

PLANNING STATEMENT

PROPOSED RETENTION OF MARQUEE, TOILET
CABIN, STORAGE CONTAINER AND CAR
PARKING AREA AT COLLIERY LODGES,
COLLIERY LANE, LINTON, SWADLINCOTE,
DERBYSHIRE DE12 6PB



M: +90 5550794799
WhatsApp: +90
5550794799
E: aida.mcmanus@am-planningconsultants.co.uk
Website: am-planningconsultants.co.uk

Contents

1.	Introduction	2
2.	Background	2
3.	Planning History	2
4.	Application Submission Documents	3
5.	The Site and Surrounding Area	3
6.	The Proposal	4
7.	Planning Policy Framework.....	4
8.	National Planning Policy Framework	4
9.	NPPF & Development Rational.....	11
10.	South Derbyshire Local Plan Part 1 Policies	12
11.	South Derbyshire Local Plan Part 2 Policies.....	14
12.	Conclusion	14

1. **Introduction**

- 1.1. This Planning Statement has been prepared by Aida McManus on behalf of Mr Peter Robinson ("the Applicant"). I hold an Honours degree in law, a Master's degree in Town Planning, an Enforcement Certificate from Cambridge University, and am a Member of the Royal Town Planning Institute (MRTPI) and National Association of Planning Enforcement (NAPE). I am the Managing Director of AM Planning Consultants Limited, and have over 20 years' experience in planning, within both local authorities and in private practice.
- 1.2. The planning application is for the retention of a marquee, toilet cabin, storage container and car parking area.

2. **Background**

- 2.1. This application has arisen due to the increased demand by guests for the requirement of an on-site venue to provide food, drink and events at the holiday lodge site, which currently comprises of a fishing lake with 20 holiday lodges and a holiday cottage. The accommodation is advertised on the Hoseasons website with an 8.2 rating. Please see the link below for further information:

<https://www.hoseasons.co.uk/lodges/colliery-lane-lodges-coll>

- 2.2. Due to the success of the holiday units and the full occupation the provision of a clubhouse(marquee) will enhance the facilities available to guests and visitors. This is supported by The National Forest Company who have undertaken a Destination Gap Analysis whose Vision states that "***The National Forest will develop a reputation for offering a stunning range of attractions, activities and places to stay for everybody, in the UK's most accessible woodland setting.***"

3. **Planning History**

- 3.1. On 17th October 2011, planning permission was granted for the retention of a pond and associated earthworks under Planning Ref. No. 9/2011/684.
- 3.2. Under Planning Ref. No. 9/2013/00640 planning permission was granted for the erection of four holiday units, access and associated landscaping on 4th October 2013.
- 3.3. Planning permission was granted for the erection of 14 holiday lets and the creation of an all-weather pitch, access track and hardstanding along with

associated landscaping and retention of fishing pegs under Planning Ref. No. 9/2016/11/44 dated 7th June 2017.

- 3.4. A change of use of land to domestic garden, demolition of existing stables and erection of garage/annex was granted on 23rd February 2018 under Planning Ref No. 9/2017/1364.
- 3.5. Permission was granted for the retention of a holiday let cottage under Planning Ref. No. DMPA/2020/0009 on 13th March 2020.

4. Application Submission Documents

- 4.1. The following documents have been submitted in support of the application:

- Planning Statement
- Plans:
 - Location and Site Plan – Drawing No. 50493-2020-PR-11
 - Existing and Proposed Marquee, toilet cabin, storage container and car parking area Drawing No. 50493-2020-PR-12

5. The Site and Surrounding Area

- 5.1. The application site is accessed off Colliery Lane and is located at the south-eastern side of Robinson House, and the holiday cottage.
- 5.2. There are open fields to the south west, a residential bungalow to the south with garaging and outbuildings, which is separated from the site by mature hedgerow and trees.
- 5.3. The topography of the land is predominantly level.
- 5.4. The Environmental Agency data shows that the site is within Flood Zone 1, an area not known to have a flood risk.
- 5.5. There are bus stops along Linton Heath approximately 122 m away for the site and on Main Street approximately 92m away from the site. Bus Service 21 operates a half hourly service to Swadlincote and Burton upon Trent, whilst Bus Service 9 operates a half hourly service to Ashby de la Zouch from Swadlincote.
- 5.6. The local services in Linton are within easy walking distance of the site and provide various local services including a convenience store/post office, village

hall, community room, two churches, chips shop and Chinese takeaway, an antique store and public house. The public house has already advised the applicant that visitors to his site regularly visit the pub and have helped to boost trade.

6. The Proposal

- 6.1. The proposal is for the retention of a marquee (clubhouse) toilet cabin, storage container and car parking area. This would provide a clubhouse for guests and visitors and enable events to be held on the site e.g., disco, live music, boxing shows twice a year on behalf of England Boxing, along with local community events.
- 6.2. The retention of 30 car parking spaces to provide parking for visitors.
- 6.3. The proposal would generate between 4-10 additional on-site jobs ranging from bar manager, bar staff, cleaners and cook.

7. Planning Policy Framework

- 7.1. In preparing this Planning Statement reference is made to the following national and local planning policies and guidance documents:
 - The National Planning Policy Framework (NPPF) (July 2021)
 - South Derbyshire District Local Plan Part 1 adopted June 2016
 - South Derbyshire District Local Plan Part 2 adopted November 2017

8. National Planning Policy Framework

- 8.1. The National Planning Policy Framework 2021 (NPPF) replaces the previous versions with immediate effect in respect of planning applications and decision taking.
- 8.2. The following paragraphs are considered relevant to the consideration of the application and the approach authorities should take in respect to decision taking:
 2. *Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in preparing development plan,*

and is a material consideration in planning decisions. Planning policies and decision must also reflect relevant international obligations and statutory requirements.

7. *The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. At a similarly high level, members of the United Nations – including the United Kingdom – have agreed to pursue the 17 Global Goals for Sustainable Development in the period to 2030. These address social progress, economic well-being and environmental protection.*
8. *Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*
 - a) ***an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
 - b) ***a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
 - c) ***an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*
9. *These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.*
10. *So that sustainable development is pursued in a positive way, at the heart of the Framework is a **presumption in favour of sustainable development** (paragraph 11).*

11. *Plans and decisions should apply a presumption in favour of sustainable development.*

*For **plan-making** this means that:*

- a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area, align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects:*
- b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:*
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

*For **decision-taking** this means:*

- c) approving development proposals that accord with an up-to-date development plan without delay; or*
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*
38. *Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of*

the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

- 47. Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. Decisions on applications should be made as quickly as possible, and within statutory timescales unless a longer period has been agreed by the applicants in writing.*
- 81. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.....*
- 84. Planning policies and decisions should enable:*
 - a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
 - b) the development and diversification of agricultural and other land-based rural businesses;*
 - c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*
 - d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.*
- 85. Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.*

92. *Planning policies and decisions should aim to achieve healthy, inclusive and safe places which:*
- a) *promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;*
 - b) *are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high-quality public space, which encourage the active and continual use of public areas; and*
 - c) *enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.*
98. *Access to a network of high quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.*
110. *In assessing site that may be allocated for development in plans, or specific applications for development, it should be ensured that:*
- a) *appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
 - b) *safe and suitable access to the site can be achieved for all users; and*
 - c) *the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide AND National Model Design Code; and*
 - d) *any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

112. *Within this context, applications for development should:*

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*
- d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and*
- e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.*

120. *Planning policies and decision should:*

- a) encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains -such as development that would enable new habitat creation or improve public access to the countryside;*
- b) recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production;..*

124. *The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.*

130. *Planning policies and decisions should ensure that developments:*

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
 - f) 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.*
- 167. When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:*
- a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;*
 - b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;*
 - c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;*
 - d) any residual risk can be safely managed; and*
 - e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.*
- 169. Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should:*
- a) take account of advice from the lead local flood authority;*

- b) have appropriate proposed minimum operational standards;*
- c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and*
- d) where possible, provide multifunctional benefits.*

174. Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.*

180. When determining planning applications, local planning authorities should apply the following principles:

- a) if 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;*
- b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the*

development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and*
- d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around development should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.*

197. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significant of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including economic viability; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.*

9. NPPF and Development Rational

- 9.1. The proposal will help to enhance the site facilities for guests and visitors to the site and expand the business and employment offered in this location.
- 9.2. The site is centrally located within the Midlands and provides accommodation for short and long break holidays throughout the year with easy access to the National Forest and other tourist attractions within the area such as Conkers, Moira Furnace and the Rosliston Forestry Centre. However, in the evenings there is limited choice in close proximity to the site for guests to frequent for food and drinks without travelling by car or taxi.
- 9.3. Linton is a sustainable village with good links to the local highway network and national motorway system. Swadlincote, Burton upon Trent and Ashby de la Zouch are all within easy access from the A444. However, after a day visiting the area and attractions guest want to relax on the site knowing that they do not need to travel.

- 9.4. The marquee (clubhouse) provides a place to socialise whilst being served food and drinks with the potential for entertainment. This facility is also open to local events and residents who can utilise sustainable travel modes to visit the clubhouse.
- 9.6. The car parking provides more than sufficient space for any visitors to events to avoid parking outside of the site area.
- 9.7. The proposal will deliver sustainable development through:
1. Building a strong, competitive economy by bring additional expenditure into the local economy and enable this recreation and tourism development to expand with market demand.
 2. Supporting a prosperous rural economy by employing local people to manager of the clubhouse with the additional bar staff, cleaning and catering jobs. Whilst future tourist will contribute to the local economy through the use of local services and visitor attractions in support of the local rural facilities.
 3. Promoting sustainable transport through the location of the site, which is in close proximity to public footpaths, bus stops and cycle routes to help to local people to attend events at the site, and guest from the site to integrate with the local community.
 4. Requiring good design through the siting of the marquee, toilet cabin, storage container and car parking area to be positioned in the most discrete location on the site to ensure that the proposal blends into the rural character of the area and enhance the area.
 5. Promoting healthy communities by allowing the community and guests to use the clubhouse to relax and unwind whilst appreciating the adjacent countryside.
 6. The natural environment will be enhanced through additional landscape planting scheme to provide additional habitat and a food source for the local wildlife ensuring that the proposal assimilates into this rural location.

10. South Derbyshire Local Plan Part 1 Policies

- 10.1. **Policy S1 (A Strategy for Sustainable Growth and Regeneration)** – the proposal will help to support and encourage this tourism business through the in a sustainable location, which will not result in any adverse impact that would outweigh the benefits of granting planning permission.
- 10.2. The proposal will also support the National Forest objectives through the enhancement of the facilities available on this existing site which in turn will contribute to the local economy.

- 10.3. The clubhouse will also be beneficial to the existing accommodation and guests through offering meals and drinks on site whilst reducing the number of guests travelling from the site at night.
- 10.4. The community can also book the clubhouse for events which will enhance local community cohesion.
- 10.5. **Policy S2 (Presumption in Favour of Sustainable Development)** – as stated above this proposal meets the presumption in favour of sustainable development and does not result in any adverse impact, which would significantly and demonstrably outweigh the benefits of granting planning permission.
- 10.6. **Policy S6 Sustainable Access** – the proposed site is located within close proximity to local services, bus stops, cycle routes and footpaths, which will encourage visitors to use alternative modes of transport during their stay. Furthermore, it will reduce the number of guests travelling from the site for an evening meal and/or drink.
- 10.7. **Policy E7 Rural Development** – the proposal will help to enhance this rural tourism business whilst providing an additional local employment opportunity. The proposal will have a positive impact on the local rural economy due to the fact that provisions and goods will be purchased locally which will bring additional revenue into the local economy.
- 10.8. The proposed location is fundamental to the success of the site and its connectivity to Linton, Overseal and proximity to Conkers and Rosliston Forestry Centre, which will enhance the visitors staying in this National Forest location.
- 10.9. This rural location is ideally close to local services within the village and a variety of tourist attractions including Conkers and the Forestry centre at Rosliston, Calke Abbey, Ashby de la Zouch, Derby, Lichfield, the Battlefield line, the National Memorial Arboretum etc. There are several sites close by which facilitate weekend events such as Moira Forestry Centre, Catton Hall, Donnington Race Circuit and the National Arboretum and the site can offer one-night stays or longer two weeks stays. The additional clubhouse will encourage guest to stay longer when an event is held to reduce traffic to the site over this period.
- 10.10. The layout is such that the proposal is well hidden from outside of the site.
- 10.11. The proposal utilises the existing access off Colliery Lane into the holiday let site and is well linked to local amenities, whilst the scale and layout is designed to ensure safety on the highway network, and that vehicle movements will not to impinge on the free flow of traffic in the area.

- 10.12. The proposal does not have an adverse effect on the existing road network in terms of capacity, safety or prejudice the free flow of traffic along Park Road.
- 10.13. **Policy SD2 Flood Risk** – the site lies within Flood Zone 1 and is not at risk of increased flooding due to the proposal.
- 10.14. **Policy SD3 Sustainable Water Supply, Drainage and Sewerage Infrastructure** –the residual surface water on the site will drain into the soakaways.
- 10.15. The foul drainage system will be connected to the existing mains drainage system.
- 10.16. **Policy BNE 1 Design Excellence**- this policy has been satisfied through the use of land on an existing tourist accommodation and enhances the facilities offered to guests.
- 10.17. The proposed site layout ensures that the clubhouse is located a sufficient distance between the neighbouring property.
- 10.18. **Policy BNE 3 Biodiversity** – this policy is satisfied due to the fact that the scheme contributes to the protection and enhancement of landscape planting to south east of the clubhouse will improve the biodiversity of the site.
- 10.19. **Policy INF2 Sustainable Transport** - this policy has been addressed through the information above.
- 10.20. **Policy INF10 Tourism** - this policy is satisfied through the above information which will enhance the facilities offered to guests, and provides adequate access for pedestrians and vehicles parking.
- 10.21. The scale and design of the proposal ensures that the scheme will integrate into the character of the area and provide an alternative to guest leaving the site for meals, drinks and entertainment, along with the clubhouse offering a venue to the local community.

11. South Derbyshire Local Plan Part 2 Policies

- 11.1. South Derbyshire District Council adopted Part 2 of the Local Plan in November 2017 and the only relevant policy to this application is BNE5 Development in the Countryside.
- 11.2. This policy is satisfied through the information above and the fact that the proposal is unavoidably outside the settlement boundary, it utilises land on an existing tourist accommodation site, and will have a positive impact on the local economy and facilities offers to guests and the local community.

12. Conclusion

- 12.1. The National Planning Policy Framework (NPPF) sets out a clear a presumption in favour of sustainable development within this sustainable location whilst ensuring that the rural economy will be supported through this appropriate use of this land whilst offering between 4-10 jobs and the use of the clubhouse as a community venue.
- 12.2. This scheme accords with the provisions of NPPF and Local Planning Policies enhancing this existing tourism facility without resulting in any adverse impact, which would significantly and demonstrably outweigh the benefits of granting planning permission.