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Lichfield
District Council

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Lichfield, Staffordshire WS13 6YU**

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Tuesday, 31 December 2024

Dear Sir/Madam

PLANNING COMMITTEE

A meeting of the Planning Committee has been arranged to take place **WEDNESDAY, 8TH JANUARY, 2025 at 6.00 PM IN THE COMMITTEE ROOM** District Council House, Lichfield to consider the following business.

Access to the Committee Room is via the Members' Entrance.

The meeting will be live streamed on the Council's [YouTube channel](#)

Yours faithfully

Kerry Dove
Chief Operating Officer

To: Members of Planning Committee

Councillors Harvey-Coggins (Chair), Ashton (Vice-Chair), Anketell, Checkland, Cross, Evans, Galvin, Mears, Marshall, Powell, Rushton, Salter, S Taylor, S Wilcox and Vernon



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AGENDA

1. Apologies for Absence
2. Declarations of Interest
3. Minutes of Previous Meeting 3 - 4
4. Planning Applications 5 - 26

5. **Exclusion of Public and Press**

RESOLVED: That, as publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted the public and press be excluded from the meeting for the following item of business which would involve the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended.

IN PRIVATE

6. CONFIDENTIAL - Committee Appeal Update Jan 2025 27 - 34



Public Document Pack Agenda Item 3

PLANNING COMMITTEE

18 NOVEMBER 2024

PRESENT:

Councillors Harvey-Coggins (Chair), Ashton (Vice-Chair), Anketell, Checkland, Cross, Evans, Galvin, Mears, Marshall, Powell, Rushton, Salter, S Taylor and Vernon

1 APOLOGIES FOR ABSENCE

Apologies of absence were received from Cllr S.Wilcox

2 DECLARATIONS OF INTEREST

There were no declarations of interests received.

3 MINUTES OF PREVIOUS MEETING

Cllr Checkland noted that he gave his apologies for the meeting back in September as it was recorded he was absent.

The minutes of the previous meeting were approved.

4 PLANNING APPLICATIONS

24/00066/COU - New Buildings Farm Croxall Road Lichfield Edingale

RESOLVED: Approved in line with officers recommendations.

(Prior to Consideration of the Application, Representations were made by Louise Hinsley (Applicant's Agent)).

24/00806/COUM - Swinfen Hall Hotel The Drive Lichfield Swinfen And Packington

THIS ITEM WAS WITHDRAWN FROM THE AGENDA

24/00843/FULM - Land Rear Of Former Bridge Cross Garages Cannock Road Chase Terrace Burntwood

RESOLVED: Approved subject to officers checking the parking arrangements for the proposal in terms of disabled spaces provision and electric charging points.

(The Meeting closed at 6.30 pm)

CHAIR

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Agenda Item 4

Planning Committee

8 January 2025

Agenda Item 4

Contact Officer: Artemis Ansell

Telephone: 01543 308010

Report of Director of Planning and Regeneration

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT, 1985

All documents and correspondence referred to within the report as History, Consultations and Letters of Representation, those items listed as 'OTHER BACKGROUND DOCUMENTS' together with the application itself comprise background papers for the purposes of the Local Government (Access to Information) Act, 1985.

Other consultations and representations related to items on the Agenda which are received after its compilation (and received up to 5 p.m. on the Friday preceding the meeting) will be included in a Supplementary Report to be available at the Committee meeting. Any items received on the day of the meeting will be brought to the Committee's attention. These will also be background papers for the purposes of the Act.

FORMAT OF REPORT

Please note that in the reports which follow

- 1 'Planning Policy' referred to are the most directly relevant Development Plan Policies in each case. The Development Plan comprises the Lichfield District Local Plan Strategy 2008-2029 (2015), Lichfield District Local Plan Allocations 2008-2029 (2019), any adopted Neighbourhood Plan for the relevant area, the Minerals Local Plan for Staffordshire 2015-2030 (2017) and the Staffordshire and Stoke on Trent Joint Waste Local Plan 2010-2026 (2013).
- 2 The responses of Parish/Town/City Councils consultees, neighbours etc. are summarised to highlight the key issues raised. Full responses are available on the relevant file and can be inspected on request.
- 3 Planning histories of the sites in question quote only items of relevance to the application in hand.

ITEM 'A' Applications for determination by Committee - **FULL REPORT**

ITEM 'B' Lichfield District Council applications, applications on Council owned land (if any) and any items submitted by Members or Officers of the Council.

ITEM 'C' Applications for determination by the County Council on which observations are required (if any); consultations received from neighbouring Local Authorities on which observations are required (if any); and/or consultations submitted in relation to Crown applications in accordance with the Planning Practice Guidance on which observations are required (if any).

AGENDA ITEM NO. 4

ITEM A

APPLICATIONS FOR DETERMINATION BY COMMITTEE: FULL REPORT

8 January 2025

CONTENTS

Case No.	Site Address	Parish/Town Council
24/00806/COUM	Swinfen Hall Hotel The Drive Lichfield	Swinfen And Packington

LOCATION PLAN

24/00806/COUM
Swinfen Hall Hotel
The Drive
Lichfield

Scale: 1:3,000

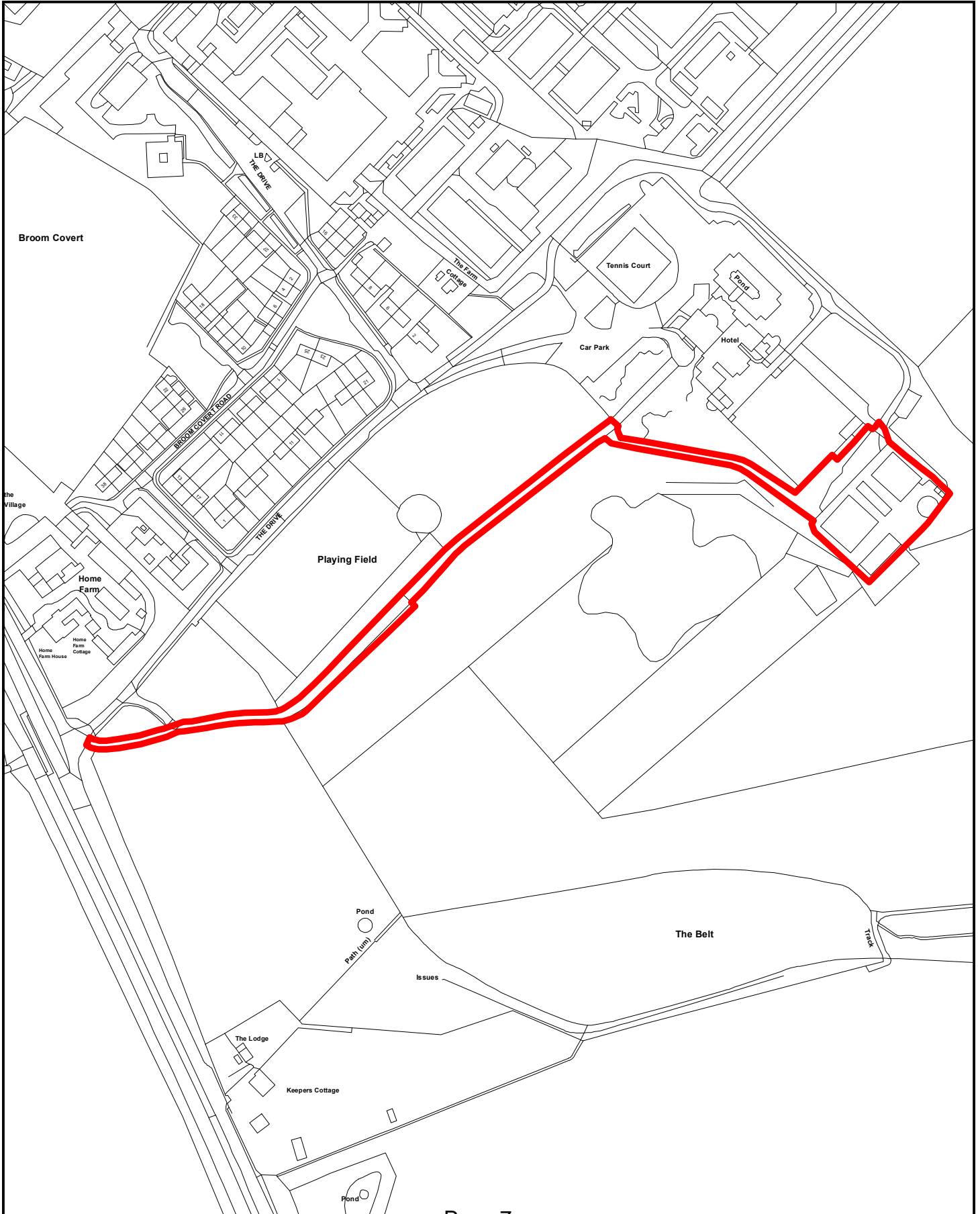
Dated: November 2024

Drawn By:

Drawing No:



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Planning committee report



Lichfield
District Council

Address:	Swinfen Hall Hotel, The Drive, Lichfield, Staffordshire		
Application number:	24/00806/COUM	Case officer:	Katherine Borton
Ward:	Bourne Vale	Date received:	06/08/2024
Parish:	Swinfen And Packington		
Proposal:	Conversion of existing Barns A and D into offices (Class E) with the installation of a projecting balcony onto Barn A; conversion of existing Barns B and C into wedding venue facilities including a single storey infill between Barns B and C; installation of new fenestration and cladding; demolition of existing water tank to facilitate a new car parking area with access arrangements, cycle store and landscaping		
Reason for being on agenda:	This planning application is being reported to the Planning Committee due to significant planning objections raised by Swinfen and Packington Parish Council. Swinfen and Packington Parish Council objections include the conversion and use of barns B and C as a wedding venue.		
Recommendation:	Approve, subject to the prior completion of a S106 TCPA 1990 Unilateral Undertaking relating to the car parking approved in 21/01570/FULM and conditions		
Applicant:	Lee Bushell	Agent:	Mr Max Plotnek

1. Executive summary

- 1.1 This application seeks permission for Conversion of existing Barns A and D into offices (Class E) with the installation of a projecting balcony onto Barn A; conversion of existing Barns B and C into wedding venue facilities including a single storey infill between Barns B and C; installation of new fenestration and cladding; demolition of existing water tank to facilitate a new car parking area with access arrangements, cycle store and landscaping
- 1.2 This application is a resubmission of application 23/00784/COUM. This application had a single reason for refusal, which provided that it had not been demonstrated that the development would not cause significant harm to existing habitats of protected species and, that the scheme failed to demonstrate that a net gain for biodiversity can be achieved.
- 1.3 The current application before you included submitted information in order to comply with the mandatory Biodiversity Net Gain (BNG) legislation, and address the previous conflict identified in the above-mentioned reason for refusal.
- 1.4 The site (as seen in figure 1) is currently home to four agricultural sheds and areas that are being used for storage. The sheds are constructed from steel pillars and trusses and have a corrugated iron roof. Some elevations of the sheds are filled in with concrete breeze blocks to create a wall.
- 1.5 The primary consideration is the impact the proposed development would have on the Grade II and Grade II* heritage assets at Swinfen Hall. It is considered that the proposed development would be in accordance with paragraph 154(c) of the National Planning Policy Framework regarding the proposed alterations to the built form and would also have a positive impact upon the restoration of Swinfen Hall itself as the business would help fund the restoration of the listed building.

Summary

Overall, the scheme is considered appropriate and acceptable and is recommended for approval subject to the recommendations as outlined within this report.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below and overleaf, which provides full details of all consultation responses, planning policies and the officer's assessment. Members are advised that this summary should be read in conjunction with the detailed report.

2. The site

- 2.1 This application relates to Swinfen Hall in the Parish of Swinfen and Packington. The site is located in a rural area on the outskirts of Lichfield and within the West Midlands Green Belt. Swinfen Hall is a Georgian Manor House set within extensive grounds. The Hall itself is Grade II* Listed and was previously used as a hotel. A garden wall also benefits from its own Grade II listed status. The former hotel is accessed off the A38 dual trunk road, and has an existing car park, landscaped gardens and a complex of agricultural buildings within around 100 acres of parkland. To the far north of the wider site is a lake. To the immediate west of the site is HMP Swinfen, a mens prison and young offenders institution, and Swinfen village.

Swinfen Hall was first listed in 1982. The balustrade and garden wall located 100m to the North East of the Garden Front is also Grade II listed under a separate listing. This element was listed in 1988. The list description for the main building reads:

*"6/99 Swinfen Hall and attached steps 26.2.82 and terraces (Formerly listed as Swinfen Hall) GV II**

Country house, now a hotel. Dated 1755, by Benjamin Wyatt with substantial late C19 and early C20 additions. Red brick with stone plinth, details and dressings; flat roof invisible behind balustraded parapet; corniced brick central stacks. Baroque style (and as a consequence late of period) with a rectangular plan now extended to the south east. Entrance front: two storeys on a plinth, rising to dentilled cornice with attic storey over, again corniced under the parapet which is divided into 6 bays by dies and with a central panel rising to a segmental pediment and bearing a cartouche with the coat of arms of the Swinfens. The facade is divided into 2,3,2 bays by giant Ionic pilasters which rise to breaks in the main cornice and continue as strips beyond; the glazing bar sashes (rising from 18,18 to 6 panes on the attic) have moulded stone surrounds with lugged and keystone heads and consoled cills, the attic windows are only lugged top and bottom. Central entrance has a flat-dentilled pediment on triglyph frieze and Tuscan columns; double doors of four panels each and approached by a short wide flight of steps. A shorter, underplayed side elevation bears the date on the keystone of a basement door, inscribed "SS/1755" the details are similar but the plinth storey is not faced in stone. Garden front: of identical layout to the entrance but lacking such extensive detail: there is no central cartouche, the windows have keystone centres to gauged brick heads and consoled cills (except the centre first floor window which is as on the entrance front). The centre three bays on the ground floor are taken up by a late C19 semicircular bay projection of three French casements and balustraded parapet; the spaces between windows are occupied by terms carved in Portland stone. From the garden front the bulk of the C19 extension can be seen. It projects 3 bays from the left-hand side and is fronted by 6 bays, all more widely spaced than the C18 work but of intendedly similar height and detail. The garden front of the C18 house and the C19 block are connected by a raised balustraded terrace in Portland stone with two concave flights of steps to the north east. Interior: the C18 interior was substantially altered in the late C19 but in an interpreted C18 manner, some material may have been reused. The entrance leads into a hall occupying half the depth of the house, the central three bays and two storeys (the plan therefore divided into two apartments either side and one in front): elaborate plasterwork, the ceiling particularly very floral, dentilled cornice and lugged panels below, expressing the floor division; pedimented door surrounds; elaborate fireplace to right with swan-necked pediment to overmantel, consoled mantel and lugged marble fire surround. The hall is dominated not by a staircase but a balcony running across the entrance axis and with turned balusters on a dentilled cornice and frieze which sits on fluted Ionic columns. Under the balcony round-arch

entries lead at centre to the saloon at left to the dining room and right to the stair hall. Dog-leg stair with 3 turned balusters per tread, open string with carved console tread ends; ramped angles and curtail scroll. The landing has a stained glass serlian window by Dudley Forsyth of London. The library leading on to the dining room are both typical of the house with C18 style details including panelling, doorcases and cornices. The saloon is more obviously C19 particularly with the circular end leading to the garden. The C19 block contains a large dining room in the C18 style and a huge ballroom, fully panelled with a columnated recess of storey height and with solid wood columns. The first floor contains much fine carved work and a pair of early C20 bathrooms with extensive and complete fittings. B.O.E., p.271-2.”

- 2.2 The site (as seen in figure 1) is currently home to four agricultural sheds and areas that are being used for storage. The sheds are constructed from steel pillars and trusses and have a corrugated iron roof. Some elevations of the sheds are filled in with concrete breeze blocks to create a wall.

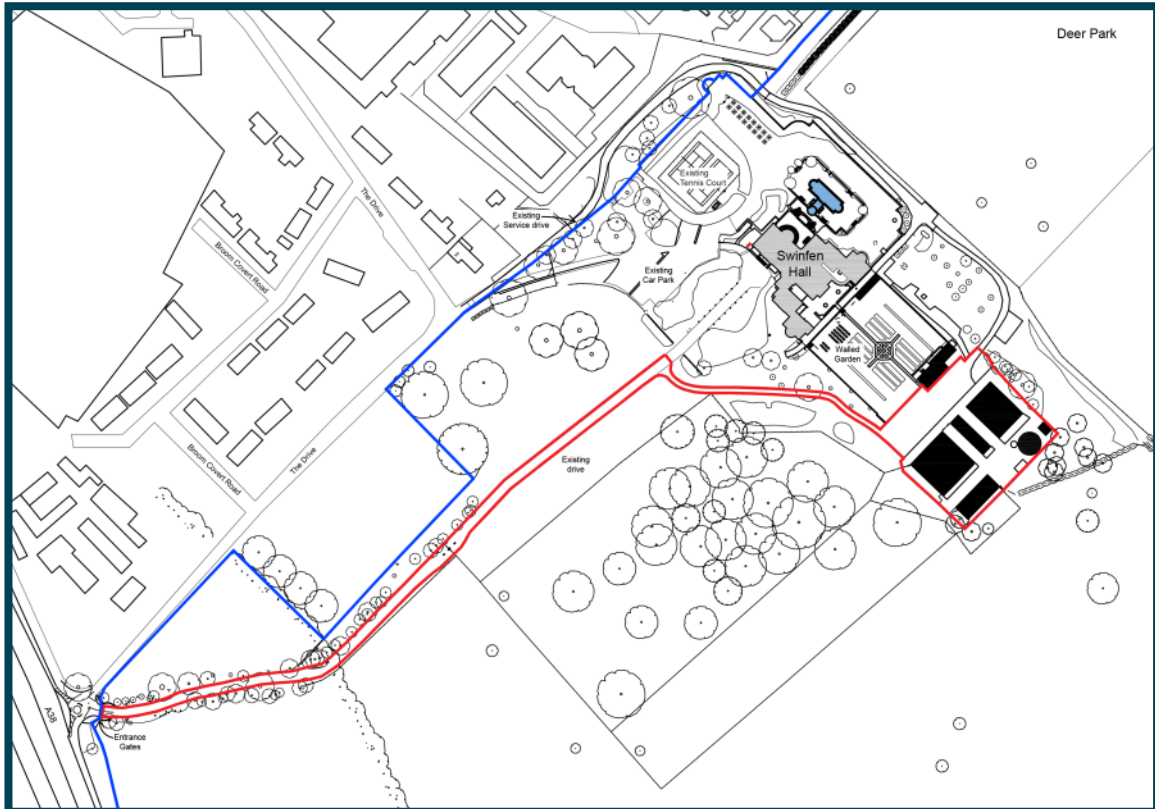


Figure 1: Site Location Plan

- 2.3 The site is located within the West Midlands Green Belt, Cannock Chase SAC outer Zone, Flood Zone 1, and a Greater Crested Newts Amber Zone.

3. Planning history

07/00670/FUL	Proposed new access with associated landscaping, signage, surfacing works and screen wall enclosure	Approve	08/10/2007
21/01570/FULM	Various renovation works including the conversion of staff accommodation and outdoor bothies to create 9 new hotel rooms, 2 holiday cottages and the construction of 12 No. lakeside chalets, demolition of agricultural structures, erection of 1 No. two storey hotel block comprising 12 hotel rooms, 1 No. two storey hotel block comprising 7 hotel rooms, and a hotel leisure complex comprising spa with treatment rooms, gym, indoor/outdoor pool facilities and restaurant, extension of car park,	Approve	18/05/2022

	erection of an entrance gate and all associated works and landscaping across the site.		
21/01571/LBC	Works to listed building to enable various renovation works including the conversion of staff accommodation and outdoor bothies to create 9 new hotel rooms, 2 holiday cottages, alterations to windows and all with associated works	Approve	18/05/2022
22/00913/LBC	Retention of internal works to existing basement	Approve	17/01/2023
22/00915/FULM	Retention of marquee	Refuse	24/11/2022
23/00239/FUL	Retention of temporary marquee	Refuse	28/04/2023
21/01570/DISCH	Discharge of conditions 3, 4, 5, 8, 9, 10, 11 of permission 21/01570/FULM		19/07/2023
23/00784/COUM	Conversion of existing Barns A and D into offices (Class E) with the installation of a projecting balcony onto Barn A, conversion of existing Barns B and C into wedding venue facilities including a single storey infill between Barns B and C, installation of new fenestration and cladding, demolition of existing water tank to facilitate a new car parking area with access arrangements, cycle store and landscaping	Refuse	25/03/2024

Appeal history

23/00010/ENF	Appeal against enforcement notice related to unauthorised erection of marquee	In Progress	Undetermined
24/00020/ENF	Appeal against Enforcement Notice related to alleged unauthorised works to a listed building and alleged change of use	In Progress	Undetermined

4. Proposals

- 4.1 This application seeks permission for the conversion of existing Barns A and D into offices (Class E) with the installation of a projecting balcony onto Barn A; conversion of existing Barns B and C into wedding venue facilities including a single storey infill between Barns B and C; installation of new fenestration and cladding; demolition of existing water tank to facilitate a new car parking area with access arrangements, cycle store and landscaping.
- 4.2 This application is a resubmission of application 23/00784/COUM. The current application submitted information in order to comply with the mandatory Biodiversity Net Gain (BNG) legislation.
- 4.3 The revised proposals are summarised as follows:
- Conversion of existing Barns A and D into offices (Class E);
 - Installation of a projecting balcony onto Barn A;
 - Conversion of existing Barns B and C into wedding venue facilities including a single storey infill between Barns B and C;
 - Installation of new fenestration and cladding;
 - Demolition of an existing water tank to facilitate a new parking area with access arrangements
 - New cycle store; and
 - Landscaping.
- 4.4 The proposed site plan (3715 - 107 - Swinfen Hall Barns - Proposed Barns Masterplan) is shown below.

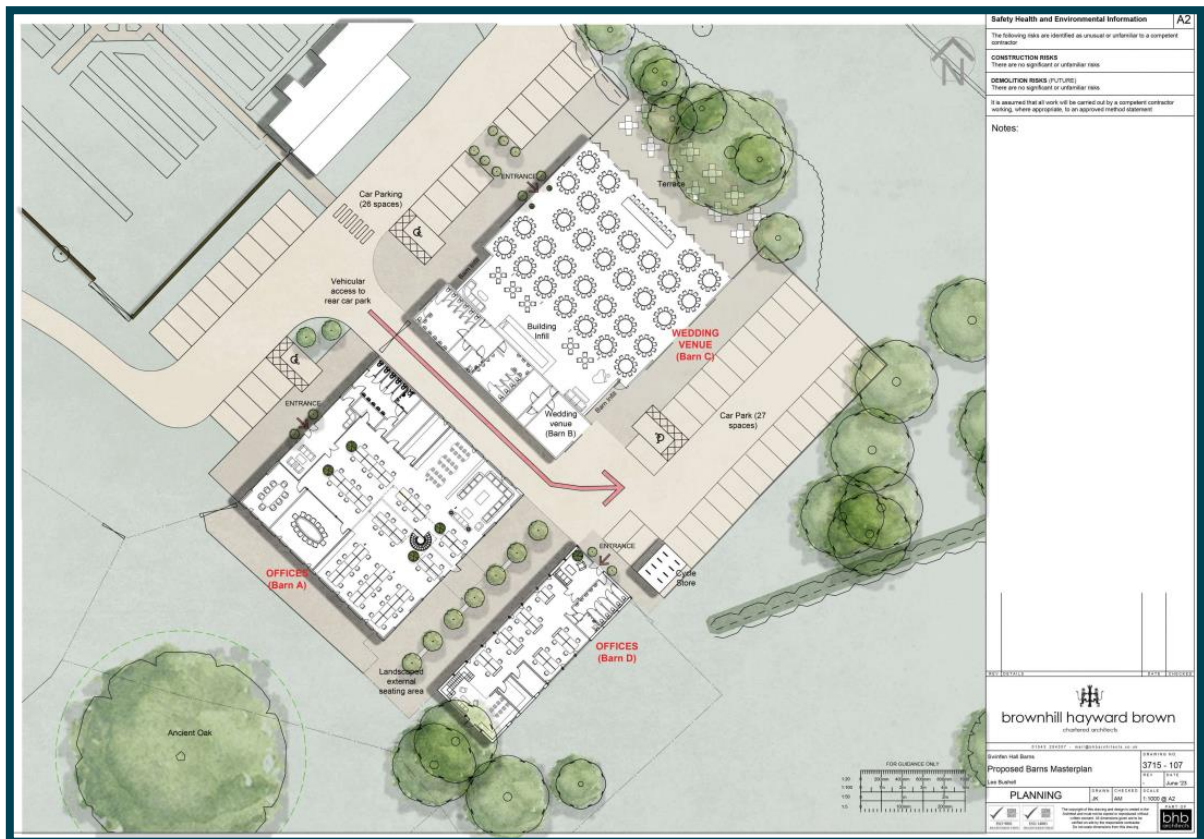


Figure 2: Proposed Site Plan

5. Background

- 5.1 It is noted that the site is subject to two appeals against enforcement cases. These appeals are currently on going. However, the application before you should be assessed on the merits of its proposals alone.

6. Policy framework

- 6.1 **National Planning Policy Framework (2023)**
 Chapter 2 – Achieving sustainable development;
 Chapter 6 – Building a strong and competitive economy;
 Chapter 11 – Making effective use of land;
 Chapter 12 – Achieving well-designed and beautiful places; and
 Chapter 16 – Conserving and enhancing the historic environment.
- 6.2 **Local Plan Strategy**
 Policy BE1 - High Quality Development
 Core Policy 1: The Spatial Strategy
 Core Policy 2: Presumption in Favour of Sustainable Development
 Core Policy 3: Delivering Sustainable Development
 Core Policy 5: Sustainable Transport
 Core Policy 7: Employment and Economic Development
 Core Policy 13: Our Natural Resources
 Core Policy 14: Our Built and Historic Environment
 Policy SC1: Sustainability Standards for Development
 Policy ST1: Sustainable Travel
 Policy ST2: Parking Provision
 Policy NR1: Countryside Management
 Policy NR2: Development in the Green Belt

Policy NR3: Biodiversity, Protected Species and Their Habitats
Policy NR4: Trees, Woodland and Hedgerows
Policy NR7: Cannock Chase Special Area of Conservation
Policy BE1: High Quality Development
Policy Rural 1: Rural Areas.

6.3 **Local Plan Allocations Document**

Policy BE2: Heritage Assets

6.4 **Supplementary Planning Document**

Sustainable Design SPD
Historic Environment SPD
Rural Development SPD
Biodiversity and Development SPD
Trees Landscaping and Development SPD

6.5 **Other**

National Planning Policy Framework
National Planning Policy Guidance

7. Supporting documents

7.1 The following plans and supporting documents form part of this recommendation:

Plans:

- Site Location Plan, 3715-100 – Received 15.11.2024
- Proposed Masterplan 3715-106 – Received 15.11.2024
- Proposed Barns Masterplan 3715-107 – Received 06.08.2024
- Proposed Plan – Barn A (Offices) 3715-108 – Received 06.08.2024
- Proposed Elevations – Barn A (Offices) 3715-109 – Received 06.08.2024
- Proposed Plan – Barns B and C (Wedding Venue) 3715-110 – Received 06.08.2024
- Proposed Plan – Barn D (Offices) 3715-113 – Received 06.08.2024
- Proposed Elevations – Barn D (Offices) 3715-114 – Received 06.08.2024
- Proposed Roof Plan – Barn A (Offices) 3715-115 – Received 06.08.2024
- Proposed Roof Plan – Barn B and C (Wedding Venue) 3715-116 – Received 06.08.2024
- Proposed Roof Plan – Barn D (Offices) 3715-117 – Received 06.08.2024
- Proposed Vehicular and Pedestrian Routes 3715-118 – Received 06.08.2024
- Site Survey, 3715-119 – Received 06.08.2024
- Proposed Cycle Store Details 3715-120 – Received 06.08.2024
- Proposed External Visuals – Barn B and C (Wedding Venue) 3715-820 – Received 06.08.2024
- Proposed Internal Visuals – Barn B and C (Wedding Venue) 3715-821 – Received 06.08.2024
- Existing Site Plan – 3715-101 – Received 06.08.2024
- Barns - Existing Plans 3715-102 – Received 06.08.2024
- Barns A and B – Existing Elevations 3715-103 – Received 06.08.2024
- Barns C and D – Existing Elevations 3715-104 – Received 06.08.2024
- 3715-007B BNG Tree Planting Plan – Received 09.10.2024

Supporting Documents:

- Swinfen Hall Barns, Lichfield – Design and access Statement (June 2023) – Received 06.08.2024
- Ecology Report - Swinfen Hall Barns, Lichfield (July 2024) – Received 06.08.2024
- Preliminary Ecological Appraisal (August 2021) – Received 06.08.2024
- Heritage Statement (June 2023) – Received 06.08.2024
- Noise Assessment (October 2023) – Received 06.08.2024
- Planning Statement (July 2024) – Received 06.08.2024
- Structural Survey (August 2023) – Received 06.08.2024

- Transport Assessment (June 2023) – Received 06.08.2024
- Proposed Plan – Barn A (offices) 3715-108 – Received 06.08.2024
- The Statutory Biodiversity Metric Calculation Tool – Received 06.08.2024
- Lichfield Statutory Biodiversity Metric Conditions Assessment (February 2024) Baseline – Received 06.08.2024
- Lichfield Statutory Biodiversity Metric Conditions Assessment (February 2024) Proposed – Received 06.08.2024
- Habitat Regulation Assessment (Lichfield District Council) – Written 31.10.2024

8. Consultation responses

- 8.1 Please note, consultee responses were received prior to the National Planning Policy Framework being revised. Where appropriate, the updated NPPF reference has been made.
- 8.2 **Staffordshire County Council (Highways)** (response 22.08.2024) – Highways have no objection to the proposed development.
- 8.3 **Staffordshire County Council (Planning)** (response 08.08.2024) – Staffordshire County Council (Planning) have no comment.
- 8.4 **Severn Trent Water - Planning Only** – No response.
- 8.5 **Highways England** (response 02.12.2024) – Following on from some clarification from Highways England, the Senior Technical Advisor explains that considering that there is no proposal to change the highway geometry, and if the traffic increases are minimal such that they don't represent any concern for planning or operations, then in my opinion the departures do not require resubmission.
- 8.6 **Campaign To Protect Rural England** – No response.
- 8.7 **Historic England** (Response 29.08.2024) – Historic England have not provided any advice on this occasion.
- 8.8 **Architectural Liaison Officer** (response 28.08.24) – The Architectural Liaison Officer has no objection but suggests the following measures to ensure crime is designed out to the best of the applicants ability: external lighting, cycle stands, CCTV, alarm systems, interior doors to offices and store rooms, interior walls to places like offices and sever rooms, toilet facilities, and changing rooms and staff locker rooms.
- 8.9 **Waste Management** (response 12.08.2024) - There are no comments in relation to the Joint Waste Service.
- 8.10 **Environmental Health Team - LDC** (response 23.10.2024) – The Environmental Health Officer has confirmed that if the application is approved, a condition should be attached to the decision to demonstrate all noise measures are installed and are working in accordance with the recommendations set out in the acoustic assessment. The report will need to be undertaken by someone competent in the assessment of environmental acoustics. The condition set out by the Environmental Health Officer has been stated in section 20.
- 8.11 **Spatial Policy and Delivery Team** (response 28.08.2024) – The Policy and Strategy team consider the sustainability of rural communities an important thread which runs from national policy through to local policy. This means both economic and social sustainability, ensuring that a range of local services and facilities are available to rural communities.

The site is located within the Green Belt and the conversion of the existing buildings (Barns A, B, C and D) meet with the exception listed within Paragraph 155d (updated paragraph number 154(h)) of the NPPF in regard to the reuse of buildings provided they preserve its openness. The Policy and

Strategy team consider the new build element of the development, a 130sqm single storey infill building, to meet the exception outlined at paragraph 154c in relation to the extension and alteration of a building.

- 8.12 **Tree Officer - LDC** (response 19.09.2024) – The Senior Policy and Strategy Officer (Arboriculture), agrees with the comments from their Ecology colleague which were deposited on the 29th August 2024 in relation to tree matters. Andrew could not yet agree support for the proposals and would ask that we be able to submit further comments when requested information is available for assessment. However, as stated in the Ecology comments dated 04.11.2024 the Ecology Officer is now happy with all ecology and tree matters.
- 8.13 **Historic Environment Officer (Archaeology)** (response 20.08.2024) – The County Archaeologist, has reviewed the proposals against the information held by the Staffordshire Historic Environment Record (HER) and the comprehensive Heritage Impact Assessment (HIA) submitted in support of the application. Whilst there is clear historic environment interest in the application site, given the nature of the proposals and the developmental history of the application site, Shane does not wish to raise any archaeological issues with the proposals, and an archaeological condition of planning would not be appropriate in this instance. Furthermore, Shane has deferred to the Lichfield Conservation colleagues and Historic England with regards to the potential impact of the proposals on the setting of the Grade II* listed Swinfen Hall and associated structures.
- 8.14 **Great Crested Newt Officer** (response 08.08.2024) – The Great Crested Newt Officer considers that the development would not cause an impact on Great Crested Newts and/or their habitats. The site falls in the red/amber Zone for Great Crested Newts. The officer has suggested an informative to be added to the decision notice which can be seen in section 22 of this report.
- 8.15 **Conservation And Urban Design Team** (response 04.09.2024) – The Conservation Officer has no objection to the application, similar to the previous application. However, they suggest a materials condition be imposed on the decision notice.
- 8.16 **Ecology Team - LDC** (responded 04.11.2024) - Following discussion with the Applicant and their consultant Ecologist, it has been determined that the proposed schedule for achieving biodiversity net gain as a result of the development is acceptable and as such, previous comments on this matter have been resolved. Recommendations for securing a sensitive lighting plan and ecological enhancement plan for the proposal remain valid. For clarity, the Ecologist has requested an Ecological Enhancement Plan condition and a lighting condition which can be found in the comments dated 29.08.2024.

9. Neighbour responses

- 9.1 13 letters of representation have been received in respect of this application. The comments made are summarised as follows:
- No acceptable proposals to limit the noise pollution;
 - Increase in the number of guests from 180 to 350;
 - Increase in their operation hours which is adjacent to the residential area;
 - Not creating quality full time jobs in the local area;
 - Noise from weddings/parties is loud and causes vibration until late at night/early hours of the working;
 - Increase in volume of traffic leaving Swinfen and exiting onto the A38;
 - The venue has disregard to the local residents when holding events;
 - Visitors to the events create large amounts of noise sometimes as early as 8am;
 - Unsafe movements onto the A38 from taxi's, coaches, and visitors;
 - Perhaps a limit to the number of events they can hold each year to reduce the impact upon local neighbours; and
 - Infringement on the Green Belt.

- 9.2 Swinfen And Packington Parish Council have also responded on 19.08.2024 stating that the Local Planning Authority must take into account that the site is located wholly within the Green Belt and Swinfen Hall is Grade II* Listed. The Parish Council has no objection in principle to Barns A and D being converted into offices [Class E], however, the Parish Council does object to the conversion of Barns B and C into a wedding venue by virtue of the noise generated and associated disturbance, which would result in an unacceptable impact on the amenity of neighbouring residents.
- 9.3 There have been no petitions received for this application.

10. Assessment

10.1 It is considered that the determining issues relevant to the assessment of this proposal are:

- Policy & principle of development
- Design and impact upon the character and appearance of the surrounding area
- Heritage matters
- Residential Amenity
- Access and highway safety
- Ecology and Impact on Trees
- CIL/Planning obligations
- Human rights

11. Policy & principle of development

- 11.1 Section 38 (6) of the Planning and Compulsory Purchase Act (2004) sets out that the determination of applications must be made in accordance with the development plan, unless material considerations indicate otherwise. The Development Plan for Lichfield District comprises the Local Plan Strategy (2008-2029), adopted in February 2015 and the Local Plan Allocations Document (2008-2029), adopted in July 2019. The Local Plan Policies Maps form part of the Local Plan Allocations Document.
- 11.2 The site is located within the Green Belt, however the development is located on previously developed land. The main issues to consider are the impact on the Green Belt and compliance with the Local Plan Strategy in terms of the location of the proposed development.
- 11.3 The decision-making process when considering proposals for development in the Green Belt is in the 3 stages as follows:
- a) It must be determined whether the development is appropriate or inappropriate development in the Green Belt.
 - b) If the development is appropriate, the application must be determined on its own merits.
 - c) If the development is inappropriate, the presumption against inappropriate development in the Green Belt applies. The development should not be permitted unless there are very special circumstances which outweigh the presumption against it.
- 11.4 Paragraph 153 confirms that inappropriate development in the Green Belt is harmful and should not be approved unless in very special circumstances. Para 154 states that certain forms of development are not inappropriate in the Green Belt, provided they preserve its openness and do not conflict with the purposes of the Green Belt. This includes the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The principles in the NPPF are reiterated in Policy NR2 of the Local Plan Strategy.
- 11.5 The NPPF provides a closed list of exceptions to the presumption against inappropriate development within paragraph 154 which include point C stating, 'the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building'.

- 11.6 The 130sqm new build single storey infill is deemed to meet the exceptions of paragraph 154 (c) as it would not be disproportionate to the size of the original building and would simply be connecting the two existing barns.
- 11.7 In addition, paragraph 154(g) of the NPPF states the following 'limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
- not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.
- 11.8 The existing four buildings on site are currently being used for storage. The sheds are constructed from steel pillars and trusses and have a corrugated iron roof. Some elevations of the sheds are filled in with concrete breeze blocks to create a wall. It could be argued that that it would not have a greater impact on Green Belt openness than the 'existing development' and it is acknowledged that the proposed built form would be consistent with the siting of the existing agricultural units.
- 11.9 Core Policy 1: The Spatial Strategy, which requires the applicant to make effective use of previously developed land The site is considered previously developed land and proposals would not have substantial harm on the openness of the Green Belt.
- 11.10 Furthermore, Core Policy 7: Employment and Economic Development states that between 7,310 and 9000 additional jobs need to be created within the district to achieve a job ration of 85% by 2029. The change of use of the barns into offices and a wedding venue will provide additional jobs to the district and deliver accessible office space within the region.
- 11.11 The use of barns A and D as offices and barns C and D as a wedding venue will operate at opposite times of the day meaning that the uses should not impact upon one another. Therefore, the change of uses are considered appropriate.
- 11.12 Therefore, the use of the site for a wedding venue and for offices would be appropriate in this location and would be in accordance with the NPPF, Core Policy 1, Core Policy 7, and Policy NR2 of the Local Plan Strategy.

12. Design and impact on the character and appearance of the surrounding area

- 12.1 Policy BE1: High Quality Development of the Local Plan Strategy requires new development, including extensions and alterations to existing buildings, to carefully respect the character of the surrounding area and development in terms of layout, size, design, and public views. The policy has regard to amenity, soft landscaping, and sustainable transport.

Layout

- 12.2 The proposed scheme utilises existing buildings on site and also includes the extension/ infill of between barns C and D to accommodate for weddings. The current GIA of barn C and D are 136m² and 427m² respectively. With the infill, the GIA will increase to 696m². The infill will create a foyer area between bars C and D which will also provide access to guest amenities and staff facilities. The infill between the bars is considered appropriate as it is proportionate to the existing buildings.
- 12.3 Barns A and D propose a similar design with the inclusion of floor to ceiling windows on the ground floor and standard windows on the first floor. Barn A has a current GIA of 573m² and will increase to 609m². Barn D has a current GIA of 204m² and will increase to 404m². The increase in gross internal area will come from the addition of a mezzanine floor in Barn A and a first floor in Barn D. The addition of the mezzanine/ first floor with both barns A and D allows for space to be maximised and vacant barns to be utilised to their full potential. Barn A will accommodate up to 60no. members of staff and

will have its own amenity space. Barn D will accommodate up to 30no. members of staff with its own amenity space.

Design

- 12.4 Drawings 3715-820 and 3715-821 provide visuals of the proposed wedding venue. The visuals demonstrate a modern design which is sympathetic to its setting. The Design and Access Statement explains that some of the existing materials will be removed and swapped for a more aesthetically pleasing material.
- 12.5 All four barns will be clad with weathered timber boarding and all windows will be PPC aluminium in dark grey. Barns C and D will include sliding and bi-folding doors to provide views over the deer park.
- 12.6 The design of the development does not seek to copy the design of Swinfen Hall but aims to keep the aesthetic of the barns.

Impact on the Surrounding Area

- 12.7 Previously, there have been concerns over noise from events in barns C and D which could disrupt local residents. However, the Environmental Health Officer has requested a condition to be imposed upon the decision notice to ensure that measures are taken to help reduce the disruption.
- 12.8 It is therefore considered that the proposals are in accordance with Policy BE1 of the Local Plan Strategy.

13. Heritage Matters

- 13.1 Section 66 of the Planning Listed Building and Conservation Areas Act 1990 places a duty upon the Local Planning Authority to have special regard for the preservation of the building or its setting. Significant weight should be given to any harm found to arise to a listed building or its setting as a result of development.
- 13.2 The National Planning Policy Framework places great importance on well-designed places noting in section 12 that decisions should ensure that development is of a high quality that functions well over its lifetime. Development should be visually attractive as a result of good architecture, layout and appropriate and effective landscaping. Development that reflects both government guidance and local design policies and supplementary planning documents should be accorded significant weight in consideration.
- 13.3 Section 15 of the NPPF sets out, in relation to conserving and enhancing the natural environment, that planning decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes in a manner commensurate with their statutory status or identified quality within the development plan. It also requires that decisions should recognise the intrinsic character and beauty of the countryside including economic benefits and the benefits of best and most versatile agricultural land.
- 13.4 Section 72 of the Planning Listed Building and Conservation Areas Act 1990 places a duty upon the Local Planning Authority to pay special attention to preserving or enhancing the character or appearance of a Conservation Area. It further states that significant weight should be given to any harm found to arise to the character or appearance of the Conservation Area as a result of development.
- 13.5 Section 66 of the Planning Listed Building and Conservation Areas Act 1990 places a duty upon the Local Planning Authority to have special regard for the preservation of the building or its setting. Significant weight should be given to any harm found to arise to a listed building or its setting as a result of development.

- 13.6 The National Planning Policy Framework sets out in section that LPAs should require the applicant to describe the significance of heritage assets affected including the contribution of their setting. In determining applications, it advises that account should be taken of the positive contribution that heritage assets can make to sustainable communities including economic vitality and the desirability of new development making a positive contribution to local character and distinctiveness.
- 13.7 The Framework further advises at paragraph 212 that great weight should be given to the conservation of the heritage asset irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to the significance. Paragraph 213 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. In paragraph 215 that where a development will lead to less than substantial harm to the significance of a designated heritage asset this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 13.8 Paragraph 219 of the NPPF sets out that LPAs should require developers to record and advance understanding of the significance of any heritage assets and to make this information publicly accessible.
- 13.9 It is recognised that the development is located within setting of the Grade II and Grade II* listed assets. Core Policy 14: Our Built and Historic Environment explains that development must make a positive contribution to the historic environment's local distinctiveness. Policy NR5: Natural and Historic Landscapes also states that development that effects the asset requires a full understand of the context, characteristic, and significance.
- 13.10 As previously mentioned, the design of the conversions does not aim to imitate Swinfen hall, but rather keep the aesthetic of the existing barns. Therefore, the impact upon the heritage asset from a design perspective should be minimal as the design will be similar to the current buildings.
- 13.11 The use of the barns for offices and a wedding venue do not necessarily go hand in hand with the listed assets, however the owner has explained that the business from the change of use will be used to renovate Swinfen Hall and bring it back into use for paying customers.
- 13.12 On the planning balance, the conversion and change of use of the barns is considered acceptable within the setting of the heritage assets and will aid for the listed building to be restored to ensure that it can be used for generations to come.
- 13.13 It is therefore considered that the development is in accordance with national planning policy, legislation, and local planning policy.

14. Residential amenity

- 14.1 Paragraph 135 of the National Planning Policy Framework requires that planning decisions ensure that developments create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users. It progresses at paragraph 198 to require decisions ensure new development is appropriate to its location having regard for the likely effects, specifically they should minimise the adverse effects of noise and limit the impact of light pollution on local amenity and dark landscapes.
- 14.2 Core Policy 3 of the Lichfield Local Plan Strategy states that development should “protect the amenity of our residents and seek to improve their overall quality of life through the provision of appropriate infrastructure and services”. Policy BE1 of the Local Plan Strategy requires that development have a positive impact upon amenity, by avoiding development which causes disturbance through unreasonable traffic generation, noise, light, dust, fumes or other disturbance. The Sustainable

Design SPD offers further guidance on the standards to be implemented to assess the impact of a proposed development upon light at nearby dwellings.

- 14.3 Previously, there have been concerns over noise from events in barns C and D which could disrupt local residents. However, the Environmental Health Officer has requested a condition to be imposed upon the decision notice to ensure that measures are taken to help reduce the disruption. Providing that the validation report requested by the Environmental Health Officer has a positive outcome, the proposed development is not considered to result in undue harm on the listed assets or the local residents within Swinfen. The validation report will need to sound tests completed by an acoustician. The proposed development would be of similar scale in comparison to the existing barns.
- 14.4 The proposed construction phase of the development is considered to have potential for disturbances to nearby dwellings. During the course of the application, the council's Environmental Health team were consulted. It has been recommended that prior to the commencement of the development, a Construction Environment Management Plan is provided and approved which sets out how details of noise, vibration and dust associated with the construction phases are to be controlled and minimised to ensure that no disturbance occurs during these phases of the development. The demolition of the car park has already commenced; however, the same condition was applied to the previous application and was discharged under 23/00649/DISCH1, which was approved on 28.06.2024.
- 14.5 The proposed development may therefore result in some negative impacts on residential amenity during whilst some events take place. This is not considered to present a robust reason for refusal of the application in this instance. A condition shall be imposed to ensure that prior to the commencement of the development, an acoustic assessment shall be submitted and approved to the LPA. It is considered that this part of the development would have an acceptable impact on neighbouring amenity by reason of securing a suitably worded condition.
- 14.6 As such, the proposed development is in compliance with Policy BE1 and Core Policy 3 of the Lichfield Local Plan 2015.

15. Access and highway safety

- 15.1 The National Planning Policy Framework requires in paragraph 115b that in the consideration of development proposals it should be ensured that safe and suitable access to the site can be achieved for all users, and where this is unachievable development can be refused.
- 15.2 Policy ST1 requires that traffic generating development will only be permitted where it is compatible with the transport infrastructure within the area and takes account of the number and nature of additional traffic movements, transport infrastructure and access and egress to the public highway and highway safety.
- 15.3 Policy ST2 requires the appropriate provision to be made for off street parking in development proposals in accordance with its maximum parking standards set out in the Sustainable Design SPD.
- 15.4 The development will be accessed from the existing access to Swinfen Hall and the proposals incorporate a total of 53no. of parking spaces for staff and guests. The parking includes a total of 3no. disabled parking spaces. There will also be a total of 16no. cycle parking spaces provided on site for staff and guests. Policy ST2 and the Sustainable Design SPD prescribes parking standards for the district. The parking provided would meet parking standards required for an office use. However, standards for wedding venues are not included within the Sustainable Parking SPD. Therefore, LDC have used parking standards demonstrated within the neighbouring authority, Cannock Chase District Council (CCDC), as a guide. This would mean that 1 parking space per 5 seats would need to be provided.

- 15.5 A total of 234 parking spaces (79 existing spaces and 155 spaces within the car parking extension), which are indicated within drawing 3715-106, were approved within application 21/01570/FULM. With the approved parking spaces, the parking standards set out by CCDC can be achieved. A Grampian condition is proposed for this application to ensure that the approved parking spaces are delivered before any development is commenced.
- 15.6 It is noted that some visitors to the wedding venue may arrive by alternative modes of transport. Section 4.4 of the Transport Assessment explains that they expect the majority of journeys to be undertaken by multi-occupancy vehicles rather than coaches or minibuses. As a result, no spaces for coaches or minibuses have been provided. Neither County Highways or Highways England have provided any comment on this.
- 15.7 Once operational, the proposed development is considered to have an acceptable impact on access and highways safety as County highways and Highways England have not objected to the application.
- 15.8 It is therefore considered that the proposals are in accordance with the NPPF, Policy ST1 and ST2 of the Local Plan Strategy, and the Sustainable Design SPD.

16. Ecology and Impact on trees

- 16.1 The importance of trees within the development and the contribution made by trees to the quality of the environment is recognised in paragraph 136 of the National Planning Policy Framework which requires that policies and decisions seek to incorporate trees into development and take measures to ensure the longevity of newly planted trees.
- 16.2 The National Planning Policy Framework describes how planning decisions should contribute to and enhance the natural and local environment in a variety of ways. Of relevance to this development proposal is the requirement that development should minimise impacts on and provide net gains for biodiversity. Expanding upon this requirement, it sets out principles which should be applied in the determination of planning applications, stating at paragraph 193 that planning permission should be refused if it is not possible to avoid, mitigate or compensate for significant harm to biodiversity resulting from the development proposal.
- 16.3 Core Policy 13 supports the enhancement of biodiversity and the safeguarding, restoration, and creation of habitats within the district. Policy NR3 of the Local Plan Strategy, which relates to biodiversity and protected species in the decision-making process clearly states that development will only be permitted where it incorporates beneficial biodiversity conservation features and delivers a net gain for biodiversity. It further states that development proposals that have direct or indirect impacts upon protected or priority species within the district will not be permitted. Further guidance is provided for applicants on how biodiversity can be built into developments within the Biodiversity and Development Supplementary Planning Document. The policies require an uplift of 20% of the value of habitats lost as a result of development.
- 16.4 Policy NR4 of the Local Plan Strategy recognises the district's trees, woodland and hedgerows as important visual and ecological assets in our countryside. It notes that to retain and provide local distinctiveness in the landscape, trees, veteran trees, woodland, ancient woodland and hedgerows are of significance. Accordingly, it states that trees and woodland will be protected from damage and retained. It requires that potential conflict between trees and development should be designed out at the planning stage.
- 16.5 The proposals will not cause any trees to be felled, however, additional trees will be planted for landscaping and biodiversity purposes. An appropriately worded condition, with the trigger of prior to occupation, shall be imposed upon the decision notice to ensure that adequate soft and hard landscaping with suitable species will be delivered on site. In addition, drawing 3715-007 BNG Tree Landscaping Plan demonstrates that 215no. of native trees shall be planted to ensure that the mandatory Biodiversity Net Gain can be delivered on site.

- 16.6 As such, it is considered that the development is in accordance with the NPPF, Core Policy 13, and Policy NR4 of the Local Plan Strategy.

17. CIL and planning obligations

- 17.1 The development does not attract any CIL charges as it is not included in any of the chargeable categories listed in the Council's Charging Schedule. However, a unilateral undertaking is required to secure the car parking that was approved within 21/01570/FULM. This will ensure that the additional parking is delivered prior to commencement on site and will serve the proposed wedding venue.

18. Human rights

- 18.1 The proposals set out in the report are considered to be compatible with the Human Rights Act 1998. The proposals may interfere with an individual's rights under Article 8 of Schedule 1 to the Human Rights Act, which provides that everyone has the right to respect for their private and family life, home and correspondence. Interference with this right can only be justified if it is in accordance with the law and is necessary in a democratic society. The potential interference here has been fully considered within the report in having regard to the representations received and, on balance, is justified and proportionate in relation to the provisions of the policies of the development plan and national planning policy.

19. Conclusion

- 19.1 The NPPF states that there are three dimensions to sustainable development, namely economic, social and environmental and that these should be considered collectively and weighed in the balance when assessing the suitability of development proposals.

The principle of the development is considered acceptable. Additionally, it is considered to be of a scale and design which is in keeping with the character and appearance of the surrounding area including nearby heritage assets. It is also considered to have an acceptable impact on neighbour amenity, highway access and safety and ecology.

Consequently, it is recommended that this application be approved, subject to conditions, as set out below.

20. Recommendation: Approve, subject to the prior completion of a S106 TCPA 1990 Unilateral Undertaking relating to the car parking approved in 21/01570/FULM and the following conditions.

CONDITIONS

1. The development hereby approved shall be begun before the expiration of three years from the date of this permission.

Reason: In order to comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended.

2. The development authorised by this permission shall be carried out in complete accordance with the approved plans and specification, as listed on this decision notice, except insofar as may be otherwise required by other conditions to which this permission is subject.

Reason: For the avoidance of doubt and in accordance with the applicant's stated intentions, in order to meet the requirements of policies BE1, Core Policy 1, Core Policy 2, Core Policy 3, Core Policy 5,

Core Policy 7, Core Policy 13, Core Policy 14, SC1, ST1, ST2, NR1, NR2, NR3, NR4, NR7, BE1, Rural 1 of the Local Plan Strategy and Policy BE2 of the Local Plan Allocations Document.

3. A noise management plan shall be submitted for the approval of the LPA. All measures set out in the Noise Management Plan will be implemented and in place prior to the first wedding being booked follow completion of the development and shall be retained for the duration of the development. Please see Informative 7.

Reason: To ensure adequate levels of residential amenity in accordance with Core Policy 3 and Policy BE1 of the Local Plan Strategy.

4. The development shall be carried out with Sound Insulation Measures that shall meet the specifications and criteria detailed in the Noise Impact Assessment prepared by Nova Acoustics, Project No.: NP-009581(b) dated 25.10.2023 and:
 - a. Following all construction works and mitigation and prior to first occupation of the dwelling hereby permitted (in order to ensure the effectiveness of the measures) a sound level test shall be undertaken in accordance with a methodology that has been first submitted to and approved in writing by the Local Planning Authority;
 - b. The dwelling shall not be occupied until the results of the sound level test has been submitted to and approved in writing by the Local Planning Authority;
 - c. The occupier of the dwelling shall thereafter be required to maintain the Sound Insulation Measures to the agreed specification to ensure these are effective and achieve the criteria.

Reason: To ensure adequate levels of residential amenity in accordance with Core Policy 3 and Policy BE1 of the Local Plan Strategy.

5. Prior to the first use, a waste management strategy detailing how waste will be stored within the site including collection methods/ times and associated vehicular access details shall be submitted to and approved in writing by the Local Planning Authority. The site shall be operated in accordance with the approved details.

Reason: To ensure a satisfactory form of development in accordance with the requirements of Core Policy 3 and Policy BE1 of the Lichfield Local Plan Strategy and the National Planning Policy Framework.

6. Before the development approved is commenced above damp proof course details of all materials to be used externally ensuring the product name and manufacturer is provided (including details of coursing of brickwork and roof tiles) have been submitted to and approved in writing by the Local Planning Authority and the development shall only be carried out in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the development in accordance with the requirements of Policies CP3 and BE1 of the Lichfield Local Plan Strategy and the National Planning Policy.

7. All planting, seeding or turfing shown on the approved plans/ approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that an approved landscaping scheme is implemented in a speedy and diligent way and that initial plant losses are overcome in the interests of the visual amenities of the locality and in accordance with Policies CP3 and BE1 of the Lichfield Local Plan Strategy, the Trees, Landscaping and Development SPD and the National Planning Policy Framework.

8. The scheme of boundary treatments shown on the approved plans shall be provided prior to the first occupation of the respective dwelling which it serves and shall be maintained as such for the lifetime of the development.

Reason: To safeguard the visual amenities of the area and the amenities of occupiers of adjoining properties in accordance with Policies CP3 and BE1 of the Lichfield Local Plan Strategy, the Sustainable Design SPD and the National Planning Policy Framework.

9. Prior to the first use, a watering/maintenance schedule for all newly planted trees within the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the landscaping shall be maintained in accordance with the approved details for the lifetime of the development.

Reason: To ensure that the trees are sustained through their establishment and subsequent growing seasons and in accordance with Local Plan Policy NR4 of the Local Plan Strategy and the National Planning Policy Framework

10. Prior to the first use, a Lighting Plan for the external lighting levels within the development shall be submitted to and approved in writing by the Local Planning Authority. The Lighting Plan will include the specification of external lighting and light bulbs used as well as their schedule.

Reason: To ensure appropriate levels of lighting for commuting/ foraging habitats on the boundaries of the site in accordance with Core Policy 13 of the Lichfield Local Plan Strategy.

11. Prior to the first use, an Ecological Enhancement Plan for the development will be submitted to and approved in writing by the Local Planning Authority. The Ecological Enhancement Plan will include the specification, location and number of enhancements.

Reason: To ensure appropriate ecological enhancements are made to the site in accordance with Core Policy 13 of the Lichfield Local Plan Strategy.

12. During the period of construction of the development, no works including deliveries shall take place outside the following times: 0730 - 1900 hours Monday to Friday and 0800 – 1300 Saturday and Sunday.

Reason: To protect the amenities of neighbours and the locality in general, in accordance with the requirements of Policies CP3 and BE1 of the Lichfield Local Plan Strategy, the Sustainable Design Supplementary Planning Document and National Planning Policy Framework.

13. Notwithstanding the provisions of Classes A and B of Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 or any Order revoking or re-enacting that Order, the new dwelling hereby permitted shall not be altered or extended and no buildings or structures shall be erected within the curtilage of the new dwelling, unless planning permission has first been granted by the Local Planning Authority.

Reason: To safeguard the appearance of the development and the impact on the wider rural landscape in accordance with the requirements of Policies CP3 and BE1 of the Local Plan Strategy, the Sustainable Design SPD and the National Planning Policy Framework.

NOTES TO APPLICANT:

1. The Development Plan comprises the Lichfield District Local Plan Strategy (2015) and Lichfield District Local Plan Allocations (2019).
2. The applicant's attention is drawn to The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2017, which requires that any written

request for compliance of a planning condition(s) shall be accompanied by a fee of £43 for a householder application or £145 for any other application including reserved matters. Although the council will endeavour to deal with such applications in a timely manner, it should be noted that legislation allows a period of up to 8 weeks for the Local Planning Authority to discharge conditions and therefore this timescale should be borne in mind when programming development.

3. During the course of consideration of this proposal the Local Planning Authority has negotiated with the applicant to ensure the development complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of paragraph 39 of the National Planning Policy Framework.
4. Please be advised that Lichfield District Council adopted its Community Infrastructure Levy (CIL) Charging Schedule on the 19th April 2016 and commenced charging from the 13th June 2016. A CIL charge applies to all relevant applications. This will involve a monetary sum payable prior to commencement of development. In order to clarify the position of your proposal, please complete the Planning Application Additional Information Requirement Form, which is available for download from the Planning Portal or from the Council's website at www.lichfielddc.gov.uk/cilprocess.
5. As the site falls within the red/amber impact risk zone for great crested newts and hence there is likely to be suitable habitat in the area surrounding the site, I recommend the following informative is supplied:

The applicant is reminded that, under the Conservation of Habitats and Species Regulations 2017 (as amended) and the Wildlife and Countryside Act 1981 (as amended), it is an offence to (amongst other things): deliberately capture, disturb, injure or kill great crested newts; damage or destroy a breeding or resting place; deliberately obstruct access to a resting or sheltering place. Planning approval for a development does not provide a defence against prosecution under these acts. Should great crested newts be found at any stages of the development works, then all works should cease, and Natural England should be contacted for advice.

- As there is a small risk of great crested newts (GCN) to be moving across the site the following reasonable avoidance measures are given.
- All vegetation within the works area shall be maintained at a maximum height of 30mm until construction is completed through regular mowing or grazing in order to discourage great crested newts from using the site.
- Any trenches or excavations left overnight shall be covered or provided with ramps to prevent GCN from becoming trapped. Excavations shall be checked for the presence of animals before being filled.
- Any building materials will be stored on pallets or in jumbo bags/containers to discourage GCN from using them as shelter.
- Any demolition materials/waste will be stored in skips or similar containers rather than in piles on ground.

Reasons: To safeguard biodiversity as set out by the Wildlife and Countryside Act 1981 (as amended), Natural Environment and Rural Communities Act 2006, NPPF (2023), Circular 06/2005.

6. **Biodiversity Net Gain**
Unless an exception or a transitional arrangement applies, the effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 is that planning permission granted for the development

of land in England is deemed to have been granted subject to the condition “(the biodiversity gain condition”) that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The planning authority, for the purposes of determining whether to approve a Biodiversity Gain Plan in respect of this permission would be Lichfield District Council.

This permission will require the submission and approval of a Biodiversity Gain Plan before development is begun.

For guidance on the contents of the Biodiversity Gain Plan that must be submitted and agreed by the Council prior to the commencement of the consented development please see the link: [Submit a biodiversity gain plan - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/submit-a-biodiversity-gain-plan)

- 7. The noise management plan required for compliance with Condition 3 should include;
 - a. Wording or information to be given to all live music performers advising that they will not be able to play music unless they can demonstrate, prior to their performance, that they can adhere to the noise limits.
 - b. Exceeding the limit stipulated by the Noise Impact Assessment which is supporting this permission, and what actions the venue will take to subsequently enforce the limit.
 - c. A 'Warm Weather/Ventilation' strategy that sets out how the venue intends to ensure all doors and windows are kept shut in compliance with approved plans within Condition 2 of this permission. Such a strategy might involve details of other means of ventilating the space and/or using air conditioners to keep the internal temperature tolerable.
 - d. Any proposed recording keeping in relation to the above

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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