

Nicola Parry, Development Management Team Leader  
The Planning Department of Harborough District Council  
The Symington Building  
Market Harborough  
Leicestershire, LE16 7AG

By email to: [planning@harborough.gov.uk](mailto:planning@harborough.gov.uk)

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Dear Nicola,

**24/00396/OUT | Outline application for the erection of up to 90 lodges and associated ancillary buildings (all matters reserved except access) | Land OS 5000 Launde Road Tilton On The Hill Leicestershire**

We act for both Kay Highfield and Colin Ellard of Cottesmore View off Launde Road, and Weathercock House off Oakham Road respectively. They in turn are representing other resident who are part of the STOP Tilton Holiday Park group which opposes the above development in the strongest possible terms.

The development proposal is out of keeping with the tranquil countryside area and has the potential to cause significant adverse impact on neighbouring amenity, and damage to the surrounding environment. It does not accord with local planning policy, and a development of this size should be allocated specifically within the local plan to afford an adequate level of scrutiny. There is furthermore concern that the proposals contain inaccuracies and inconsistencies, omit key facts and do not fairly represent the impacts of this very large development. There has been no community engagement.

We have organised our clients' objections according to tourism, congruence, environment, and integration:

**Tourism**

The application is to be determined in accordance with the Local Plan unless material considerations indicate otherwise. The Harborough Local Plan 2011 to 2031 which was adopted 30 April 2019 states that tourism development should be in town centres although it makes concessions for development in the countryside under policy GD3 for 'agriculture, horticulture, woodland management, or other similar uses appropriate to a rural area' including uses which diversify the rural economy such as:

- i. local food initiatives, including farm shops and small-scale food and drink processing,*
- ii. tourist attractions and facilities that respect the character of the countryside,*
- iii. tourist accommodation, if it is of a scale that is proportionate to the identified tourism need and subject to Policies RT2 Town and local centres and RT4 Tourism and leisure.*

However, there is no proven need for tourist accommodation in this location and at this large scale so GD3 is not complied with. Furthermore, RT4 supports:

- a. existing tourism and leisure attractions and tourist accommodation.*
- b. tourism and leisure attractions and tourist accommodation that are well connected to other leisure destinations and amenities, particularly by public transport, walking and cycling.*
- c. enhancement of the environment and local distinctiveness, including heritage and landscapes*

RT4 also emphasises that ‘new tourist accommodation, attractions and other tourism-related development will be directed to Market Harborough town centre, Key Centres and Rural Centres in accordance with the settlement hierarchy, except where:

- a. an initiative requires a countryside location or setting, or it is directly related to a specific tourist destination and, where possible, it re-uses previously developed land and existing buildings, **OR***
- b. it involves the diversification of agricultural uses or otherwise benefits rural businesses and communities; and*
- c. its scale and appearance respects the character of the countryside, the local landscape and the surrounding environment; and*
- d. it does not adversely affect the local transport infrastructure’.*

Regarding limb a), although the proposal could be said to benefit a countryside location, we have serious concerns about the access to the countryside from the development (described later under the ‘integration’) and therefore in this context we believe that the countryside setting is only to afford the space for a development of this size. Otherwise, the proposal is not directly related to a tourist destination and does not re-use previously developed land (NB the definition of previously developed land in the Glossary of the NPPF excludes buildings previously in agricultural use.) The former chicken barns are described as B2 General Industrial, which is not correct, they are former agricultural buildings. The transport assessment describes the site as brownfield but this site is greenfield.

In relation to limbs b), c) and d) which must all be complied with to be relied on:

- b)* this proposal does not diversify agricultural use because that use has ceased, and it will not benefit rural businesses and certainly neither the rural community. Small-scale genuine agricultural tourist diversifications already exist in the parish such as individual Shepherd’s Huts on farms and a small Camping and Caravan Club site on a farm (described as ‘secluded’ and ‘peaceful’). This proposal would very adversely impact these genuine agricultural diversifications, because of the noise pollution from outdoor music ‘events’, traffic and guests, and light pollution arising from the proposed development in a location that is appealing to tourists because of its Dark Skies and tranquillity. It furthermore has the potential to outcompete these smaller businesses (due to economies of scale), and in doing so detract from incomes which support farming.
- c)* This very large development is totally out of scale with other development in the local landscape, and as outlined in the ‘congruence’ and ‘environment’ sections of this letter it is inappropriate and potentially damaging to the setting.
- d)* This proposal if built would have an adverse impact on local roads which are already an accident blackspot, as set out in our transport critique.

To further inform where larger holiday camps should be situated, we have considered the Leicester and Leicestershire Tourism Growth Plan 2019 which identifies the large majority of day trippers making up the tourist industry: visitors should be supported and encouraged to stay longer by sites which are easily accessible by public transport. But the map of Leicestershire tourist attractions shows this site to be spatially isolated, with the majority of visitor sites being in the west of the county. The application also contravenes the emerging High Leicestershire Neighbourhood plan, which does not consider this site or the surrounding area to be appropriate for tourism related development. The case for this development in this location is simply not made out, and in addition to tourist accommodation 8 new market housing dwellings are proposed, entirely contrary to policy.

Ultimately, development of this scale should be plan led and informed by evidence to justify the need for tourism accommodation and where it should be located through the local plan process. This application is premature pending the review of Local Plan. The Local Plan is the appropriate place to determine where development of this scale should take place not through opportunistic, speculative, unplanned development. Compliance with the development plan is crucial to public confidence in the plan led system and is central to an optimal strategy not only for tourism, but also the other public services/assets identified in this letter.

### Congruence

The district as a whole, but especially the hamlet of Halstead in the Parish of Tilton on the Hill and Halstead in which the proposed development would sit is sparsely occupied, and of a largely agricultural or open nature. The village of Tilton on the Hill has a conservation area, and the locality contains many heritage and environmental assets listed in the Settlement Profile: Tilton on the Hill (May 2015), including the Listed Halstead House, which is incorrectly described as non-designated by the applicant. The High Leicestershire Neighbourhood Plan Pre-Submission Draft 2022-2031 describes the ‘defined features of steep valleys and broad ridges containing many woodlands and a network of small villages connected by winding country lanes and gated roads [and that the] central area of High Leicestershire reaches 210m AOD beside Tilton on the Hill and falls to below 100m AOD to the west.’

Harborough District Landscape Character Assessment (HDLCA) considers the ‘High Leicestershire’ local landscape character area to be particularly vulnerable to the landscape and visual effects which may be associated with development, and the emerging neighbourhood plan advises regard to visual and audible impacts of developments. The NPPF s191 also specifically obliges development to ‘limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.’

The outline proposal states that the lodges will cause minimal intrusion on the landscape character, although there is no noise assessment, and the landscape strategy does not show verified views of what the lodges will look like in situ: from the outside of the development. This conclusion is not therefore accepted. Key characteristics of the local area are tranquillity and dark skies, and the additional noise, traffic and disturbance arising from so many people being introduced into a remote rural area will decimate the tranquillity; lighting from the lodges and other buildings, events and vehicles coming and going will prejudice dark skies.

The Landscaping and Visual Appraisal document submitted by the applicant recognises that:

*the development will incur additional nighttime light sources within the landscape, from either any visitors travelling by car or from the lodges and other buildings [and that] the movement of visitors around the site and local area has further risk of reducing the perceived 'tranquillity' of the place. Related to perceived tranquillity, additional threats arise from light pollution and movement.*

Vehicle movements with headlights, lit roads, paths, parking and buildings would be visible from a number of the Viewpoints analysed, as well as a number of residential receptors (e.g. Halstead Cottages on Launde Road (in terms of staff vehicle movements and security lighting from the proposed Gatehouse opposite and other site lighting), and other outlying residential properties such as , properties on Oakham Road, Launde Road, Halstead House Lane, Loddington Road, Tugby Road, etc. There are also sections of Launde Road, Oakham Road, Loddington Road and Tugby Road where the site is visible, including where there are no hedges and so especially clear views of the proposed site and associated light pollution. During the winter, the combination of fallen leaves and longer periods of artificial light will make the negative impact even worse. The site is also visible from a number of public footpaths (such as 'Leicestershire Round' Long Distance Route C70/1 and C94/1) and bridleways (such as Midshires Way Long Distance Route C92/1 and C67/4).

The Landscaping and Visual Appraisal further recognises that:

*Lodges and vehicles may emit light during the hours of darkness which would have an effect in a view where few other light sources would be anticipated [and that] visitor movement around the site, particularly vehicular, would be clearly visible. The effect of this would be greater in the hours of darkness when cars are lit.*

The appraisal recommends 'that arrival and departure times would be controlled, which would help to reduce the amount of visible activity on site and on local roads during the hours of darkness', but this is not mentioned in the Design and Access Statement and is likely to be unworkable, given that:

- Guests are unlikely to conform to being restricted to staying on-site after dark.
- The proposal is "that the holiday accommodation would be open and available all year", including during the dark winter months.
- DJs are proposed which are unlikely to be limited to daylight hours.
- 9 staff houses are proposed on-site, and it would be unreasonable and unworkable to limit them to only leave the site during daylight hours.
- Other staff would need to arrive and leave the site outside of daylight hours.

It further recommends:

- 'Well-screened parking areas away from individual lodges' contrary to the recommendations of the DOCO response, where parking is recommended next to each lodge and ground vegetation is to be trimmed to 1m high and tree foliage to no lower than 2m (see below).
- That 'the necessity of segregated access and egress should be considered' which it has not been. And states that 'parked cars would further add the presence of urbanising form.'

We do not feel that these impacts and/or recommendations have been considered diligently, and above general concerns regarding significant visual and audible intrusion, our clients will be significantly impacted by the café/restaurant onsite which has a stage with reference to 'instruments and a DJ in drawing 1650/P15. The café/restaurant is less than 200 metres away from 'Halstead Cottages' to the north-east, which is a row of three homes (with one of our clients living in the

easternmost house). The music, guest and vehicle sounds will travel to other properties too. We also note that the section on 'Tourism Justification' in the Design and Access Statement outlines wedding parties as a key existing and growth market, with the strong implication that these lodges will be used as such, and the pre-application was made for '95 holiday lodges, bike rental and welcome building, wedding venue and a health and fitness centre'.

The proposals are misleading in relation to the ultimate impact of this development on the landscape. There are no images of the elevations of these buildings in situ, and we have considered the consultation response from the Senior Planning Archaeologist at Leicestershire County Council in relation to the archaeological significance of the area and the proximity to scheduled monuments.

### Environment

The High Leicestershire Landscape Character Area has been stated to have a low-medium landscape capacity to accommodate development (without significant degradation of the existing landscape character), and High Leicestershire is one of the most sensitive landscapes in the district (Landscape character assessment 2009.) The applicants have purported to address this in their Design and Access Statement, but instead have attempted to justify this development on the basis of the need for tourism in this location which is also not supported by local planning policy.

The proposed site is directly adjoining the Tilton Cutting Railway SSSI of geological importance: a 750m section of disused railway cutting which provides exposures of sediments deposited during the Lower Jurassic Period and is run by the Leicestershire & Rutland Wildlife Trust as a Nature Reserve. There are many fossils, including *Tiloniceras acutum*. The SSSI has rich flora and diverse common birds, and the habitat is mainly of rocky grassland and wetlands. The site is also designated as a Regionally Important Geological and Geomorphological Site (RIG) and a Wildlife Corridor.

The local authority has a duty under s28G Wildlife and Countryside Act 1981, s180 of the NPPF 2023 and under policies GD8, GI1, GI5 of the Local Plan to protect and conserve the Tilton Cutting, and we note that the current proposals designate the Cutting as a means to exit the site, and as directly accessible from near the sports and leisure and Spa/Gym buildings – the largest buildings on site, plus 120 capacity car park, two open air swimming pools and an area for sun loungers. Depending on the level of activity predicted for these buildings and facilities, and their use as venues, there is significant risk to the SSSI through audible and visual intrusion, compromising the seclusion and protection afforded by the steep sides which provides supportive habitat for the local wildlife.

The Leicestershire Police Designing out Crime Officer considered this application and submitted the following recommendations which will be necessary to ensure the safety of the guests, but incompatible environmentally: "Lighting...to illuminate the main vehicle entry points and walkways as well as the open space areas and any other key areas to BS5489"; 'CCTV coverage supported by lighting'; 'Natural surveillance...via ground level foliage being trimmed to 1m high and trees to have no foliage lower than 2m from the ground to allow a clear field of vision'; 'Communal parking should be supported by...lighting'.

The biodiversity survey report cautioned that there should be '**absolutely no light infringement** on the most important habitats on site, mainly the hedgerows and woodland at the south of the site', and

therefore the safety of the guests will come into conflict with the wildlife needs of the area, especially in relation to the lodges on the south side of the site. At 5.4.1 of the same report 'it is strongly recommended that there be **absolutely no light infringement** on the borders of the site outside of natural daylight hours, especially on Tilton Cutting'.

It is completely inappropriate to situate the complex of the sports and leisure barn (the largest building on the site), the gym and spa and the 'welcome building' immediately adjacent to Tilton Cutting, with the 120 space car park metres away from the SSSI (see 3.26 of the Leicestershire & Rutland Wildlife Trust's [video](#).) We agree with the HDC Neighbourhood and Green Spaces Officer that before this planning application is determined an Environmental Impact Assessment is required, given the EIA Regulations and the fact that the Welcome Building, Car park and Gym/Spa all appear to be within the Impact Risk Zone for the Tilton Railway Cutting SSSI.

Further recommendations from the biodiversity survey report include at 5.4.3 'no impact on either the mature oaks in W4, the mature ash in H1 and the oaks in W3. This includes ensuring that they too are not illuminated outside of natural daylight hours', and at 5.4.1. a detailed plan including lighting 'to assess the level of impact that the development will have on foraging and commuting bats.' Our client has pointed out that 'as the proposed trees to be planted on the application site grow, there would be more habitat for bats, so lighting in these areas would negatively impact on foraging and commuting bats.' The report also observed that there are badgers on the proposed development land.

We note that the Natural England's assessment of the SSSI in August 2023 stated that the site was Unfavourable – Declining due to 'the notified brachiopod layer [...] being aggressively and extensively harvested, probably for commercial gain [conceding that] there is currently no effective remedy in place to address this situation, therefore the Site is deemed to be in unfavourable declining condition.' We consider that 'holidaymakers' with no local connection and a potentially poor understanding of the site's significance are at risk of further compromising this irreplaceable and nationally significant asset.

We understand that Leicestershire & Rutland Wildlife Trust, County Ecology and Natural England have yet to submit their consultation responses and we await their detailed assessment of this proposal.

### Integration

There are serious safety concerns in establishing a new development with capacity for hundreds of guests at a time in an area with small roads, a lack of public transport and which is largely agricultural and therefore with not infrequent larger vehicles such as tractors using these roads at a slower pace than car drivers, and the safety issues that this causes. Although the design and access statement imagines that there will be a diminution in traffic to and from the site, this is simply not accepted and we note the Landscape and Visual Appraisal states: '6.1.6 In becoming a visitor destination, the proposals would likely incur a considerable increase in vehicular movement to and from the site, compared to existing levels'. The proposed location is not a sustainable location for tourism which will out of necessity be entirely reliant on the private car.

Please refer to the already submitted 24/00396/ OUT Highways, Active Travel and Transport Assessment Critique which outlines the problems with the existing Transport Assessment and Design and Access Statement, and a further Highways objection to be submitted.

In relation to pedestrian and cycle access on and off the site and in the surrounding areas, there has not been sufficient consideration to the dearth of public footpaths or cycle ways adjacent to nor in the close vicinity of the site, nor between the site and the village. The document named 'Site connection 1650 P03' imagines access on and off the site illustrated by large orange arrows, one of which routes directly through Tilton Cutting SSSI, and the other three of which are routed across the applicant's remaining land but down 'proposed paths' which eventually abut roads, where on the other side there are hedgerows and no public rights of way to support this movement (apart from Footpath C49 which the document does not follow in its direction.)

Because car use is discouraged when onsite, and the developers have proposed shuttle buses from Tilton on the Hill, it is difficult to imagine this development fitting into Leicestershire's wider tourist strategy of visiting landmarks, connecting with family, or exploring the countryside beyond the development itself. The latest landscaping strategy document submitted 15 April states that '[a]ctive exploration off site would be encouraged and made more attractive by the formalisation of a footpath / cycle route to the southeast.'

A new excessively long 5000 metre route which starts across the applicant's land is being proposed on page 12 of the Design and Access Statement, which then continues across multiple arable and grass fields with stiles. Furthermore, if holidaymakers are encouraged to visit Tilton on the Hill village, there are concerns about the level of infrastructure: the village only having one small store and one pub. If they are forced to stay onsite, then this type of mega resort is likely to attract families and couples, and we envisage that the entertainment need will be loud and intrusive, especially as outdoor DJs are mentioned in drawings.

There is neither onsite or offsite sufficiently safe, viable and engaging activities for potential guests, and this is because it is an inappropriate location for this type of holiday village/camp.

### Conclusion

Because of the scale and wide-ranging impacts of a holiday village/camp of this size, there is an imperative to introduce and examine this type of project when developing the local plan: this has not been done. Local planning policies do not justify this kind of application under the pretext of tourism or otherwise, and there is the potential for very significant harm both to the environment and in relation to access/egress from the site. Our clients will be personally impacted by their proximity to the site, undermining their peaceful enjoyment of their property, and the levels of activity required to make a business of this kind viable and engage up to 183 guests at a time is starkly at odds with the rural country life that attracted them in the first place. This application should be refused on all the above grounds.

Kay Highfield and Colin Ellard, the STOP Tilton Holiday Park group and other interested parties ask to be given the opportunity and time to comment on all further documents submitted by or on behalf of the applicant.

Your faithfully



**Sebastian Charles**

For and on behalf of Aardvark Planning Law

[sebastian.charles@aardvarkplanninglaw.co.uk](mailto:sebastian.charles@aardvarkplanninglaw.co.uk)

D: 01604 43 90 92

T: 01604 43 90 90

M: 07710 783 154

Copies:

- HDC Councillor (on Planning Committee): [s.modha@harborough.gov.uk](mailto:s.modha@harborough.gov.uk)
- Clerk of Tilton and Halstead Parish Council [clerk@tiltonandhalsteadpc.org.uk](mailto:clerk@tiltonandhalsteadpc.org.uk)
- LCC Councillor (Highways): [simon.galton@leics.gov.uk](mailto:simon.galton@leics.gov.uk)
- MP: [alicia.kearns.mp@parliament.uk](mailto:alicia.kearns.mp@parliament.uk)