can be ensured.

8.92. It is therefore considered that the proposed scheme would not result in a significant adverse effect on the privacy and amenity of nearby residents and occupiers of adjacent buildings, consistent with Policy DM10 of the SADMP, SG15 of the SGNP and the Good Design Guide.

Impact upon Highway Safety

8.93. Policy DM17 of the SADMP supports development that makes best use of public transport, provides safe walking and cycling access to facilities, and does not have an adverse impact upon highway safety.

8.94. 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 highway authority. This is currently the Leicestershire Highway Design Guide (LHDG) (2024).

8.95. Policy DM18 required developments to demonstrate an adequate level of off-street parking provision. Any reduction below minimum standards will require robust justification.

8.96. Ultimately, Paragraph 116 of the NPPF states 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.

- 8.97. The application site has existing access to the south of the public house building from High Street. The existing car parking area provides unmarked parking space for up to 10 cars.
- 8.98. The Local Highway Authority (LHA) reviewed the existing visibility splays from the north of the existing access point, originally proposed to be retained as part of this application, and found it in shortfall of the required visibility distances to the north.
- 8.99. The Applicant subsequently amended the proposal to relocate the access point further south to increase visibility to the north. This amendment still placed the visibility splays to the north in shortfall of the requirements of the LHDG by 1 metres, however the LHA noted that due to the existing nature of the access, the narrowness of High Street, the high incidence of on-street parking and the low recorded speeds through the immediate area, that in this site-specific context the shortfall would not have an unreasonable impact upon highway safety.
- 8.100. The LHA have reviewed the Transport Statement submitted and concur with the findings that the proposed development would have a low impact in terms of vehicle generation as compared to the existing situation as a public house.
- 8.101. The proposal provides 15 additional car parking spaces to the existing 10 spaces on site. Of these, 10 of the additional spaces are intended to be associated with the public house and 5 are intended to be for the use of each of the proposed glamping bell tents. The total resulting number of car parking spaces provided is 25.
- 8.102. The LHA are satisfied that the reconfigured car parking area and additional car parking spaces would be acceptable given the existing situation on site and the additional quantum of development proposed.
- 8.103. The proposal involves the provision of cycle parking spaces along the southern elevation of the original public house building. This improves access to cycling facilitates and benefits sustainable travel to the site from the surrounding area.
- 8.104. It is therefore considered that the proposal demonstrates safe access to the car parking area and a sufficient number of off-street car and cycle parking spaces proportionate to the scale of the scheme, in compliance with Policies DM17 and DM18 of the SADMP and the LHDG.

Archaeology

- 8.105. Policy DM13 of the SADMP requires that developers set out in their application an appropriate desk-based assessment and, where applicable, the results of a field evaluation detailing the significance of any affected asset. Where applicable, justified and feasible the LPA will require remains to be preserved in situ ensuring appropriate design, layout, ground levels, foundations and site work methods to avoid any adverse impacts on the remains. Where preservation of archaeological remains in situ is not feasible and/or justified the LPA will require full archaeological investigation and recording by an approved archaeological organisation before development commences.
- 8.106. The proposal involves the demolition of the existing rear extension and associated outbuildings to the rear of the original White Swan public house building. These

buildings are identified within the Leicestershire and Rutland Historic Environment Record (HER) and 1st Edition Ordnance Survey map as being of archaeological and heritage interest.

- 8.107. The proposal is located within an area of archaeological interest in the medieval settlement core of Stoke Golding and partially within the Registered Battlefield for the Battle of Bosworth.
- 8.108. LCC Archaeology have advised that previous trial trench evaluation and metal detector surveys undertaken on the site in support of previous applications returned evidence of unworked flint flaked of Neolithic or Bronze Age date and a dispersed scatter of shallow pits thought to be prehistoric in origin. Any potential archaeological remains within the site that might be associated with activity relating to the Battle of Bosworth would be of particular significance.
- 8.109. To ensure satisfactory understanding, recording and preservation of historic significance of the site, LCC Archaeology have recommended a pre-commencement condition be imposed requiring that the Applicant submit a written scheme of investigation (WSI) prior to development on site. The programme of work to form part of the scheme of investigation is to cover a historic building survey and archaeological attendance during development.
- 8.110. It is therefore considered that the proposal would be able to demonstrate consistency with Policy DM13 of the SADMP.

Ecology and Biodiversity

- 8.111. Paragraph 187 of the NPPF confirms that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils, and by recognising the intrinsic character and beauty of the countryside and the wider benefits from natural capital and ecosystem services, while minimising impacts on and providing net gains for biodiversity.
- 8.112. Paragraph 193 of the NPPF states that where significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated or, as a last resort, compensated for, then planning permission should be refused.
- 8.113. Policy DM6 of the SADMP states that developments must demonstrate how they conserve and enhance features of nature conservation and geological value including proposals for their long term future management. On site features should be retained, buffered and managed favourably to maintain their ecological value, connectivity and functionality in the long-term.
- 8.114. The application is subject to statutory Biodiversity Net Gain (BNG) requirements. The BNG statutory framework has been designed as a post-permission matter to ensure that the biodiversity gain objective of achieving at least a 10% gain in biodiversity value will be met for development granted planning permission. Notwithstanding this, the Planning Practice Guidance (PPG) is clear that BNG is a material consideration and that when determining a planning application LPA's need to consider whether the BNG condition is capable of being discharged successfully through the imposition of conditions and/or a legal agreement.

- 8.115. The Applicant has submitted BNG information demonstrating that the 10% net gain can be achieved on site. LCC Ecology have advised that this would represent a significant on-site enhancement that would require the securing of an associated Habitat Management and Monitoring Plan (HMMP) via condition.
- 8.116. The development will also be subject to the mandatory Biodiversity Gain Plan condition.
- 8.117. The Ecological Appraisal submitted has identified no active signs of badgers on site, no trees on site with potential roosting for bats and negligible potential for roosting in existing buildings, and that there is potential habitat to support great crested newts in the closest pond to the site, though this pond is in poor condition.
- 8.118. Notwithstanding the above, there are active badger setts in the area and there is direct connectivity to the site for newts. As such, LCC Ecology have advised that a Non-Licenced Method Statement (NLMS) will be required for great crested newts, badgers and reptiles. This can be reasonably secured through a condition.
- 8.119. It is therefore considered that the proposal demonstrates that it reasonably conserves or enhances elements of biodiversity and complies with Paragraphs 187 and 193 of the NPPF and Policy DM6 of the SADMP.

9. Equality implications

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

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. Conclusion

- 10.1 Taking national and local planning policies into account, and regarding all relevant material considerations, it is recommended that planning permission to be granted, subject to the imposition of appropriate conditions.

11. Recommendation

11.1 Grant planning permission subject to:

- Planning conditions detailed at the end of this report; and
- That the Head of Planning be given powers to determine the final detail of planning conditions.

12. 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 not be carried out otherwise than in complete accordance with the submitted application details, as follows:

- Site Location Plan, Drg No. 24 079 DL0101 P1 (submitted: 31.03.2025)
- Site Plan as Proposed, Drg No.24.079 DK0001 P3 (submitted: 23.10.2025)
- Site Plan as Proposed Detail, Drg No. 24.079.DK0002 P5 (submitted: 23.10.2025)
- Proposed Cellar Floor Drg No.24.079.DK0005 P1 (submitted: 31.03.2025)
- Proposed Ground Floor Drg No.24.079.DK0003 P1 (submitted: 31.03.2025)
- Proposed First Floor Drg No.24.079.DK0004 P1 (submitted: 31.03.2025)
- Proposed Elevations (East and South)- Drg No.24.079.DK0006 P1 (submitted: 31.03.2025)
- Proposed Elevations (West and North) -Drg No.24.079.DK0007 P1 (submitted: 31.03.2025)
- Proposed Floor Plans and Elevations Kitchen/Shower and Bar/WC Drg No.24.079.DK0009 P1 (submitted: 31.03.2025)
- Proposed Floor Plans and Elevations, Tents, Dining Dome, Bin and Cycle Store Drg No.24.079.DK0010 P2 (submitted: 08.08.2025)

Reason: To ensure a satisfactory form of development in accordance with Policies DM1 and DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

3. No development shall commence on site until representative samples of the types and colours of materials to be used on the external elevations of the buildings hereby permitted have been deposited with and approved in writing by the Local Planning Authority, thereafter the scheme shall be implemented in accordance with those approved materials.

Reason: To ensure that the development has a satisfactory external appearance and preserves the special interest of the site in accordance with the requirements of Section 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and in accordance with Policies DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

4. No development shall commence on site until a schedule of hard and soft landscaping works, including boundary treatments, for the site, including an implementation

scheme, has been submitted in writing and approved in writing by the Local Planning Authority. The scheme shall thereafter be carried out in full accordance with the approved landscaping scheme.

The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees which die or are damaged, removed or seriously diseased shall be replaced by trees or shrubs of the same size and species as those originally planted unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the development has a satisfactory external appearance in accordance with Policies DM4, DM10, DM11 and DM12 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016)..

5. No development shall take place until a scheme for ventilation of the premises, which shall include installation method, maintenance and management has been submitted to and agreed in writing with the Local Planning Authority.

The approved scheme shall be implemented in accordance with the agreed details before the premises are first brought into use for the development hereby approved and maintained in use thereafter.

Reason: To ensure that the development does not result in unacceptable odour or noise impacts which would cause unacceptable harm to amenity in accordance with Policies DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

6. Development shall not begin until a scheme for protecting neighbouring residential dwellings from noise from the ventilation system has been submitted to and approved by the Local Planning Authority.

All works which form part of the scheme shall be completed before the permitted development first comes into use.

Reason: To ensure the development does not result in unacceptable noise issues which would cause unacceptable harm to amenity in accordance with Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document (2016).

7. Details of any external lighting of the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. 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.

Reason: To ensure a satisfactory form of development that creates safe places while ensuring there are no unacceptable impacts to amenity, and in order to protect the protected wildlife species and their habitats that exist on site in accordance with Policies DM1, DM6, and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and Paragraph 135 of the National Planning Policy Framework.

8. Prior to coming into use, a noise management plan shall be submitted to and agreed by the Local Planning Authority on the management of noise from both the external areas of the pub and the glamping site.

The uses shall be operated in accordance with the approved plan at all times.

Reason: To protect the amenities of the occupiers of neighbouring residential properties from unsatisfactory noise and disturbance in accordance with Policies DM7 and DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

9. There shall be no bonfires permitted on the site.

Reason: To protect the amenities of the occupiers of neighbouring residential properties from unsatisfactory disturbance in accordance with Policy DM10 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

10. The development hereby permitted shall not be occupied until such time as the parking and turning facilities have been implemented in accordance with Site Plan as Proposed Detail, drawing number 24 079 DK0002 P5. 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 the National Planning Policy Framework (2024).

11. The development hereby permitted shall not be occupied until such time as secure cycle parking is provided in accordance with details submitted in writing and agreed to in writing by the Local Planning Authority. Therefore, the on-site cycle parking provision shall be kept available for such use(s) in perpetuity.

Reason: To promote travel by sustainable modes in accordance with Policy DM17 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

12. Prior to commencement a Non-Licensed Method Statement (NLMS) for Great Crested Newts, badger and reptiles shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development must be carried out in accordance with the approved NLMS.

Reason: To ensure a satisfactory form of development in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

13. No development shall take place (including ground works or vegetation clearance) until a Landscape and Ecological Management Plan (LEMP) has been submitted to and approved in writing by the Local Planning Authority. The LEMP shall include the following details:

- description and evaluation of the features to be created/enhanced
- aims and objectives of management

- appropriate management options for achieving aims and objectives
- prescriptions for management actions
- work schedule
- species/seed mixes to be planted/sown
- ongoing monitoring and remedial measures

The approved plan will be implemented in accordance with the approved details.

Reason: To enhance biodiversity and ensure a satisfactory form of development in accordance with Policy DM6 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016) and the National Planning Policy Framework (2024).

14. The development shall not commence until a 30-year Habitat Monitoring and Management Plan (HMMP) has been submitted to and approved in writing by the Local Planning Authority. The HMMP shall be submitted concurrently and in accordance with the Biodiversity Gain Plan. The approved HMMP shall be strictly adhered to and implemented in full for its duration and shall contain the following:

- a. Description and evaluation of the features to be managed;
- b. Ecological trends and constraints on site that may influence management;
- c. Aims, objectives and targets for management - links with local and national species and habitat action plans;
- d. Description of the management operations necessary to achieving aims and objectives;
- e. Preparation of a works schedule, including annual works schedule;
- f. Details and a timetable of the monitoring needed to measure the effectiveness of management;
- g. Details of the persons responsible for the implementation and monitoring;
- h. mechanisms of adaptive management to account for necessary changes in work schedule to achieve the required targets; and
- i. Details of methodology and frequency of monitoring reports to be submitted to the Local Planning Authority to assess biodiversity gain.

Reason: To enhance biodiversity in accordance with the National Planning Policy Framework and Paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990.

15. No demolition/development shall take place/commence until written schemes of investigation (WSIs) for historic building recording and archaeological Attendance have been submitted to and approved by the local planning authority in writing. For land that is included within the WSIs, no demolition/development shall take place other than in accordance with the agreed WSIs, which shall include the statement of significance and research objectives, and;

- The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
- The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

Reason: To ensure satisfactory historic building survey, archaeological investigation and recording in accordance with Policy DM13 of the adopted Site Allocations and Development Management Policies Development Plan Document (2016).

16. The holiday accommodation tents permitted herein 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 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 occupation by that same period. 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 within 7 days of any request in writing from the Local Planning Authority.

Reason: The site of the permission is outside of any area where planning permission would normally be forthcoming for residential development and is permitted only for use 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 Development Plan Document (2016).

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 building.control@blaby.gov.uk or call 0116 272 7533.
2. Nesting birds are protected under the Wildlife & Countryside Act 1981 (as ended); therefore, building demolition and significant alteration or vegetation clearance should take place outside the breeding season (March to August inclusive) unless carefully checked beforehand by a suitably qualified person.
3. Your attention is drawn to the Biodiversity Net Gain note within the Decision Notice. The development is subject to the Biodiversity Gain Condition. A Biodiversity Gain Plan needs to be submitted to, and approved in writing by, the Local Planning Authority prior to commencement of development. The application can be made online here: https://www.hinckley-bosworth.gov.uk/info/200249/view_planning_applications_and_decisions/1476/does_the_property_comply_with_planning_conditions