

Planning Committee 23 February 2016  
Report of the Chief Planning and Development Officer



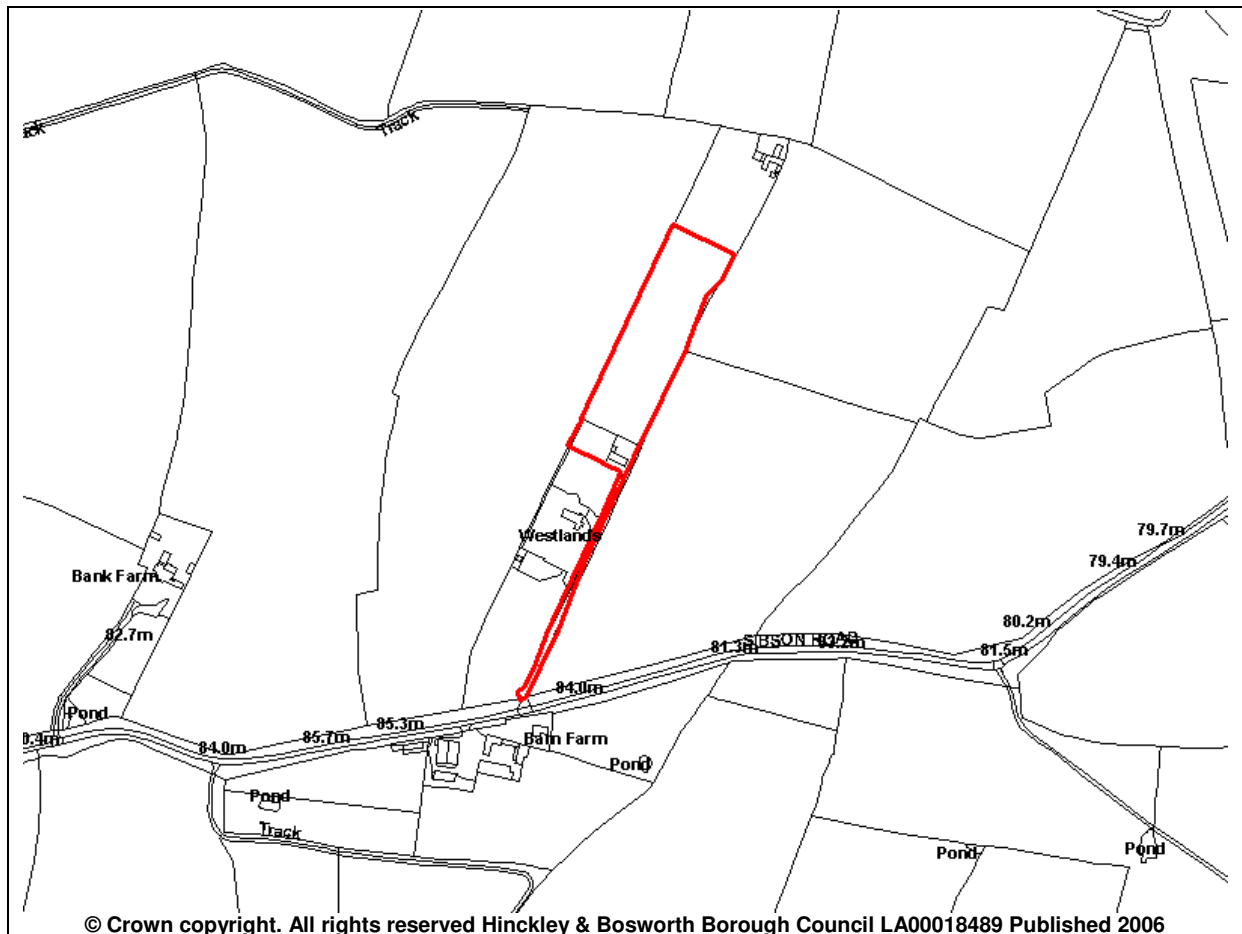
Hinckley & Bosworth  
Borough Council

*A Borough to be proud of*

Planning Ref: 15/00639/FUL  
Applicant: Mr Dom Such  
Ward: Twycross Sheepy & Witherley

Site: Westlands Farm Sibson Road Ratcliffe Culey

Proposal: Change of use from agricultural use to a luxury caravan site



## 1. Recommendations

### 1.1. Grant planning permission subject to:

- Planning conditions outlined in section 10 of this report.

### 1.2. That the Chief Planning and Development Officer be given powers to determine the final detail of planning conditions.

## 2. Planning Application Description

### 2.1. This application seeks full planning permission for the change of use of land to a luxury caravan site. This proposal would provide 29 pitches and would provide a mix of caravan plots, for Airstream Caravans and Yurts. It is intended that the

applicants would have some Yurts and Airstream Caravans on site for hire, however Caravans would also be brought onto the site by visitors.

- 2.2. Each plot would be serviced by a Camp Plus bathroom unit, which measures 1.95m in width, 1.61m in length and 2.15m in height, and provides a toilet, shower and sink. These units can be moved, however they would be connected to the foul drainage system so would be sat on site all year round for each plot.
- 2.3. The proposal also includes a change of use from an outbuilding to a communal area with laundry and wash facilities and a reception/shop. The only external alterations to the outbuilding are the garage doors are to be replaced with windows.
- 2.4. The site would be accessed using an existing access to Westlands from Sibson Road. An access road exists from Sibson Road to the application site. The application also proposes an internal access track which serves the proposed plots.
- 2.5. The applicant intends to provide further landscaping within the site, however full details have not been submitted.

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

- 3.1. The site lies approximately 1.6 km east of Ratcliffe Culey within the open countryside. The application site is approximately 1.11ha in size and is currently agricultural in use. The grass is mowed for hay by a local farmer and then mowed by the applicants periodically to ensure the site does not become overgrown.
- 3.2. The site is bound by mature hedgerow to the east and western boundaries and mature hedgerow and trees to the northern boundary. The southern boundary is bound by a post and rail fence and large conifers and forms the boundary to the residential curtilage for Westlands Farm.
- 3.3. An outbuilding lies within the south eastern corner of the site. This includes several garages and room for storage. The building is brick built with a metal sheet roof and appears to be in a good state of repair.
- 3.4. The nearest properties to the site are Bank Farm approximately 390 metres to the west and Barn Farm approximately 260 metres to the south.

### **4. Relevant Planning History**

14/00556/FUL	Change of use and extension from existing storage and distribution (B8) workshop to commercial business for industrial processes (B1(c))	Permission	26.01.2015
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### **5. Publicity**

- 5.1. The application has been publicised by sending out letters to local residents and a further consultation was undertaken following the submission of additional information and plans. A site notice was also posted within the vicinity of the site and a notice was displayed in the local press.

5.2. Six objections have been received and raised the following issues:-

1. Would alter the rural character of the area
2. Should be green belt land
3. Would be a blot on the landscape
4. Would result in additional traffic generation along Sibson Road, causing highway safety issues
5. Potential flood risk implications to neighbouring arable fields and spring 100m away
6. No sewers identified
7. Would lead to permanent dwellings on site
8. Would not know who is living there
9. Impact upon security of neighbouring property
10. Badgers exist on site
11. Fire risk to arable fields from open fires
12. Noise impacts to animals on site
13. Loss of privacy and overlooking to neighbouring properties with overbearing impact
14. Would devalue neighbouring properties.

## **6. Consultation**

6.1. No objections, some subject to conditions, have been received from:-

Environment Agency  
Severn Trent Water  
Leicestershire County Council (Highways)  
Leicestershire County Council (Drainage)  
Leicestershire County Council (Ecology)  
Environmental Health (Drainage)  
Environmental Health (Pollution)

6.2. Witherley Parish Council have raised concerns identified by residents which include:-

1. Detrimental impact upon the rural character of the area due to 29 'shining tin cans'
2. Site is wide open and visible
3. No permanent sewage plans for the site
4. Potentially 116 additional people on site (based on 4 people per caravan)
5. Could be used by Travellers in the future and would be difficult to remove them
6. Applicants could apply for residential dwellings on site in the future
7. Caravans should not be lived in for 11 months of the year
8. Run off from development which could contaminate the springs and small pools in the nearby fields.

## **7. Policy**

7.1. National Planning Policies and Guidance

- National Planning Policy Framework (NPPF) (2012)
- Planning Practice Guidance (PPG)

7.2. Local Plan 2006 – 2026: Core Strategy (2009)

- Policy 23: Tourism Development

- 7.3. Hinckley and Bosworth Local Plan (2001)
- Policy BE1: Design and Siting of Development
  - Policy BE20: Reuse and adaptation of Rural Buildings
  - Policy T5: Highway Design and Vehicle Parking Standards
  - Policy NE5: Development in the Countryside
  - Policy NE12: Landscaping Schemes
  - Policy NE14: Protection of Surface Waters and Groundwater Quality
- 7.4. Emerging Site Allocations and Development Management Policies DPD Submission Version (Dec 2014)
- Policy DM1: Presumption in Favour of Sustainable Development
  - Policy DM4: Safeguarding the Countryside and Settlement Separation
  - Policy DM7: Preventing Pollution and Flooding
  - Policy DM10: Development and Design
  - Policy DM17: Highways Design
  - Policy DM18: Vehicle Parking Standards

## **8. Appraisal**

### 8.1. Key Issues

- Assessment against strategic planning policies
- Impact upon the character of the area
- Impact upon neighbouring amenity
- Impact upon the highway
- Ecology
- Drainage
- Other Issues

#### Assessment against strategic planning policies

- 8.2. Paragraph 14 of the National Planning Policy Framework (NPPF) and emerging Policy DM1 of the Site Allocations and Development Management Policies DPD SADMP sets out a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved.
- 8.3. The site is located outside any identified settlement boundaries within the Local Plan (2001) and the emerging Site Allocations and Development Management Policies (SADMP) (2014) and is therefore within the open countryside. Saved Policy NE5 of the Hinckley & Bosworth Local Plan (2001) restricts development within the open countryside to development which is either important to the local economy and cannot be provided within or adjacent to an existing settlement; or for the change of use, reuse or extension of an existing building; or for sport and recreation purposes.
- 8.4. Paragraph 28 of the NPPF promotes the development and diversification of agriculture or other land based rural activities and sustainable rural tourism that benefit businesses in rural area, communities and visitors which respect the character of the countryside. Additionally Policy 23 of the Core Strategy identifies that tourism development, which includes holiday accommodation, will be encouraged in suitable locations where the development can help support existing local community services and facilities; is of a design and scale which is appropriate

to minimise impact and assimilate well with the character of the area with acceptable landscaping; adds to local distinctiveness; complements the tourism themes of the borough and adds to the economic wellbeing of the area.

- 8.5. The council is currently developing a rural strategy for the borough, which is expected to be adopted later this year. This rural strategy has an overall vision 'To secure distinct, diverse and prosperous rural communities in Hinckley & Bosworth, developing within a sustainable and managed environment, and thereby ensuring a good quality of life for all'. Within this strategy there is a priority theme and focus for Economy, Enterprise and Tourism, of which this application falls within.
- 8.6. The site is located within the western area of the borough and is within 6 miles of Twycross Zoo and 5 miles of Market Bosworth and Bosworth Battlefield. The site is not well served by public transport. However, due to the rural nature of a caravan site, this can often be the case. There are nearby footpaths which lead to the nearby villages of Ratcliffe Culey, Sheepy Magna, Sibson and Witherley. There are also opportunities for cycling within the area and due to the short distance of tourist features it is considered reasonable to assume that cycling maybe used as a form of transport to these locations. However, it is accepted that users of the proposal would likely use their vehicles at some point when investigating the area. Due to the positioning of the site within the borough and less than 10km away from key tourism facilities it is considered that the site is located within a suitable location to support the tourist facilities within the borough.
- 8.7. The site is currently an under-utilised agricultural field and the applicant wishes to diversify the use of the property. This would generate additional income to support the large property to the south of the site. The applicant has also stated that local businesses would be supported and promoted where possible, though the sale of local produce in the shop and leaflets for local businesses and tourist sites within the borough.
- 8.8. The site is surrounded by mature hedge planting which is approximately 3 metres in height. The site also drops in levels to the north and is therefore within a topographical 'dip'. Due to this mature boundary the visibility of the site is limited and due to the low height of the proposed caravans and toilet facilities it is unlikely that these would be visible from outside of the site. It is therefore considered that the proposal would not alter the rural open nature of the area and is therefore acceptable. This is further discussed in the section 'Impact upon the character of the area'.
- 8.9. The proposal would enhance and compliment the range of visitor accommodation within the borough which would in turn benefit and increase the competitiveness of the local economy. Due to the existing vegetation, topography and landscaping proposals the visibility of the development would be minimal. Whilst the location would result in a reliance on the private car, there are walking and cycling opportunities in the area and it is not considered that this would outweigh the economic benefits of the proposal and is therefore in accordance with paragraph 28 of the NPPF, Policy 23 of the Core Strategy, NE5 of the Hinckley and Bosworth Local Plan and emerging Policy DM4 of the SADMP.

#### Impact upon the Character of the Area

- 8.10. Policy BE1 (criterion a) of the adopted Local Plan and Policy DM10 of the emerging 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 with the intention of preventing development that is out of keeping with the character of the surrounding area. Policy NE5 also requires development in the countryside to not have an adverse effect upon the appearance and character of the landscape; be in scale with the existing building and surroundings and ensure development is effectively screened by landscaping or other methods if necessary.

- 8.11. Views of the proposal from outside of the site would be minimal. The development site sits to the rear of Westlands Farm and is surrounded by hedging to three boundaries. The site also slopes down towards the north. Due to these existing features views into the site are minimal. Whilst the access to the site is straight from Sibson Road, it is approximately 250 metres from the highway and is bound by hedging which significantly restricts views into the site.
- 8.12. The proposal seeks to retain the hedge and fill in gaps where necessary. Additionally the applicants propose to undertake additional landscaping within the site such as tree planting and wild flower planting to encourage wildlife into the site. The applicants aim is to make the site natural and meadow like, with pitches feeling secluded, with natural materials and planting to be used in the landscaping. This is in keeping with saved Policy NE12 of the Local Plan, which requires developments to take into account the existing landscaping features of the site and make provision for further landscaping where appropriate. A condition is included to ensure the landscaping details and phasing are agreed by the local planning authority prior to the commencement of development.
- 8.13. The airstream caravans, yurts and toilet facilities on site are not expected to be higher than 2.5 - 3 metres. Concerns have been raised with regards to the impact of the 'shiny' appearance of caravans to the surrounding area; however the visibility of these would be minimal due to the hedging surrounding the site.
- 8.14. The application would be effectively screened by existing and proposed landscaping and would not have a detrimental impact upon the surrounding landscape and is therefore acceptable and in accordance with Policies BE1 (criterion a), NE5 and NE12 of the Local Plan and emerging Policy DM10 of the SADMP.

#### Impact upon Neighboring Residential Amenity

- 8.15. Policy BE1 (criterion i) of the adopted Local Plan and emerging Policy DM10 of the SADMP require that development does not adversely affect the amenities or privacy of the occupiers of neighbouring properties. The nearest residential properties are Barn Farm approximately 260 metres away from the site and Bank Farmhouse approximately 390 metres away from the site.
- 8.16. The proposal would not overlook or result in a loss of privacy to neighbouring properties due to them being over 250 metres away. The development would not result in any significant noise levels and again due to the distance from neighbouring properties any noise generated by this development would have a limited impact upon surrounding residential amenity.
- 8.17. As discussed in the earlier section the site slopes down to the north and would not be highly visible from the surrounding area, the development would therefore not have an overbearing impact to surrounding dwellings.

- 8.18. The proposal would not have any significant adverse impact upon neighbouring amenity and is therefore in accordance with Policy BE1 (criterion i) of the Local Plan and emerging Policy DM10 of the SADMP.

#### Impact upon Highway Safety

- 8.19. The proposal would facilitate the existing access to the site from Sibson Road. This access can be used by farm traffic and is bound by hedging and post and rail fencing. The visibility of the access exceeds the required 2.4 metres by 90 metres required by the 6C's Highways Guidance.
- 8.20. Leicestershire County Council (Highways) have not objected to the application, subject to several recommended conditions. It is considered that the recommended conditions with regards to visibility, car parking and turning facilities are not necessary as these are shown on the submitted site plan and a condition to ensure development is carried out in accordance with the plans will be sufficient. A condition in relation to drainage has been requested, this will be incorporated into the surface water and foul water drainage condition (discussed in the drainage section below).
- 8.21. Conditions have been requested with regards to access width, surfacing and radii. These conditions are necessary to ensure that vehicles can leave and enter the site in a safe manner without having to wait within the highway which would cause a highway safety issue.
- 8.22. The proposal would not have a severe cumulative impact upon Sibson Road and is therefore considered acceptable and in accordance with saved Policy T5 of the Local Plan (2001).

#### Ecology

- 8.23. Concerns have been raised with regards to the impact of the development upon wildlife. A habitat survey has been submitted with the application; this makes several recommendations and concludes that subject to mitigation the development would not harm any protected species.
- 8.24. Leicestershire County Council Ecology have no objections subject to the conditioning of the mitigation outlined in the habitat survey and a 3-5 metres buffer around the hedging.
- 8.25. The application would not have a detrimental impact upon protected species and is therefore acceptable and in accordance with paragraph 118 of the NPPF.

#### Drainage

- 8.26. The bathroom units proposed for each plot would be connected underground to a tank in the south western end of the site (adjacent to the outbuilding). This would capture all foul drainage, however full details have not been provided with this application.
- 8.27. The Environment Agency does not object to the application subject to the inclusion of a condition requiring the submission of a scheme to dispose of foul drainage. This condition is reasonable and necessary for this development to ensure foul drainage generated by the development is disposed of correctly and does not contaminate the water environment.

- 8.28. Subject to the inclusion of a condition for further details of foul sewage the application would not have a detrimental impact upon the water environment and is in accordance with saved Policy NE14 of the Local Plan (2001) and emerging Policy DM7 of the SADMP.

#### Other Issues

- 8.29. Concerns have been raised with regards to the site being used for permanent residences. This proposal is for a tourism caravan/glamping site and is not for permanent accommodation: a condition is included to ensure the caravans or 'yurts' are not used as permanent dwellings.

### **9. Conclusion**

- 9.1. The NPPF and Core Strategy support the development of tourist accommodation proposals in rural areas. As a result of the siting, scale, existing hedge planting and topography it is considered that the proposal would not have any adverse impact on the character or visual amenity of the site, the surrounding countryside. The proposal would be sufficient distance from the nearest neighbouring property to not have a detrimental impact upon residential amenity. The proposals are therefore in accordance with Policy 21 of the Core Strategy, saved Policies NE5, BE1 and T5 of the Local Plan Policies, emerging Policies DM4, DM10 and DM17 of the SADMP together with the overarching principles of the NPPF.

### **10. Recommendation**

#### **10.1. Grant subject to conditions**

In dealing with the application, through ongoing negotiation the local planning authority has worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with the planning application.

#### **10.2. Conditions and Reasons**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** *To comply with the requirements of Section 19 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.*

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

Dwg No 100 - Location & Block Plan received 8 February 2016  
Dwg No 150B - Proposed Site Plan received 9 February 2016

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

3. All caravans and yurts 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 caravan or yurt for a period exceeding four weeks. Furthermore, no person shall occupy any caravan or yurt within a period of two weeks following the end of a previous period of occupation by that same person. The



owners/operators of the holiday accommodation shall maintain an up-to-date register of the names and main home addresses of all the individual occupiers and shall make this information available for inspection at all reasonable times to the Local Planning Authority following prior written notification.

**Reason:** *Having regard to saved Policy NE5 of the Hinckley & Bosworth Local Plan (2001) and emerging Policy DM4 of the Site Allocations and Development Management Policies Development Plan Document and paragraph 55 of the National Planning Policy Framework permanent residential units would not be acceptable in this rural location.*

4. No development shall commence until a scheme to dispose of foul drainage has been submitted to, and approved in writing by, the local planning authority.

**Reason:** *To ensure the development does not adversely impact the water environment in accordance with Policy NE14 of the Hinckley & Bosworth Local Plan (2001) and emerging Policy DM7 of the Site Allocations and Development Management Policies.*

5. Notwithstanding the submitted plans no development shall commence until comprehensive details of hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and the works shall be implemented in accordance with the approved details. These details shall include:-

- a) Planting plans;
- b) Written specifications;
- c) Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- d) Details of any fencing to be erected
- e) Maintenance schedule;
- f) Implementation programme;
- g) Treatment of hard surfaced areas (including the footway access and road layouts and hardstanding for each pitch).

**Reason:** *To ensure that the development has a satisfactory external appearance to accord with saved Policy BE1 (criterion a) of the Hinckley & Bosworth Local Plan and emerging Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document.*

6. The approved soft and hard landscaping scheme shall be carried out in accordance with the submitted and approved implementation schedule within the approved landscaping scheme, required by condition 5 of this permission. The soft landscaping scheme shall be maintained for a period of five years from the date of planting. During this period any trees or shrubs which die or are damaged, removed, or seriously diseased shall be replaced by trees or shrubs of a similar size and species to those originally planted at which time shall be specified in writing by the Local Planning Authority.

**Reason:** *To ensure that the development has a satisfactory external appearance to accord with saved Policy BE1 (criterion a) of the Hinckley & Bosworth Local Plan and emerging Policy DM10 of the Site Allocations and Development Management Policies Development Plan Document.*

7. The development shall be undertaken in accordance with the mitigation identified in paragraph 6.2.3 of the Habitat Scoping Survey, submitted 19 January 2016.

**Reason:** *To ensure the development does not harm protected species, in accordance with paragraph 118 of the National Planning Policy Framework.*

8. No caravans or yurts shall be sited within 3 metres of any hedge on site.

**Reason:** *To ensure the development does not harm the habitats within the hedges of the site, in accordance with paragraph 118 of the National Planning Policy Framework.*

9. The vehicular access to the site shall be widened to a minimum width of 6 metres to a distance of 10 metres to the back edge of the highway. Before first use of the development hereby permitted, the access drive shall be provided and shall thereafter be permanently so maintained.

**Reason:** *To ensure that vehicles entering and leaving the site may pass each other clear of the highway and not cause problems of dangers within the highway, in accordance with saved Policy T5 of the Hinckley & Bosworth Local Plan (2001) and emerging Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document.*

10. Before first use of the development hereby permitted, the vehicular access to the site shall be provided with 6 metre radii on both sides of the access.

**Reason:** *To enable vehicles to enter and leave the highway in a slow and controlled manner and in the interests of general highway safety and to afford easy access to the site and protect the free and safe passage of traffic in the public highway, in accordance with saved Policy T5 of the Hinckley & Bosworth Local Plan (2001) and emerging Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document.*

11. Any gates, barriers, bollards, chains or other such obstructions shall be inward opening only and shall be set back a minimum of 10 metres from the back edge of the highway.

**Reason:** *To enable a vehicle to stand clear of the highway whilst the gates are opened/closed in the interest of highway safety in accordance with saved Policy T5 of the Hinckley & Bosworth Local Plan (2001) and emerging Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document.*

12. Before first use of the development hereby permitted the access drive shall be surfaced in a hard bound porous material for a minimum distance of 10 metres from the back edge of the highway and shall be so maintained at all times.

**Reason:** *To reduce the possibility of deleterious material behind deposited in the highway (loose stones, etc) in the interests of highway safety in accordance with saved Policy T5 of the Hinckley & Bosworth Local Plan (2001) and emerging Policy DM17 of the Site Allocations and Development Management Policies Development Plan Document.*

### **10.3. Notes to Applicant**

1. The approved development may require Building Regulations Approval, for further information please contact the Building Control team via e-mail at [buildingcontrol@hinckley-bosworth.gov.uk](mailto:buildingcontrol@hinckley-bosworth.gov.uk) or call 01455 238141.