

Campaign against the hotel next to the Old Rectory, Appleby Magna (1991 – 2003)

This campaign was notable not only for its length – over 10 years (including nearly 8 years before building began) – but also because it was the impetus for setting up Appleby Heritage and Environment Movement (which latterly became Appleby Environment).

Although the campaign against the hotel took up much of the early years of Ahem, the decision to establish an organization which had a wider remit than just opposing one planning application was important. It allowed the group to build a wide range of interests, activities and projects. Core members of the group also became involved in wider community projects including the Sir John Moore Heritage Centre and Appleby Online.

The attempt to stop a hotel being built was ultimately unsuccessful – in large part due to the group only being formed after the District Council had voted to allow it. This meant that the opposition was always fighting a rearguard action. All those involved were new to the planning process which also impacted on the effectiveness of the early campaign.

What was learnt as part of the campaign was important for fighting later attempts at inappropriate development – most notably a mixed factory outlet shopping and warehousing proposal.

The campaign was also interesting in that it drew on different resources from more recent planning battles. Generous donors who lived close to the site, as well as a wide village membership, provided financial support which allowed the group to have expert legal advice and support. A sympathetic legal practice provided this at a discounted rate over many years. In addition, district councilors who lived locally provided support both in committee meetings and outside. The rules for public involvement in planning decisions were far less constraining than currently. Large demonstrations were held

at the planning offices and placards were allowed into planning meetings!

In the light of major recent developments in and around the village (including large housing sites, HS2, and the Jaguar Land Rover warehouse development) it may seem odd that so many people were concerned about what now appears to be a small development. However it was centrally about the sense of place of Appleby: a rural village separated from the road network; the value given to its countryside environment, and the Old Rectory as a valued part of Appleby's social and built history; and the belief that any development close to the road network would set a precedent for future applications which would lead to further erosion of these valued characteristics.

In an ironic development, the original (2013) proposed route for HS2 would have led to the hotel being demolished. Several iterations later and the line, while close to the original, has been moved such that it avoids the hotel but now threatens the Old Rectory (which in the meantime had gone from a family home to part of HS2's property portfolio). At the time of writing (Spring 2020) there has been substantial opposition to this plan but no official response from HS2.

The following pages provide an overview of the campaign from 1991 to 2003. The detailed documents behind this account have been lodged in the Sir John Moore Heritage Centre as part of its local history archive.

**Stage 1: Initial application to granting permission on appeal
(Jan 1991 to Sept 1992)**

25 th January 1991	First application submitted to build a large hotel next to the Old Rectory and adjacent to the M42 junction
17 th April 1991	Planning Committee reject the application on the advice of the Planning Officers (main grounds against policy & no exceptional need, detriment to rural character) Developers appeal
28 th May 1991	Applicants put in a second very similar application. This time supported by the Council's Economic Development Officer (main grounds exploitation of M42, creation of large number of jobs at time of high unemployment)
31 st July 1991	2 nd application refused by the planning committee in line with the recommendations of the planning officers
12 th August 1991	A Labour group meeting decided that it wanted to permit the development (having previously voted to reject). This followed from a '5-member motion' which was a way of referring the decision back for reconsideration.
14 th August 1991	3 rd Outline application submitted
28 th August 1991	Planning Committee reconsidered the 2 nd application. Planning Officer still recommending refusal. Planning Committee voted to permit the application. It was agreed that approval was a departure from the Development Plan and so should be referred to the Secretary of State for the Environment.
6 th September 1991	Decision endorsed by Full Council
14 th October 1991	Department of Environment confirmed that it was 'calling the application in' and there would be a public enquiry
Week of 14 th January 1992	Public enquiry held in Coalville (Ahem had been formed at the end of 1991).
c. 20 th September 1992	Inspector announced that he approved the application

**Stage 2: Attempt to get detailed permission by Forte / Granada with opposition focusing on containing add on fast food outlet which led to Granada abandoning interest
(Oct 1992 to Dec 1997)**

October 1992 – July 1995	No developments (outline permission valid for 3 years)
August 1995	Application for renewal of outline application for 100 bed hotel and detailed application for a 40 bed hotel (phase 1 of project). Application for Forte (via an agent)
Sept – Nov 1995	Campaign against application based on difference from original outline permission & changed circumstances
November 1995	Council refuses permission for 100 bed hotel
Jan 1996	Forte appeal against refusal
March 1996	Appeal heard via written representations: Council and Ahem (with legal support) defending refusal
June 1996	Appeal decision – outline approval for 100 beds given
August 1996	Appeal against non-determination of access road (part of detail application)
February 1997	Detailed application for 40 bed hotel (phase 1) with ancillary facilities and carparking Granada has taken over Forte so Travel Lodge style
Feb – June 1997	Ahem campaign on grounds that what is intended is another fast food outlet (e.g. Burger King) facing McDonalds and catering for passing travelers rather than hotel residents
June 1997	Planning committee agree to a 'site visit' (delay decision)
August 1997	Planning committee narrowly pass the application but impose a condition on the number of people using the restaurant based on hotel occupancy numbers
October 1997	Appleby resident next to site applies for judicial review against council over granting planning permission
December 1997	Granada write to objectors saying that they are unlikely to pursue the permission citing 'environmental concerns' of local residents. (But permission goes with the land so still stands)

**Stage 3: Hotel finally built despite a range of rearguard actions
(Jan 1998 – Jan 2003)**

1998	Leave to apply for judicial review against District Council decision was granted (but ultimately did not proceed). Granada pursued other local sites
1999	The site was sold on in the summer and applications came from a new intermediary company Loangain. An access gap was made in the Rectory Lane hedgerow (not covered by planning permission). Work began in October under the previous Granada application for the 40-bed hotel and an application was made for the reserved matter of a 100 bed hotel This was rejected at the end of November by the Planning Committee (against officer advice). A number of lines of opposition were pursued over the year and the papers are filed in these themes rather than in strict chronological order.
1999 (i)	Anger with Council / Planning Officers for not sharing with objectors that construction was about to proceed. This was out of line with statements from both about working with Parish Councils and communities
1999 (ii)	Demand for prosecution under hedgerow regulations / reinstatement (no prosecution but hedgerow replanted and developers not allowed to use it for access)
1999 (iii)	Attempt to get the Council to impose an Environmental Impact assessment on the application for 100 bed application (unsuccessful)
1999 (iv)	Attempt to frustrate development through land ownership of access land
1999 (v)	Pursuing archaeological investigation of the site prior to development. This revealed a Romano British settlement with findings that have been on show at the SJMF museum (on loan from the Leicestershire Archaeology Service)
1999 (vi)	Investigation into owners and their business interests to shed light on their likely intentions for the site (interests in night clubs and ice rinks and other leisure facilities in Birmingham)
Jan 2000	Application to extend outline permission

Feb 2000	Applicants appeal against 1999 refusal
March 2000	Application went to Planning Committee. Committee went into confidential session to hear legal opinion after which they approved permission for 100 bed hotel.
April 2000	Ahem tell their supporters there are no further means of opposing the development.
July 2000	Hotel manager encourages villagers to 'be friends' at the same time applying for illuminated signs etc
October 2000	Application for alcohol license beyond restaurant customers and announce hotel is called 'Hotel Metro'
December 2000	Applications for large illuminated signs against Village Design Statement which by this time was Supplementary Planning Guidance. More damage to hedgerow.
February 2001	Hotel Metro opens. Ashby Times publishes an advert for it without acknowledging it as that. Ahem makes a complaint to the ASA (Advertising Standards Authority)
June 2001	ASA finally come down in favour of Ahem (against their draft recommendation)
Feb – April 2001	Council objects to a wide alcohol license on grounds the restaurant is ancillary to the hotel. However, Council says any breach needs to be documented and reported to police rather than being a breach of planning permission.
Sept – Dec 2001	Hotel acquired by Parham Holdings. Application for extension for conference facilities. They attempt to win over the Parish Council and Ahem. They seek to address specific problems around landscaping and in particular flooding. In return they expect cooperation over their new applications. Ahem & PC maintain opposition to further extensions (while requiring problems addressed). Officers inclined to approve application but after various delaying tactics it is refused in mid-December. Parham provide a flooding / drainage report – Ahem respond
Feb 2002	Parham make a modified application for conference facilities. Not sure what happens to this! (presumably approved)
Nov 2002 – Jan 2003	Application for a Public Entertainment license – eventually compromise agreed for limited permission.