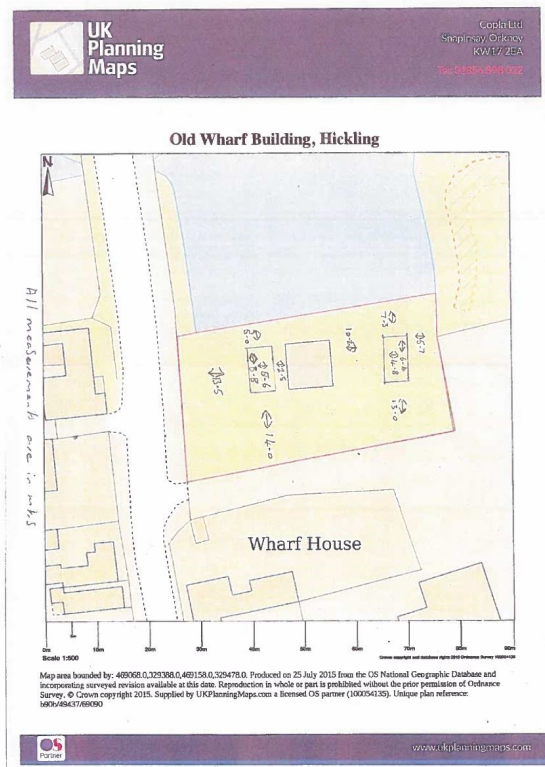




# Hickling Basin & Wharf Building: summary document



Hickling Parish Council  
(September 2022)

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**(please refer to accompanying report for additional background information, images and commentary)**





## Preface

**Over the past 5 years Hickling Parish Council, Councillors and the community have become increasingly concerned about the management of this sensitive location at the heart of our village.**

Following the most recent planning application and its subsequent withdrawal, Councillors have come to the conclusion that we now need to take action on behalf of the village and raise our concerns officially with Rushcliffe Borough Council.

In this document (and the accompanying background document), we have pulled together all of the information publicly available on the planning history of this location, the protections that are currently in place and the impacts of the over-development of this location. It is our belief that we need to 'go back to square one' when permission was originally given.

In summary, our concerns are:

1. The negative impacts on the location and the village community of current business operations (emerging piecemeal since the original permission in 2015).
2. A number of planning breaches requiring investigation and resolution.
3. The determination of the business owner to expand & develop further (whilst repeatedly providing inadequate and even inaccurate information).

As a Parish Council we are well aware of the parking and traffic problems in this area of the village. We are also aware that a full infrastructure review and appropriate consultations are needed and may even be over-due. However, it is too complicated to pursue these enquiries and consultations whilst new applications for expansion and additional development continue to emerge so regularly.

With a view to drawing a line under the situation, we ask Rushcliffe Borough Council to:

- Undertake a full review of the planning history on this site; identifying precisely what permissions have been given and any breaches of existing permissions.
- To undertake this review in partnership with Hickling Parish Council.
- We believe that this should include a comprehensive assessment of the capacity and constraints of this location, this could then be used to assess the viability of any future proposals. **Implicit is the understanding that this may require the business-owner to scale back his current operations in line with the permissions already in place and the constraints of the location itself.**

The Parish Council and the community are supportive of local businesses and recognise the value of the Wharf Tearooms business and the pleasure that it gives to its customers. However, we request an assurance that no further planning applications will be accepted/validated at this location until existing concerns and potential planning breaches have been fully investigated and resolved - everyone needs time and space to address this situation properly. We ask that the business owner be notified of this.

**Most importantly, we ask you to understand the extraordinary significance of this location to our community and to recognise the anxiety and pressures that this ongoing situation exerts on us all.** It is our hope that you will agree to work with us to achieve a sensible and practical resolution for all involved.

**Submitted on behalf of the Parish of Hickling and Hickling Pastures.**

(September 2022)

Cllr S Lane (Chair)

Cllr T Prosser (Deputy Chair)

Cllr J Adlam

Cllr W Brown

Cllr S Green

Cllr C Lamb

Cllr P Playle

## 1. Parish Council Proposal

The most recent application was withdrawn in July & we believe this break between applications offers an opportunity for all concerned to conduct a full and detailed review – to gain an oversight of the situation outside the scenario of a live planning application.

We would like to propose:

- An investigation into the current planning situation; identifying what permissions are in place and identifying planning breaches in need of investigation and resolution.
- An independent traffic survey to accurately record the pressures on this section of Main Street in Hickling.
- That Hickling Parish Council be allowed to work alongside Rushcliffe Borough Council to seek practical solutions for this ongoing situation.
- That no further applications should be validated at this location unless the proposals are materially different from those that have gone before.

**Key concerns have been raised regularly since 2015 and they continue to be relevant:**

- Impacts on protected heritage assets
- Impacts on the Conservation Area, protected views and open spaces
- Impacts on traffic safety
- Impacts on residential amenity, non-customer visitors to the village and the safe operation of neighbouring businesses
- Over-development of the business outside planning control and beyond the capacity of the location

**We ask Rushcliffe Borough Council to work with us to:**

- return to the permissions that are currently in place and ensure they are upheld;
- to investigate and resolve planning breaches;
- to establish a set of guidelines/ground rules for this location at a strategic level so that future proposals can be managed appropriately and in consultation with the community and the business owner.  
(drawing a line under a series of repeat applications (often materially similar to each other) and widely considered to be intended to wear the community and planners down.)

## 2. Views of the Community (Neighbourhood Plan)

The Parish Council recognises that the Wharf Tearooms is a popular facility for visitors; particularly as a cycling stop-off and for people coming out from more urban areas. Visitors to Hickling have always been welcomed but there has been a shift away from those coming to enjoy the quiet and tranquillity of the countryside towards a busier more bustling kind of experience—a kind of creeping urbanisation.

We are sad to hear that some visitors no longer come to Hickling because it is now too busy and equally sad to hear residents reporting that they no longer visit this part of the village for the same reason - what was previously valued is being spoilt or lost.

A small-scale café business (as approved in 2015) working within the constraints of the location need not cause harm; there are alternative options locally which also offer a great experience without inflicting the harmful impacts that over-development has brought in this location; both the Plough Inn and Sarsfield's are on the doorstep, for example—both are self-sufficient for parking and flexible in their ability to offer the services needed.

The Parish Council has also taken notice of the views expressed by the Hickling community:

- Residents were consulted on The Hickling Neighbourhood Plan (adopted March 2022); the final document reflects the priorities expressed by the community. These include the quiet and tranquillity of the canal and Basin and worries about over-development and the worsening of traffic and parking problems.
- Objections to planning applications have come from near-neighbours but from across the rest of the community, too. They focus on the problems of over-development, traffic, parking and the loss of valued green/open spaces which are of great value to the community. Residents and businesses also emphasise the frustrations of trying to go about normal daily activities when the tearooms are busy.
- In April 2022 residents petitioned the Canal & River Trust, asking them to withhold their support (as landowners) for further development of the Wharf Tearooms business. We understand that only 2 households declined to sign the petition when asked. In summary:
  - ◆ Because of the time constraints of the planning system, signatures were collected over a short 7-day



period from Monday 28th March to Sunday 3rd April. The text of the petition read:

- ◆ "We the undersigned ask the Canal and River Trust to withhold their consent to this development which proposes a change to the use of the open water of the Hickling Basin and to oppose this new application. The Hickling Canal Basin is a protected open space and is much-loved by the community and visitors as it is now; we urge you to protect it from insensitive development which would undermine the environment and heritage of this site."
- ◆ There were 204 signatures
- ◆ Everyone who signed either lived or worked in the village, used to live here or visits regularly.
- ◆ Most importantly, 127 of the signatures came from Hickling parish and these came from 88 separate households and from throughout the village; a further significant number of signatures came from immediately neighbouring villages.

### **3. Existing Protections for this Location (Conservation & Heritage)**

**Hickling Canal Basin and the Old Wharf Building represent a vanishingly rare and valuable location.**

**This is recognised by the village community and by visitors and it is the reason why so many protections have been put in place to support its heritage, its position within the conservation area, its wildlife and its tranquil, rural environment.**

#### **In Summary:**

- National Planning Guidelines specifically protect working rural farming and residential communities from inappropriate development.
- The Rushcliffe Local Plan enforces this at a local level and specifically states that Hickling is not zoned for development (business/tourist or otherwise); there must be 'exceptional circumstances' for development in a protected location to be allowed.
- The recently adopted Hickling & Hickling Pastures Neighbourhood Plan also emphasises the importance of this location to the village community and to visitors as a place of tranquillity for quiet relaxation. Furthermore, it **identifies over-development as a threat** to the integrity of the area.
- Neighbourhood Plan development boundaries: both the Hickling Basin and the Wharf Building area have been specifically placed outside the 'limits for development' boundaries - no planning development can be permitted without exceptional circumstances being thoroughly established.
  - ◆ The Neighbourhood Plan is a statutory document and should be the first point of reference for planning decisions - especially in such a sensitive location.
  - ◆ The Neighbourhood Plan's predecessor, the Hickling Parish Plan had already established these protections and had also identified similar threats.

#### **Furthermore:**

- The Wharf Building is a Grade II listed heritage asset and a very rare example of a canal warehouse in its original setting.
- The Wharf Building has been designated an 'asset of community value'
- The Wharf Building sits distinctively within a setting which includes other important designated and non-designated heritage assets: The Grantham Canal, The C17th Century Plough Inn, Bridge View (formerly the Navigation Inn & Grade II listed), The Old Rectory and St. Luke's Parish Church.
- The Grantham Canal & towpath is a designated wildlife area.
- The Hickling Conservation Area Assessment and Townscape Appraisal includes heritage protections as well as identifying protected open/green spaces and protected panoramic views in to and out of this area.

### **4. Planning History - approvals in place**

**The Hickling Basin and Old Wharf Building have been at the centre of a very complicated planning and development history since 2015. However, the level of permitted development is relatively small-scale - approval has only been given against two of the several applications submitted during this period.**

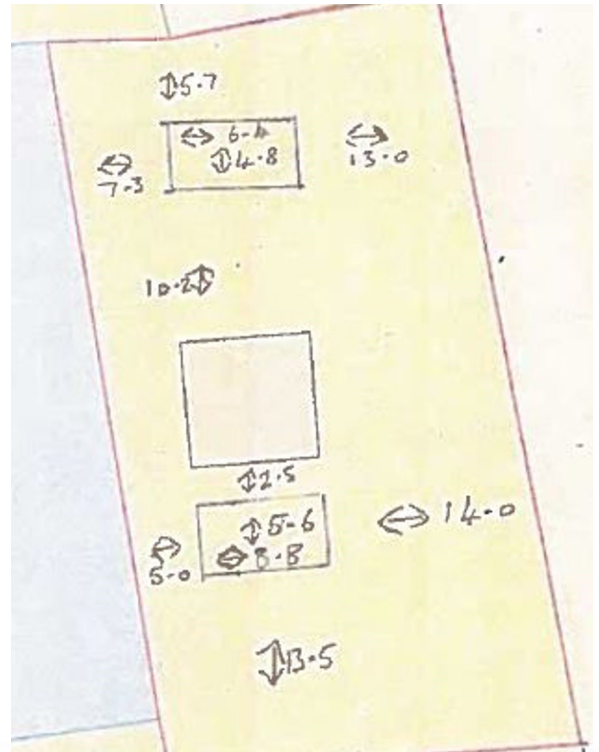
#### **15/02151/FUL & 15/02152/LBC:**

- Change of use to cafe/tea rooms and bike hire/repairs, and construction of new toilet block
- New (softwood) windows and doors, new toilet block extension, change of use to cafe/tea rooms with bike hire and repairs, new counter sales stairs, flooring, and lighting.

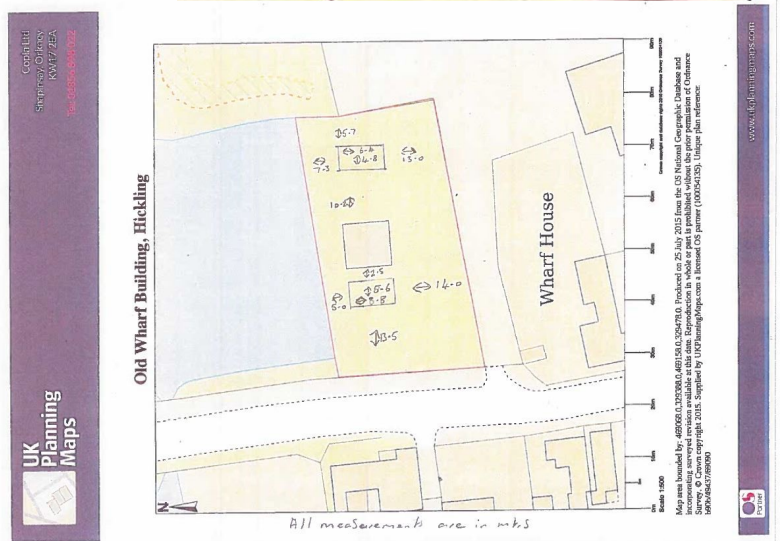
- Parking and external seating details confirmed later in a discharge of conditions and a (controversial) non-material amendment; these allowed for 12 parking spaces + 1 disabled space and two small outside seating areas (diagrams, right & below).
- Seating area to the east of the building: 6.4mx4.8m
- Seating area to the west of the building: 5.6mx8.8m

**18/00441/FUL & 18/00442/LBC**

- Proposed extension of existing seating for tea rooms into the existing store area, forming new opening through and installation of 2No conservation velux roof lights to main roof



- Permission Granted with conditions; applicant agreed to replace windows and doors in line with the original permissions.
- (now expired without completion of the permitted work; windows and doors not replaced)



**5. Planning History - possible breaches**

The permissions detailed in section 4 (above) define the development as it should now appear. However, over the last 5 years the business owner has gradually expanded the development beyond these permissions—on occasions carrying out work which had previously been refused. It has grown from a small café of approx. 40-50 covers set in an open green space to its present capacity of 190 covers plus a lively takeaway business.

- The car park has increased in size and now covers large areas of protected open/green space; the bound surface of the car park is now the dominant feature of the site
- The outdoor seating areas (including an unauthorised permanent covered structure and garish umbrellas) now cover all of the remaining grassed areas
- The open aspect of the site has been further eroded by the recent planting of fast-growing trees along the banks of the canal basin; these include eucalyptus which are non-native and incongruous in this setting.

These changes have led to:

- an accumulation of clutter around the Wharf Building and the loss of the open aspect which previously characterised the setting of the Wharf Building and the wider area.
- and has facilitated a massive increase in visitor numbers which, during opening hours, has re-defined this area from being quiet and tranquil to busy and cluttered.

The Parish Council understands that:

- Some of these items may already be under investigation
- Some of these items may already have been checked and approved/resolved; if this is the case, we would welcome updates.
- This list is not exhaustive and there may be other items to add to the list.

### **Summary of outstanding issues.**

#### **The Building - inside:**

- Are there any fixings attached to the brickwork which should be freestanding?
- Flagstone flooring satisfactorily re-laid?

#### **The Building - outside:**

- Wharf Tearooms signage - approved?
- External lighting (including uplighting of the sign) - approved?
- 'Gallows' structures ('imitation hoist features') - approved?
- Are there any fixings attached to the brickwork rather than into mortar joints?
- Door and window frames - softwood/timber and not UPVC?
- New utilities box attached to the south wall—approved?

#### **The surrounding area:**

- Unauthorised exterior seating areas (extensive)
- Unauthorised permanent structure covering enlarged outdoor seating area
- Replacement storage structure in the south west corner
- Unauthorised erosion/removal of landscaping and protected open/grassed areas
- Unauthorised parking outside marked spaces (still continuing, even following the business owner's expansion of the car park)
- Unauthorised expansion and resurfacing of the car park area and gravel added to seating areas.
- Unauthorised/inappropriate landscaping & tree planting between the boundary railings and the Basin's edge; including non-indigenous eucalyptus.
- Permitting unauthorised overnight camping (motorhomes)
- Permitting unauthorised businesses to operate from the car park.

## **6. Traffic & Parking**

**This area of the village has always been busy and it is an issue which the village needs to address; however, this must be done at an infrastructure level with full investigations and consultations and must consider the needs of all road users whilst respecting the quiet rural character of the village.**

- It isn't possible to do this when the area is impacted by a succession of planning applications to develop one of the businesses in the vicinity.
- Residents have traditionally opposed 'urban creep' in the form of road markings and signage but the area is currently busy with bollards in permanent use to help businesses to maintain access.
- The Plough Inn has extensive parking but, at present, there are no options for expanding parking provision in the village. Such a move would necessitate residents' only parking schemes (etc) to force use of separate parking provision.
- These are not simple issues to resolve and it is not the responsibility of the Parish Council to provide parking facilities for a privately owned business.

**The Parish Council believes that a detailed, independent traffic survey is now urgently needed.**

*(please refer to the attached background document for more detail, images and information about the current situation plus details of a community traffic survey conducted in May 2022)*

- Whilst the Wharf Tearooms business is not solely responsible for traffic problems in this part of the village, the business is required **not** to contribute overspill parking on to Main Street.
- In order to preserve the rural and open character of the location, the car parking associated with the business is required **not** to dominate the visual aspect/experience of the location; the business has permission for 12 +1 disabled space and the locations for these spaces have been specifically approved.



- The Conservation Officer objected to a recent application to increase this provision because it would result in the car park dominating the site with unacceptable impacts on heritage assets and the conservation area.
- Because of changes in the outdoor seating areas it is difficult to determine the 'public area' associated with the business. A hospitality business of this type is required to have '1 space per 5m.sq. of public area plus 1 space per 2 f/t equivalent staff members'. In a desktop exercise, the NCC Highways Officer recently assessed the needs of this business at 'a minimum of 20 spaces'.
- Subsequently, highways officers attended a site meeting where they raised concerns that the plans used for the desktop assessment did not reflect the situation on the ground; raising concerns that their assessment had under-estimated the off-road provision needed.
- This site visit also highlighted concerns over the permanent use of bollards on Main Street which maintain access for neighbouring businesses (AE Faulks & farmers).

In the meantime, it is noted that:

- The business currently has 50 indoor covers and 140 outdoor covers—a total of 190 covers; 12 +1 car parking spaces are clearly insufficient.
- The Tearooms operate a thriving takeaway business which involves significant comings and goings and generally involves parking on Main Street.
- Even following the recent unauthorised expansion of the car park, staff continue to park on the small patches of unsurfaced ground to the east and south of the site (regularly 5 staff cars).
- In addition to staff parking, there are regularly 20+ customer cars parked on site; this is unsafe.
- The business has a licence for events with the prospect of 100+ guests arriving and leaving at the same time; parking on Main Street is inevitable.

**Most importantly, the traffic and parking situation on Main Street is dangerous; cars, farm traffic, vans, lorries, cyclists, pedestrians, young families, wild and domestic animals—genuinely an accident waiting to happen.**

All photographs taken 26<sup>th</sup> March 2022



Vehicles parked in basin area (looking North up Main Street)



Contemporaneous – vehicle parking extending from basin area beyond The Old Rectory (looking north up Main Street, The Old Rectory on RHS opposite silver VW)

