

**Erection of an additional holiday lodge and change of use of grazing land for siting of caravan/motorhomes with electric hook ups, siting of glamping tents and associated amenity block/infrastructure**

**Report Item No  
A1**

**Application Reference:  
22/01312/FULM**

**Barleycroft, Tonge Lane, Breedon On The Hill, Derby, DE73  
8AJ**

**Grid Reference (E) 441012  
Grid Reference (N) 323430**

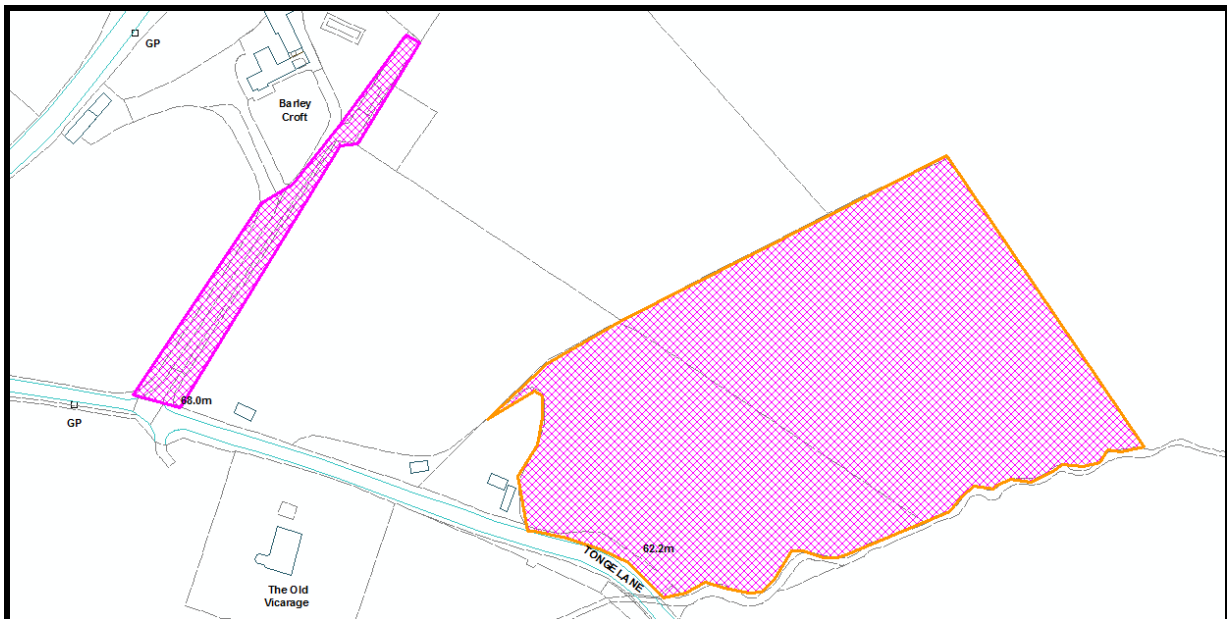
**Date Registered:  
09 November 2022  
Consultation Expiry:  
06 March 2023  
8 Week Date:  
07 February 2023  
Extension of Time:  
09 June 2023**

**Applicant:  
Mr. Ray Morris**

**Case Officer:  
Lewis Marshall**

**Recommendation: Permit, subject to conditions**

**Site Location - Plan for indicative purposes only**



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**RECOMMENDATION - PERMIT, subject to the following condition(s):**

- 1 Standard time limit
- 2 Plans
- 3 Tourism use only – no long-term use of accommodation and limits on numbers of tents and pitches. Glamping tents to be removed from site and no other tents erected November-March
- 4 Submission, approval and implementation of Biodiversity Enhancement and Management Plan (BEMP)
- 5 Submission, approval and implementation of Construction Environment Management Plan (CEMP)
- 6 Provision of landscaping scheme within first planting season following commencement of development
- 7 Provision of Access in accordance with approved plan and prior to the use commencing
- 8 Provision of Parking / turning in accordance with approved plan prior to use commencing
- 9 Provision of 2.4m x 65m visibility splays prior to use commencing
- 10 Details of tree pruning within the highway to be approved prior to commencement of development
- 11 Details of tree protection measures to be approved and implemented
- 12 Construction Management Plan to be submitted, approved and implemented
- 13 Surface water management to be in accordance with details submitted
- 14 Removal of residential permitted development rights for the holiday lodge
- 15 Limit curtilage of holiday lodge
- 16 Details of external lighting prior to any installation
- 17 Details of waste storage and collection points and provision before use commencing
- 18 Details of grey water and foul waste disposal points and provision before use commencing

## MAIN REPORT

### 1. Proposals and Background

The site lies on the edge of the village of Breedon on the Hill approximately 300 metres from the settlement limits via Tonge Lane and Main Street. The site is also approximately 100m from Berry Avenue, which is detached from the main part of the village but does fall within the settlement limits. The 2.1ha greenfield site is primarily located within Flood Zone 1 being at low risk of fluvial flooding with the eastern part of the site, adjacent to a watercourse, located at Flood Zones 2 and 3. Barleycroft is a large two storey detached dwelling located in extensive grounds. Tonge Lane is located along the southern boundary of the property, the A453 to the north western boundary and agricultural/equestrian land adjacent to the remaining boundaries. The site location plan is shown below.



The proposal is to erect a holiday lodge on land within the curtilage of the dwelling and the change of use of an equestrian grazing field to provide a campsite. The campsite would provide 10 pitches for campervans and touring caravans and 20 pitches for glamping tents with the erection of an amenity block and other associated works and landscaping. The proposed holiday lodge would be accessed via the driveway that serves Barleycroft, the host dwelling, and the campsite would be accessed via an existing field access from Tonge Lane.

The application is referred to the Committee as the applicant is a serving Councillor and at least one objection has been received against the proposal.

The application has been the subject of revisions and the submission of additional information at the request of consultees.

### **Relevant Planning History**

16/00696/FUL - Removal of existing timber office/storage building and erection of single storey timber holiday lodge – approved.

## **2. Publicity**

21 Neighbours have been notified.

Site Notice displayed 17 November 2022.

Press Notice published Derby Evening Telegraph 23 November 2022.

## **3. Summary of Consultations and Representations Received**

**Breedon On The Hill Parish Council** Objects to the application on the following grounds:

- Poor access and visibility
- Further clarity on the proposed number of pitches is required
- The land should be subject to a covenant to prevent further development.

**Leicestershire County Council Local Highway Authority** has no objections subject to conditions.

**Leicestershire County Council Local Lead Flood Authority** has no objection subject to conditions.

**Leicestershire County Council Ecology** has no objections subject to conditions.

**Environment Agency** raises no objection.

**North West Leicestershire District Council Environmental Protection** raises no objection. It is advised that the applicant will need to apply for a site licence.

**North West Leicestershire District Council Conservation Officer** considers that the development will result in "less than substantial harm" to heritage assets. The level of harm would be reduced if operations were limited to spring/summer.

**North West Leicestershire District Council Tree Officer** raises no objections subject to conditions.

**East Midlands Airport Aerodrome Safeguarding Authority** raises no objection subject to conditions.

**Historic England** does not wish to make any comments.

### Third Party Representations

14 letters of representation have been received from surrounding neighbouring properties which make the following points:-

- Poor access and highway safety
- Additional parking on the highway
- Not in keeping with the village and landscape character
- Lighting and signage needed
- Increased, noise, antisocial behaviour and littering
- Increased flooding
- Light pollution
- Outside of the settlement limits and therefore does not comply with policies S2 and S3
- Does not comply with policy Ec13
- Lack of demand in the area
- Benefits for local shops and pubs

The following non-material matters have been raised:

- Proposed facilities considered to be low grade especially as mixed sex toilets are proposed
- A covenant should prevent further development of the land
- The application should be determined by the committee

## 4. Relevant Planning Policy

### National Policies

#### *National Planning Policy Framework*

Paragraph 11 (Achieving sustainable development)  
Paragraphs 55, 56 (Planning conditions and obligations);  
Paragraphs 78, 79, 80 (Delivering a sufficient supply of homes)  
Paragraphs 109 (Promoting sustainable transport);  
Paragraph 111 (Promoting sustainable transport)  
Paragraphs 124, 127, 130, 135 (Requiring good design);  
Paragraphs 170, 175, 177, 178, 179 and 180 (Conserving and enhancing the natural environment)  
Paragraphs 189, 190, 192, 193, 199, 202 (Conserving and enhancing the historic environment)

### Adopted North West Leicestershire Local Plan (2021)

The following policies of the adopted Local Plan are consistent with the policies in the NPPF and should be afforded weight in the determination of this application:

- S1 - Future housing and economic development needs
- S2 - Settlement Hierarchy
- D1 - Design of New Development
- D2 - Amenity
- IF1 - Development and Infrastructure
- IF4 - Transport Infrastructure and New Development

IF7 - Parking Provision and New Development  
En1 - Nature Conservation  
He1 - Conservation and enhancement of North West Leicestershire's historic environment  
Ec13 - Tourism Development  
Cc2 - Water - Flood Risk  
Cc3 - Sustainable Drainage Systems

### **Other Policies/Guidance**

National Planning Practice Guidance  
Leicestershire Highways Design Guide  
Sections 16, 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990  
Circular 06/05 (Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System  
North West Leicestershire Good Design SPD

Breedon on the Hill Conservation area appraisal study (2001)

Breedon on the Hill Neighbourhood Plan is currently in preparation, although at this time, it is not at such an advanced stage to be afforded any weight in the determination of this application.

## **5. Assessment**

### **Principle of Development**

In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of the application is the development plan which, in this instance, includes the adopted North West Leicestershire Local Plan (2021).

The application site is located within the countryside. Policy S3(n) of the Local Plan supports tourism and recreation development in the countryside providing that it meets certain criteria in regard to accessibility and impact on the character of the area. This is considered within the relevant sections below. In broad terms, the principle of development complies with policy S3 providing that the tourism use is secured by way of a planning condition.

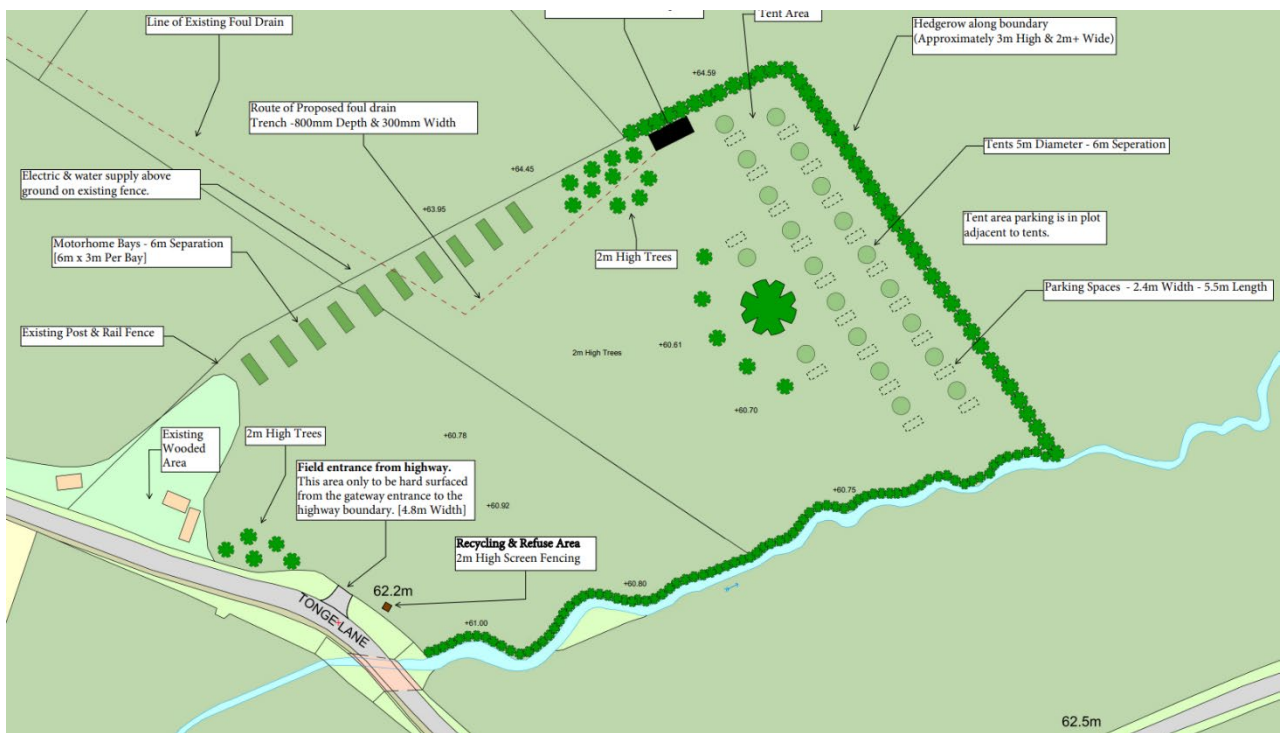
Policy Ec13 of the Local Plan supports tourism development, including overnight accommodation to support tourism where it is within limits to development. Policy Ec13 does however acknowledge that there will be circumstances where overnight accommodation may also be appropriate outside of settlements. The application site is located outside of but within accessible reach of the limits to development, where the principle of development is supported under policy S2 subject to all other planning considerations being adequately addressed. It is also considered that the proposal is small scale and would provide support for local businesses and other tourist attractions within the nearby National Forest. Overall, it is considered that the principle of development is supported by Policy Ec13 of the Local Plan.

The small scale development proposed is therefore considered to accord with policies S2, S3 and Ec13 of the Local Plan and is acceptable in principle. The application therefore falls to be considered in terms of design, impact on the character of the area, heritage assets, amenity, flooding and drainage, ecology, highway safety, and any other matters.

## Design and Impact upon Character

Policy D1 of the Local Plan (2021) requires that all developments be based upon a robust opportunities and constraints assessment and be informed by a comprehensive site and contextual appraisal. It also requires that new residential developments must perform positively against Building for Life 12 and that developments will be assessed against the Council's adopted Good Design SPD. Policy S3 requires that where development is acceptable in principle, the appearance and character of the landscape, and local distinctiveness is safeguarded and enhanced.

The site is located outside of the settlement limits and in the countryside. The character of the surrounding area is defined by relatively open and undulating field networks interspersed with established boundary hedgerows and trees. Breedon Quarry is located 240m to the east and dominates the immediate landscape to the east. The settlement of Breedon is located to the south east. The proposed site plan is below.



The proposal seeks to change the use of an equestrian grazing field to a low density camping and caravan site. No hard surfaced vehicular or pedestrian pathways are proposed within the site. Ten campervan or touring caravan pitches are proposed which are positioned along the northern boundary of the field. The proposed pitches will measure 9m x 3m and be laid to permeable hard standing and will each be provided with an electrical hook-up point. When not in use, the proposed pitches will have limited visual impact given their position within the site and the limited amount of ground works required. It is accepted that the presence of campervans and touring caravans will be seen from beyond the site boundaries, although any impact would be temporary and reversible. The position to the east of an existing wooded area and equestrian buildings will limit any visual impact when viewed from Tonge Lane. The proposal includes the planting of new trees to the north of the access which will further augment the existing roadside trees and hedgerows which will mitigate the presence of vehicles. Any views of the pitches from Tonge Lane will therefore be intermittent and of limited visual impact. Any views of the site from

further south along Tonge Lane at its junction with Berry Avenue are extremely limited given the greater distance and the presence of well-established hedgerows along the brook which forms the southern boundary of the site. Well-established hedgerows along the north of Breedon Lane also intercept wider views towards the site from the south. Given the topography, intervening landscape features and lack of any vantage points, it is not considered that the campervan or caravan pitches could be seen from the north or east. It is recommended that the number of pitches be limited to 10 as proposed and secured by way of a planning condition.

Twenty glamping pods are proposed within the north eastern part of the field. The glamping pods will be in the form of a circular bell tent measuring 5m in diameter and 3m in height to the apex. The tents would be erected directly on to the grass with no hard standing. The tents would be positioned on the land and in from April-October only and stored off site between November and March. The seasonal use of the glamping pods limits any impact during the winter period when trees and hedgerows are not in leaf. It is recommended that the number of camping tents be limited to 20 as proposed and secured by way of a planning condition. It is also recommended that use of the field for camping in tents shall be restricted to the summer months only (April to October).

An amenities block is proposed within the north east corner of the field. The building will be of timber construction measuring 4m in height with a flat roof. The proposed positioning of the building and the use of natural external materials is such that it is not prominent and well screened by existing hedgerows to the north and east with new tree planting proposed to the south which would mitigate any visual impact.

An existing timber clad holiday lodge is located at the head of the existing driveway which runs along the south eastern boundary of the curtilage to the dwelling. The boundary to the agricultural field to the south east consists of a post and rail fence and is relatively open with some trees planted along the boundary line. Several mature trees/shrubs are planted within the curtilage to the north and north east of the building. The proposed holiday lodge would be positioned adjacent to an existing holiday lodge which would largely obscure the proposed lodge from wider views from the south and west. The lodge would be externally faced in timber to reflect the countryside landscape and its location adjacent to a small group of trees. Having regard for the existing site context, it is not considered that the proposed holiday lodge or its associated curtilage would have an unacceptable or harmful impact on the character and appearance of the area.

The proposed access point is to be taken from the existing point of access onto Tonge Lane, albeit widened to 4.8m and surfaced to meet the Highway authority's standards and therefore will result in some removal of existing hedgerow and the introduction of hard surfacing. Additional replacement planting is shown on the site layout plan and subject to exact details to be considered as a part of the discharge of conditions application, the access proposals would not result in unacceptable harm to the character and appearance of the area of the Tonge Lane street scene. It is also recommended that exact details of the refuse area be approved prior to the use commencing.

Overall, it is considered that the scheme would result in limited landscape and visual harm, although the harm is reduced by virtue of the seasonal and temporary nature of the use and the reversibility of the works proposed. It is considered that, subject to conditions to secure exact details of all elements proposed, the development and subsequent use would sufficiently respect the character and appearance of the locality and countryside beyond and would accord with Policies D1 and S3 of the adopted Local Plan and NPPF.



## Heritage

Policy He1 of the adopted Local Plan and the advice in the NPPF requires heritage assets to be preserved and enhanced. Where development results in harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. The proposed development must also be considered against sections 16 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which states that special regard shall be had to the desirability of preserving the setting of a listed building and the character and appearance of the conservation area. The site can be seen from public vantage points within the conservation area, although this is limited to the area in and around the grade I Listed Priory which is in excess of 500m from the application site. The site is therefore considered to be within the setting of the Breedon On The Hill Conservation Area and the grade I listed Priory Church of Saint Mary and Saint Hardulph.

The heritage significance of the Grade I listed building is derived from being the former church of an Augustinian Priory founded early 12<sup>th</sup> century. The Parish Church of St. Mary and St. Hardulph occupies the summit of Breedon Hill, a limestone outcrop and dominates the surrounding landscape. The grade II listed Tomb-chest to the Dawson family and headstone to Francis Doleman are also located within the church yard.

The heritage significance of the Conservation area can be understood from the Conservation area appraisal study (2001). The grounds around the church are included within the conservation area boundary and are acknowledged to be positive areas of green space.

The site forms part of the wider landscape views from the elevated listed building. The wider natural landscape, including the application site positively contributes to the setting of the grade I listed building and the setting of the conservation area. However, it should be acknowledged that the wider landscape setting to the listed building and the conservation area has been eroded with modern development, modern agricultural practices and large scale mineral extraction sites. The application site forms a minor part of the wider landscape setting thus its individual contribution to heritage significance is very limited. Overall, taking into account the seasonal and reversible nature of the development and use, the Council's Conservation Officer has confirmed that the proposal would result in "less than substantial harm" to heritage assets or their settings thus the proposals fall to be weighed against the public benefits. This is considered within the planning balance below.

Overall, the proposal would accord with Policy He1 of the Local Plan (2021) and the NPPF. The proposal would also preserve the setting of listed building and the setting of the Conservation area in accordance with

## Impact upon residential amenity

Policy D2 of the Local Plan (2021) requires that proposals for development should be designed to minimise their impact on the amenity and quiet enjoyment of both existing and future residents within the development and close to it.

The nearest unrelated residential property is at The Old Vicarage on the south side of Tonge Lane, approximately 100m distance from the proposed campervan pitches. Barleycroft as the host dwelling occupied by the applicant is approximately 140m north from the campervan pitches. Properties along Berry Avenue are approximately 170m to the south.

Concerns have been raised by residents that the proposed use will result in antisocial behaviour and noise impacts. Given the distances to nearby receptors, the level of intervening tree cover

and the relatively small number of pitches proposed, it is not considered that the use would generate unacceptable levels of noise and disturbance beyond the site boundaries.

In terms of any odour impacts, the disposal of general waste will be via a waste storage point, precise details of which can be secured by condition to ensure it is satisfactory in the interests of preventing odour and litter. In terms of foul waste, it is proposed to provide a disposal point which can connect into the existing mains drainage network, which is shared with the host dwelling, Barleycroft. It is recommended that exact details of the design and location of the disposal point be secured by condition to ensure that it is satisfactorily designed and located to avoid any potential noise and odour issues.

Furthermore, the Environmental Protection Team have been consulted in connection with the proposal and have raised no objections and comment that the proposed use would not negatively impact on its environment by way of noise, light, odour or other disturbance". It is recommended that precise details of external lighting be secured by way of a planning condition to ensure that it does not adversely impact on the general amenities of the area.

Overall, it is considered that the proposal would not result in unacceptable harm to the amenity of existing or future occupiers and accords with Policy D2 of the Local Plan, the NPPF and the Good Design SPD.

### **Highway Considerations**

Policy IF4 of the Local Plan (2021) requires that development takes account of the impact upon the highway network and the environment, including climate change, and incorporates safe and accessible connections to the transport network to enable travel choice, including by non-car modes, for residents, businesses and employees. Policy IF7 of the Local Plan (2021) requires that development incorporate adequate parking provision for vehicles and cycles in order to avoid highway safety problems and to minimise the impact upon the local environment.

In terms of transport sustainability, it is acknowledged that future visitors are likely to travel to the site by private vehicle given many will arrive in campervans or caravans, and with luggage. Notwithstanding this, the site is well connected in terms of its access to the A42, the A453 and the strategic highway network beyond. Although the site is outside of the settlement limits, the village can be reached on foot via public footpaths and the pedestrian footways along Tonge Lane and Main Street. It is considered that once visitors reach the site, access to local facilities and services can be reached by means other than the private car. It is therefore considered that the site location is sustainable having regard for the intended use.

The proposed use would generate approximately three two-way vehicle movements during the morning peak hour, with eight two way vehicle movements generated during the generic evening peak hour. The number of vehicular movements that are generated by a development of this scale and nature would not result in severe cumulative impacts on the network in accordance with paragraph 111 of the NPPF.

A 4.8m wide access with 6.0m radii has been proposed. Whilst it should be acknowledged that the Local Highway authority would usually require a 6m wide access in order to allow two vehicles to pass side by side within the access, in this instance having regard the low level trips generated and the large area of turning and waiting space within the site, it is not considered that the 4.8m wide access would be insufficient or increase risk to highway safety.

Concerns have been raised by residents that the road network around the site is dangerous and additional slow-moving vehicles at nearby junctions represent a risk to highway safety. It should be acknowledged that access to Breedon Quarry is located along Main Street within 300m of the site. The Local Highway Authority has confirmed that no Personal Injury Collision (PIC) collisions have taken place within 500m of the site access within the most recent five-year period. This suggests that the proposed use would not exacerbate any existing highway safety concerns or impacts within the surrounding highway network.

Furthermore, subject to conditions, the highway authority has raised no objection to the access proposals and the quantum of parking spaces reflects the size and number of pitches proposed, with each pitch having the required space for parking and turning.

Overall, the application is considered to be in accordance with the guidance set out within the Leicestershire Highway Design Guide and the application is considered to be acceptable when having regard to Local Plan Policies IF4 and IF7 as well as the guidance set out within the NPPF.

### **Ecology**

Policy EN1 of the Local Plan supports proposals that conserve, restore or enhance the biodiversity of the district. The application is supported by a Habitats and Protected Species Report produced by Paul Hicking Associates and a Biodiversity Net Gain Metric. Leicestershire County Council Ecologists have been consulted in connection with the proposal and advise that the submitted information and mitigation measures should be accepted subject to conditions.

The proposed site is permanent semi-improved grassland which has historically been managed for the purposes of keeping horses with associated grazing and stabling and was therefore as grass land, considered to be of low ecological value. The adjacent stream, hedgerows and trees have the most ecological value and should be protected during the works. There are no statutory designated sites or local wildlife sites within the site or within 1000m of the site.

Having regard for the impacts of the proposed development and the on-site mitigation measures that can be secured, the Biodiversity Impact Assessment as submitted would result in an 13.34% increase in biodiversity on site. Subject to a condition that requires exact details of the mitigation proposals and how the site will be managed over the long term, it is considered that the proposal is capable of achieving an overall net gain in biodiversity.

Provided that conditions are imposed on any consent that requires the development to be carried out in accordance with detailed mitigation measures during and post construction and ongoing management, the development will accord with policy Ne1 and the NPPF.

### **Flood Risk and Surface Water Drainage**

The site is largely situated within Flood Zone 1, an area at lowest risk from fluvial flooding, and the site is identified as an area of low risk of surface water flooding, as defined by the Environment Agency's Surface Water Flood Maps. Small parts of the site adjacent to the brook which runs along the southern boundary fall within flood zones 2 and 3. No development or positioning of tents or pitches will be within flood zones 2 and 3.

In terms of surface water, the natural topography of the site results in surface water discharging naturally into the ground and via the brook to the southern boundary of the site. The additional

areas of hard standing are limited to the access and the 10 campervan pitches proposed. Given the pitches will be laid with a permeable gravel, overall, it is not considered that the pitches in isolation will generate additional surface water flood risks within or beyond the site boundaries. Furthermore, the access area, and any areas which are used for tents, vehicles or the amenity block are temporary and having regard for the overall site area, is of very low density. Therefore, the impact on surface water flooding will not be materially worse than the existing greenfield situation.

Subject to conditions, it is considered that the proposal would not result in flooding or surface water drainage issues and consequently would accord with the aims of Policies Cc2 of the adopted Local Plan, as well as the guidance set out within the NPPF.

### **Other Matters**

It is noted that neighbour objections have suggested that there is a lack of demand for such facilities within the local area. It should be noted that the applicant is already operating a holiday lodge within the site which has proven to be popular thus the applicant has sought to expand the use. Notwithstanding this, the lack of evidenced demand for such facilities would not amount to a robust or reasonable reason to refuse the application and the application should therefore be determined on its planning merits.

Objections have been received on the basis that the land should be subject to a covenant to prevent further development on the site. Whilst the application and enforcement of a restrictive covenant is a private civil matter and nothing to do with the planning system or the functions of the Council, it is recommended that the number of pitches be limited by condition. This would not preclude the applicant from applying to increase the number of pitches in the future should this be desired, but any future applications would need to be considered on their individual merits at that time.

### **Conclusions**

In accordance with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the starting point for the determination of the application is the development plan which, in this instance, includes the adopted North West Leicestershire Local Plan.

The proposal for tourism use is located adjacent and accessible to a sustainable village as defined by Policy S2 of the Local Plan, which can therefore accommodate growth such as the development proposed. The proposed tourism use would also provide modest benefits to the local economy which is given limited positive weight in accordance with policy EC13 of the Local Plan.

The proposal would result in very limited harm to heritage assets and the character and appearance of the area, which would be largely reversible given the temporary and transient nature of the use, which is predominantly for camping tents, campervans and touring caravans. The use would also be seasonal. The proposal would preserve amenities for existing and future occupiers and would not result in flooding, drainage or ecological impacts subject to conditions. Overall, the public benefits of the proposal are considered to outweigh the less than substantial harm to heritage assets in accordance with paragraph 202 of the NPPF.

## PLANNING APPLICATIONS- SECTION A

There are no other relevant material planning considerations that indicate planning permission should not be granted. Overall, the proposal is deemed to comply with the relevant policies in the adopted Local Plan, the Council's Good Design SPD and the overarching guidance in the NPPF. Accordingly, the application is recommended for planning permission, subject to the imposition of planning conditions.

Date: 18<sup>th</sup> November 2023