

Agenda Item:	5.1
Site:	Childrens Respite Village, Wychnor Lane, Wychnor, Staffordshire
Proposal:	Erection of a Children's Respite Village to include 10 lodges, staff accommodation, central building, roadway, associated infrastructure, landscaping and creation of new access road to link Dogshead Lane and Wychnor Lane

Report of Head of Service (Section 151 Officer)

This report has been checked on behalf of Legal Services by Sherrie Grant

[Hyperlink to Application Details](#)

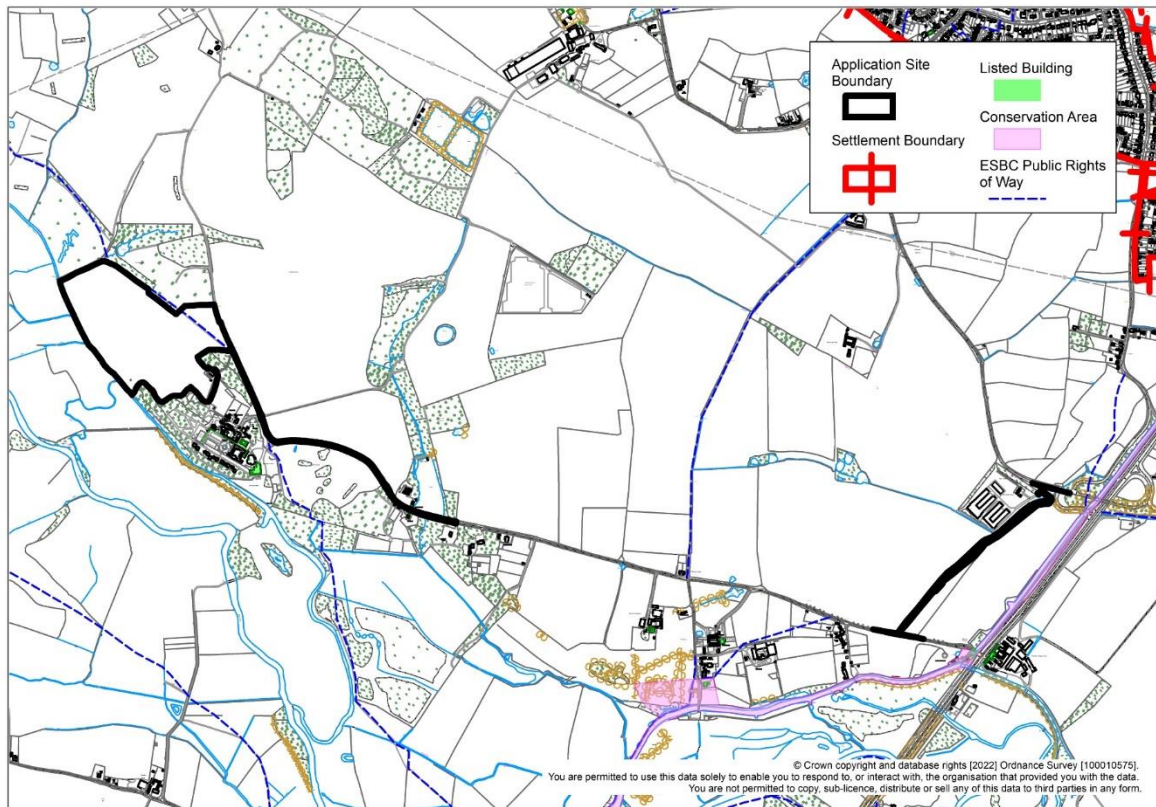
Application Number:	P/2021/01658	
Planning Officer:	Barbara Toy	
Type of Application:	Detailed Planning Application	
Applicant:	Mr Gary Fletcher	
Ward:	Needwood	
Ward Member (s):	Councillor Mrs J Jones	
	Councillor B Ashcroft	
Date Registered:	25/02/2022	
Date Expires:	26 th May 2021 Time extension agreed till 31-01-2023 to allow time for the completion of a S106 Agreement	
Reason for being on Agenda	Major application that is a departure from the development plan	

1. Executive Summary

- 1.1 The site comprised 13.8 hectares of agricultural land at the north western end of the village of Wychnor together with an area of land to the south east that sits within farm land situated between Dogshead Lane and Wychnor Lane.

- 1.2 The site is bounded to the north east and south by existing woodland, the River Swarbourn forms the southern boundary and open fields are situated to the east.
- 1.3 The site is accessed via an unadopted road that is a continuation of Wychnor Lane, which is a single track no through road with passing places accessed off the A38.
- 1.4 This is a full application for the change of use of the land to provide a respite village (Kids Village) comprising 10 x 4 bed lodges, a communal building, staff accommodation, facilities building, internal access road, parking and landscaping. The proposals also include a new private access road to run between Dogshead Lane and Wychnor Lane to allow access from the A38 from the Catholme junction rather than the Wychnor junction.
- 1.5 The site would provide purpose built respite holiday accommodation solely for children with life limiting and life threatening illness and their families to provide a 'get away' from hospital and medical environments within a countryside location, and will be run by a charity who will fully finance the facility.
- 1.6 It is recognised that the proposed development amounts to a departure from Policy SP1 of the Local Plan in terms of sustainable development, but the scale and uniqueness of the facility and the nationally important social role that the development would provide is considered to outweigh any harm in terms of unsustainable development.
- 1.7 Taking into consideration the economic, social and environmental impacts of the proposals together with impacts on highway safety and heritage assets it is considered that it would be in accordance with the relevant policies within the Local Plan, the East Staffordshire Design Guide and the NPPF.
- 1.8 Statutory consultees have raised no objections to the proposals, but objections have been raised by Wychnor Parish Meeting, The Grange Management Company and 32 letters of objections have been received from local residents as well as 39 letters of support for the scheme, which are detailed and addressed in the main report.
- 1.9 In light of the above conclusions on the planning merits of the case, the application is recommended for **approval** subject to conditions and a Section 106 Agreement to secure a Travel Plan monitoring fee and an Operational management Plan to secure the use of the new private access road for the use by guests, visitors, staff and services for the Kids Village.

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

Map of site**2. The Site Description**

- 2.1 The site comprised 13.8 hectares of agricultural land set to the north of Wychnor Park Country Club at the north western end of the village of Wychnor in the Parish of Wychnor. The site sits outside of the settlement boundary as defined in the Local Plan. The site sits approx. 8 miles to the south west of Burton upon Trent and approx. 9 miles to the north east of Lichfield and is accessed from the A38 dual carriageway trunk road with no through route.
- 2.2 The site also includes an area of land to the south east that sits within farm land of Bonthorne Farm situated between Dogshead Lane and Wychnor Lane. A section of this part of the site includes part of a Scheduled Monument (Pit Alignments north of Wychnor Bridge – National heritage Listing 1006095).
- 2.3 Access to the site is via an unadopted road that is a continuation of Wychnor Lane. Wychnor Lane is a single track road that includes passing places. The adopted highway (Wychnor Lane) finishes approx. 1000m to the south east of the site and includes a reduced width section of road controlled by traffic lights for single access, known as The Causeway. This runs adjacent to a pond. Northgate Lodge and South Lodge sit either side of the Causeway towards the western end and are Grade II Listed. The private road continues to Wychnor Park Country Club and The Grange residential properties and then past the site leading north. The site sits to the west of this private road, which continues north to the B5016, where it is gated to prevent general access.
- 2.4 The site falls away from east to west with a heavily wooded area known as The Faggness to the north eastern boundary and further woodlands to the southern boundary, both outside of the site. The River Swarbourn forms the western boundary

of the site, with open fields and the River Trent beyond. Further open fields sit to the east of the site.

- 2.5 Wychnor Park sits to the south of the site and comprises 12 residential properties within The Grange development and Wychnor Park Country Club which includes two Grade II listed buildings and a Grade II listed walled garden. Wychnor Park Country Club comprises a hotel, log cabin holiday accommodation (11 units) as well as a leisure complex, golf course and event facilities.
- 2.6 Electricity cables run north/south across the site towards the centre of the site and a public right of way that forms part of the National Forest 75 mile route runs across the eastern portion of the site. A gas pipeline runs east/west through approx. the centre of the site.
- 2.7 The western portion of the site closest to the River Swarbourn sits within Flood Zone 3, the remainder of the site sits within Flood Zone 1.
- 2.8 The site lies within the Cannock Chase SAC area.
- 2.9 Part of the site sits in the amber Impact Risk Zone for Great Crested newts.

3. Planning History

- 3.1 There is no planning history for the site.
- 3.2 Wychnor Park Country Club has consent for events subject to a condition that attendees comply with a strict travel plan that restricts vehicles to the site, with mini buses used to transport people in.

4. The Proposal

- 4.1 This application proposes the change of use of the land to provide a respite village (Kids Village) comprising 10 lodges, staff accommodation, central building, internal vehicle access, associated infrastructure and landscaping.
- 4.2 The proposals also include a new private access road to run between Dogshead Lane and Wychnor Lane across an existing farmers field. It would utilise an existing access to Bonthorne Farm off Dogshead Lane. The access road would be used by guests, visitors, staff and services to enable them to use the Catholme junction on the A38 rather than the Wychnor junction, which has restricted access on the A38 via a narrow Grade II listed canal bridge at the junction with Wychnor Lane. The new access road would have a varying width between 3.7m and 6.2m and includes a number of passing places along its length. The access point onto Wychnor Lane would require the removal of a small section of the boundary hedging and a new bellmouth area for visibility. The access road would not be constructed to adoptable standards due to the historical significance of the field, so it would remain private for use by visitors to the Kids Village only, with access restricted by a barrier system.
- 4.3 The site would provide purpose built respite holiday accommodation solely for children with life limiting and life threatening illness and their families and will be run by a charity that has links to Birmingham Children's Hospital, Make a Wish UK, Children with Cancer UK, Kids Cancer Charity, Promise Dreams and Rueben's Retreat who will refer families. This would be the first facility of its kind in the UK and is supported by their charity partners. Whilst other holiday accommodation is available through some charities none are to dedicated sites, such as the facility proposed. To ensure that the site offers a 'get away' from hospital and medical environments, no medical services or medically trained staff will be present on site. Any children staying will have clearance from medical staff for their stay. The charity have been working on this project for a number of years to bring it to fruition and are fully aware of the cost implications for the

implementation and future maintenance and running costs for the project and have budgeted for these.

- 4.4 The site would be open all year round, with anticipated 80% occupancy of the lodges and aims to support 500 families each year. The entire experience will be free of charge to visiting families. Social experiences such as daily breakfast, special celebrations, Santa visits, themed parties and events will be provided for the families.
- 4.5 The site will comprise 10 x 4 bed holiday lodges together with a central hub 'The Hive' providing a communal area, including a café, recreational space, activity centre, viewing balcony, chocolate wall and head office for the charity team and volunteers.
- 4.6 The site will be all encompassing and once the families arrive there will be no need for them to leave the site as all facilities will be provided for them on site.
- 4.7 The lodges would sit in a row north/south, towards the eastern side of the site and face west. The internal roadway would sit to the rear of the lodges with parking immediately adjacent to each lodge and a series of footpaths would lead from each lodge around and through the site, for ease of access for the visitors. The Hive communal building would sit at the southern end of the row of lodges with 2 blocks of staff accommodation and a facilities building provided to the east of the site adjacent to the unadopted access road.
- 4.8 The site layout includes two vehicle access points, one for use by visitors and one for staff and services, leading into a single roadway through the site. A manmade lake would sit to the west of The Hive and lodges together with a children's play area and pathways and a raised boardwalk around the site.
- 4.9 The proposals include new tree planting to the northern, eastern and southern edges of the site as well as new trees and landscaping round the buildings and the site generally.
- 4.10 The lodges would all be single storey and all of a similar design, each would have 4 bedrooms and would accommodate up to 8 persons together with open plan kitchen/living space to the frontage, with full height glazing to the front elevation and a raised external decking. The lodges would measure 17.4m x 10.4m wide with a maximum pitched roof height of 7m and eaves of 2.7m. They would have composite timber effect cladding and a cedar shingle roof. Each unit would be accessible to all, but 2 of the 10 are designed specifically for wheelchair access and use. Two parking spaces would be situated immediately adjacent to each lodge
- 4.11 The Hive building would be part single, part two storey and would have a honeycomb footprint and design, with a flat roof (hence the name). The building would have a maximum depth of 26.5m and maximum width of 22.5m and a flat roof height of 7.5m. The building would have a lift and staircase access to the first floor as well as external stairs and a decking area which would extend over the new lake. The accommodation would include a café, kitchen, kids space, storage, toilets, plant room, an open plan hub in the centre of each floor and staff facilities and offices.
- 4.12 The staff accommodation would be situated amongst the trees adjacent to the staff access and the unadopted access road and comprise two single storey pitched tiled roof units measuring 12.8m x 6.7m with maximum height of 4.2m. Each would have 2 bedrooms and shared kitchen, dining & living room. An 18 space car park (including 4 disabled spaces) would be sited to the west of the two units.
- 4.13 Staffing levels are anticipated to be 4 full time residential staff, together with an office team of maximum 6 (2 full time and 4 volunteers).

4.14 The facilities building would be sited to the south of the staff accommodation and would be single storey with a flat roof, would measure 24.5m x 8.4m and a height of 3.45m. The building would be enclosed on 3 sides by timber fencing.

4.15 The proposals include a sewage treatment plant for the site.

List of supporting documentation

4.16 The following documents have been provided as part of the application:

- Layout Plans and Details of the Proposed Buildings
- Landscape Proposals and Assessment
- Proposals for the New Access Road
- Planning Statement
- Design and Access Statement
- Ecology Reports
- Tree Survey
- Sewage Treatment Details
- Flood Risk Assessment
- Transport Statement and Travel Plan
- Archaeological Reports
- Historic Environment Assessment
- Landscape and Visual Appraisal

4.17 The relevant findings are dealt with in section 8 onwards below.

5. Consultation responses and representations

5.1 A summary of the consultation responses is set out below:

Statutory and non statutory consultee		Response
5.2	<p>Wychnor Parish Meeting</p> <p>Four Appendices have been submitted in support of the Parish comments which are attached to this report</p>	<p>Strongly object to the proposals, the proposals have no basis in planning policy and is unacceptable in principle in terms of the location and the type of development proposed.</p> <p>Wychnor itself, whilst located between the villages of Alrewas, Barton under Needwood and Yoxall, and accessed off the A38 is fairly remote. The site needs to be visited in order to understand the peculiarities of access and location.</p> <p>There is one route in and out, off the busy A38 Trunk Road via a narrow 'hump back' canal bridge. The settlement is very spread out, and much of it is accessible only by privately owned road through a narrow, structurally decaying causeway. Immediately adjacent to the site is The Grange, a group of 13 houses which does not feature in any of the commentary supporting the application and therefore we assume has not been considered in terms of impacts on it, and adjacent to that Wychnor Park Golf and Country Club, an existing time-share business. We believe that there could scarcely be a worse site for this development, particularly in terms of access, and that the site selection was based solely on favourable economic considerations in terms of land acquisition for the scheme which were not available elsewhere.</p> <p>The principles of our objection are set out as follows:</p>

	<p>Sustainable Development – We do not believe that the proposals can in any way be considered sustainable. The justification set out in the Planning Statement to suggest that it is weak at best. According to the NPPF achieving sustainable development has 3 criteria – an economic, a social and an environmental objective. There are limited economic benefits to the scheme aside from during construction and 4 full time jobs which are unlikely to be able to be drawn from the ‘local’ area. The applicant has made some fairly wishful assumptions including that two couples will make up the 4 members of staff on site, a principle for which we can see no logical basis that it will happen and is a fairly niche employment criteria. It does however help to keep the trip generations lower in their assumptions. There is also no evidence of enhancement of local infrastructure, quite the opposite, with increased use of existing particularly in relation to already existing dangerous access. The proposals do not meet the criteria set out under social objectives in any way. There is also no needs assessment accompanying the application. There is no direct benefits for local people in regard to health, social or cultural wellbeing. There are also certainly no environmental benefits to the scheme. The proposals are on a greenfield site with the potential to impact on all sorts of environmental receptors and as set out in the accompanying note, we feel the environmental evidence base accompanying the application is inadequate and incomplete. The site is inaccessible aside from by private car. The private link road goes across a Scheduled Ancient Monument, and there are concerns that with the difficulties in using it (gated, number plate recognition, indirect) that visitors to the facility will simply use the junction with the A38, a junction with a terrible accident record, inadequate space to enter or exit, and a junction which National Highways wish to keep additional traffic off at all costs, to the extent that Wychnor Golf and Country Club are not allowed to advertise their presence.</p> <p>Conformity with the Planning Policy and the Development Plan - The proposals do not conform with National Planning Policy nor the Development Plan, namely the East Staffordshire Local Plan. Whilst the applicant has put forward their case for development, their arguments are poor, and they ignored a large number of policies that do not support the development of proposals. A more detailed appraisal in tabular form accompanies this letter. The application is therefore a Departure Application, working against the development plan’s policies and proposals, include a road not identified in the development plan, and is a Greenfield site of 13.8 hectares. The site is outside of a any settlement boundary and there is no overriding need articulated for the development to be at this site.</p> <p>Traffic/Access – This is the concern that the vast majority of residents have raised, in terms of access and traffic generation. Wychnor Lane is a dangerous road and is very busy given its stature. Several residents have ended up in the ditch alongside the road due to the speed and frequency of vehicles travelling</p>
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		<p>along it. The junction with the A38 is very dangerous, with little space for slowing down before a sharp 90 degree turn over a canal bridge. This has been the scene of many accidents over the years, and the accompanying Transport Statement, whilst I am sure uses recognised sources grossly understates the number and nature of accidents at this location and is also not up to date. A resident as recently as last summer crashed into the bridge causing its closure and much disruption for locals. The accompanying document addresses in more detail a number of transport issues and the inadequacy of some of the assumptions in the applicants supporting evidence. When the traffic survey work was undertaken Wychnor Park was at a reduced capacity and not providing a number of its usual services, as well as the country generally reducing travel to work and for leisure due to the Covid pandemic. The numbers could in no way be construed as 'normal'. The number of existing trips are underestimated to a great extent due to this.</p> <p>The trip generation for the proposals are based on some strange assumptions. There is talk of car sharing and the use of cycling or public transport being used to access the site, as well as the employees being couples to reduce trip rates. Wychnor Park, located next to the site has had no evidence of staff who car share or use public transport to work, and they can evidence only one member of staff since 2003, who was able to walk to work. It also suggests that there will be few trips off the site during week long stays. There are very limited facilities proposed at the site to occupy children and we would anticipate visits to local leisure activities, shopping and the like. If the children are too ill to do this, given the lack of care and medical facilities on the site it is unlikely that they would make the trip in the first place.</p> <p>There is a route proposed across a Scheduled Ancient Monument from Dogshead Lane adjacent to Bonthorne Pig Farm onto Wychnor Lane. We are told this would be a 'floating' road due to the heritage issues and that it would be gated at either end. It is unlikely to be widely used due to easier access directly on and off the A38, causing hazards to road users given the unfamiliarity with this unsafe junction. The road also does nothing to reduce the impact of trips along Wychnor Lane, and is very detached from the main development. The road will be private and inaccessible to residents, providing no benefit to locals, more so creating an eyesore across an existing field, and another junction onto Wychnor Lane with its current aforementioned traffic issues. There are also concerns about this route opening up development of the area which it crosses, allowing development to take place with an established road network in place. Given the health of the prospective users of the facility, access for the emergency services is a real concern. Ambulances in particular seem to have great difficulty finding Wychnor, in particular the part beyond the traffic lights by the Hall. Unfortunately, this has directly led to several fatalities over the years, with residents waiting hours for an ambulance whilst suffering heart attacks. The Causeway is an elevated privately</p>
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	<p>owned road on stilts and is the only route into the proposed site being considered as part of the application. The Causeway is in a structurally poor state, and needs substantial work to bring it up to standard as the surface course and base course of the road is worn away in a number of places exposing the sub base. Several residents and Wychnor Park who use of the Causeway have indicated that they would not wish the applicant or their organisation to use this route for access for either construction or operation, it is single track, narrow and has a traffic light for access. There are 35 parking spaces proposed on the site for 10 lodges and 4 staff. This seems to be an over provision, particularly given the lack of car use envisaged.</p> <p>Environmental Concerns – Detailed commentary is contained within the accompanying note with this letter. These can be summarised as follows:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Bird survey was not completed to acceptable standards; <input type="checkbox"/> Bird survey omits Skylark and Lapwing both of which are present and subject to national objectives for environmental action; <input type="checkbox"/> Bird Survey uses long outdated references; <input type="checkbox"/> The White Clawed Crayfish is an International Union for Conservation and Nature endangered species and is dismissed despite Government advice to the contrary; and <input type="checkbox"/> The Badger survey is outdated and needs to be repeated. <p>Consequently, the environmental/ecological information accompanying the application is both incomplete and inaccurate, and does not adequately assess the subject matter and provide the necessary attention to it.</p> <p>Care Facility – The supporting documents contradict each other as to whether the proposals are a care facility or not. On the one hand they state that this is not a care facility, on the other hand the children are very sick and need a Consultants’ referral to spend time here. The lack of access for emergency services is worrying, and risky, we assume this would be communicated to parents should the proposals go ahead. It would be interesting to know whether the Care Quality Commission would need to regulate the facilities which would surely dictate the use type and whether more substantial medical facilities than proposed were required.</p> <p>Accommodation - The staff accommodation has dressing room facilities and are each 3 times the square meterage of the 2 bed 2 bathroom facilities at Wychnor Park. The intended use of these is questionable and bears no relation to the usual standard and requirement for staff facilities.</p> <p>Heritage – There are a number of heritage issues that the application raises. Some have been mentioned in the submission, but several have not. These are detailed in the Sustainability Response that accompanies this letter, but mainly relate to the impact of the scheme on listed buildings and assets that have not been considered.</p> <p>Construction Traffic - The red line boundary for the site is inaccurate as far as we were led to believe. The red line does not include the delivery route for materials and construction</p>
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	<p>traffic which we were led to believe would be used as indicated prior to the application being submitted by the applicant. The red line boundary should extend to Bar Lane at the entrance to Blakenhall Park as this is the route that the applicant stated would be used for this purpose and has been agreed with the landowner. There is no information on construction traffic and delivery routes within the application submission, and by virtue of this and the exclusion of the route from the red line boundary we can only assume that they do not intend to use this route and all traffic will come off the A38 and over the canal bridge and via the Causeway, which is wholly unsatisfactory.</p> <p>Lighting - The Landscape and Visual Impact Assessment makes mention of lighting in section 3.4. However there does not seem to be any mitigation measures proposed. We have concerns that this has not been carefully considered as paths will need to be well lit for the potential users of the site but this is out of keeping with the area and will be clearly visible from some distance causing light pollution. The same issues apply along or at either end of the dedicated road. Wychnor Lane is not lit and lighting the new road would be out of character with the area and cause light pollution and impacts on the amenity of residents.</p> <p>Deliverability – The site will take a substantial amount of money to develop, with build costs rising, which looking into the publically available financial records for the charity behind the proposals funding does not appear to be in place. Further to this the ongoing maintenance and running costs are considerable and will be met as we understand it solely by the charity, visitors will not be sponsored to stay at the facility by any other charity or organisation. Further concern is raised as we understand that the background of the applicant is in holiday lodges of just the type that are proposed for this development. We have concerns that if the proposals cannot be sustained in their proposed form that the development will be taken on as a commercial venture with little that can be done by the Planning Authority to stop this as they would justify it as being the only viable alternative.</p> <p>Other concerns - We also have a number of other concerns that will impact on connectivity such as the lack of wi-fi and mobile phone coverage along with lack of provision for utilities.</p> <p>In conclusion for reasons articulated in this letter and in the accompanying documents Wychnor Parish Meeting seeks to object to the proposals. We feel that the site has only been chosen due to favourable economic/procurement conditions, has absolutely no planning policy basis for its location and we have some real concerns about the supporting evidence base for the application both in terms of the survey work and the assumptions made, particularly those assumptions relating to transport, traffic and access.</p> <p>The response is supported by 4 detailed reports that go into more detail in terms of: Sustainability, Transport, Environmental & Planning Policy</p>
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5.3	National Highways	<p>No objections. The proposals are unlikely to produce more than 30 2 way trips during weekday AM 8-9 and PM 5-6 peak hours due to the low staffing, limited number of lodges and the general nature of site operations. The proposals include measures, including a new access road between Dogshead Lane and Wychnor Lane alongside the proposed Transport Plan are likely to mitigate the initial concerns with regard to the use of the Wychnor junction on the A38.</p>
5.4	SCC Highways	<p>No objections subject to condition regarding a Travel Plan for the site, a S106 Agreement to secure Travel Plan monitoring costs and an informative regarding the new access onto Wychnor Lane.</p> <p>It is considered that on balance, the existing provision coupled with the measures that will be included in the Travel Plan there should be a level of sustainable travel and a sufficient modal shift away from the private car to overcome a possible objection on the grounds of sustainability.</p> <p>In terms of vehicular traffic associated with the development the TA suggests that there will be an average trip generation to/from the site of a total of around 30 trips on a weekday with around 46 trips on a Sunday which is “change over day”.</p> <p>The traffic count showed around 424 vehicles on a weekday, 426 on a Saturday and 318 on a Sunday, This is obviously a snap shot but is considered reasonable and there will undoubtedly be some daily variation. The TA shows that there will therefore be an increase in traffic of around 14% on a Sunday and 7% on a weekday. An increase of 5% on any arm in a junction is usually considered to be significant.</p> <p>The junction of Wychnor Lane with the A38 is substandard and as the A38 is a Trunk Road the decision on the acceptability of the impact on this level of traffic increase on this junction falls to be made by National Highways.</p> <p>National Highways have taken the view that as there are 30 predicted vehicular movements in the peak hours that they will not raise an objection to the development. It is also suggested that the proposed new access road that is proposed to run from Dogshead Lane to Wychnor Lane has supported their “no objection” response.</p> <p>The preference of SCC as highway authority would be that the proposed “access road” be brought up to adoptable standard and Wychnor Lane closed off at the point that the new road would connect to it. However with no objections from National Highways to the intensified use of the A38 junction and the issues around the historical significance of the field it crosses this will not happen. The proposed access will only benefit drivers approaching from the north in that it will allow them to come off at the Dogshead Lane junction rather than going on to the junction with the A513 in order to U-turn.</p>
5.5	SCC Public Rights of Way	<p>Public Footpath No.5 Wychnor Parish runs through the proposed site, and along the site access road. Public Footpath No.4 Wychnor Parish runs immediately adjacent; also along the access to the site.</p>

		Public Footpath Nos. 28(a), 28(b) and 28(c) Barton under Needwood also runs adjacent to the northern most extent of the new access link road. Conditions and informatives recommended to ensure the future of the footpaths.
5.6	SCC Flood Risk Team	No objections subject to conditions
5.7	SCC Archaeologist	There is potential for the ground works associated with the new access road to encounter archaeology deposits within the scheduled monument. Defer to Historic England for formal comments on this. It is noted that a scheduled ancient monument consent application has been submitted. Defer to ESBC Conservation Officer for comments on the impacts of the development on Wychnor Hall and Wychnor Hall Park. Conditions recommended re archaeology.
5.8	Environment Agency	No comments. The site is situated within Flood Zones 2 and 3, there is however no development within these areas other than the proposed boardwalk. Informative recommended regarding the need to apply to the EA for a Flood Risk Activities Permit
5.9	Severn Trent Water	No objections as the proposals would have minimal impact on the public sewage system and no drainage condition is required.
5.10	Canal & River Trust	Concerns that the development may increase the use of the A38 junction where there is a Grade II listed bridge over the canal. More vehicle crossing the listed canal bridge. The bridge is prone to damage from vehicles striking it. The bridge is narrow making it difficult for 2 way vehicles. Question the mechanism in place to ensure that visitors use the proposed alternative new access road and not the Wychnor junction.
5.11	Inland Waterways	No objections, minimal impact on the canal environment and conservation area
5.12	Forestry Commission	No comments, the site is not adjacent to an ancient woodland.
5.13	SCC Ecologist	No objections subject to conditions relating to lighting, planting and seed mix details, biodiversity enhancement measures and details of the natural pond profile and planting, construction management plan to include species and habitat protection and ecological mitigation and Management Plan.
5.14	Newt Officer (Naturespace)	Following the receipt of additional information to cover the 500m buffer and the site of the proposed new access road the Newt Office has confirmed that the development is unlikely to cause an impact on great crested newts and/or their habitats. An informative recommended to remind the developer of their responsibilities.
5.15	The National Forest	As the site comprises 13.8 hectares Policy SP26 is applicable. 30% or 4.14hec of the site should be National Forest planting. Although the requirement for National Forest planting is acknowledged in the application documents, it is not quantified or qualified on a plan. The Proposed Landscaping Plan (KVES-

		<p>HMA-ZZ-XX-DR-A 00007) includes new areas of woodland, new grassland planting, a biodiversity enhancing pond and tree planting along the River Swarbourn. These features along with the new hedgerow planting along the proposed access road and the management of existing hedgerows along the access road, subject to the specific detail, all have the potential to contribute to National Forest planting.</p> <p>The Design and Access Statement (DAS) advises that 2.5 hectares of woodland planting is proposed. The NFC are supportive of the location of the new woodland primarily to the north and east of the site, with some to the south as shown on the Proposed Landscaping Plan. The species mix and density can be agreed by a condition of consent, but we are broadly supportive of the species which have been detailed at 6.1.6 of the Biodiversity Net Gain Report. Details of the management of the woodland will need to be secured by a condition of consent. Conditions recommended regarding mix of species, density of planting, specimen trees, lodge planting zones, landscape management and protection of trees.</p>
5.16	Architectural Liaison Officer	No objections, design and security advice provided and forwarded to the agent
5.17	Historic England	<p>No objections in principle following receipt of additional information. The road proposals would result in a degree of harm to significance of the designated and non-designated archaeology in the location.</p> <p>The Local Planning Authority should be satisfied that there is a clear and convincing justification for the (less than substantial) harm and that the harm is outweighed by the public benefits of the scheme those benefits/long term use of the road need to be secured as part of any approval.</p> <p>A Scheduled Monument Consent application will be required for the new access road which will include specific details of the road construction.</p>
5.18	Lichfield District Council	No objections
5.19	Peak & Northern Footpath Society	Users of the public rights of way should not be affected by the development or during construction
5.20	Cadent	Original objection removed, informative recommended
5.21	Integrated Care Board (ICB)	No comments

Internal Consultees		Response
5.22	Environmental Health	No objections, the catering side of the proposals would require registration with Environmental Health food team. Informative recommended from the food team re layout and facilities.
5.23	Conservation Officer	It is concluded that there is a level of harm resulting from the proposed development to both designated and non-designated

		heritage assets. The level of harm is assessed to be less than substantial, and that the public benefits outweigh the impact.
5.24	Tree Officer	No objections. The proposed buildings are far enough away from the existing trees to prevent any adverse impact. Conditions recommended to ensure protection of existing trees and details of species and size of proposed trees.

6. Neighbour responses

6.1 39 letters of support and 32 letters of objection received in relation to the proposals.

The letters of support include 3 from partner charities and from local residents as well as those from further afield supporting the charity and the project

Letters of Support	
General	<ul style="list-style-type: none"> • Wonderful charity by a dedicated family, wishing them the best of luck with the project • Amazing project in the Borough which will benefit families needing support, ESBC should be proud to have such a project in the Borough • A much needed and welcome asset to the Midlands • Support from local people who are helping with fundraising and looking forward to being able to volunteer at the project • Bringing a much needed facility to the UK as not all children and families can go abroad • Hope this is the first of many such projects in the UK • Will provide a welcome break for children and their families, helping to improve their quality of life, make memories and improve mental health. Restore happiness and positivity • Past experience from more than one family emphasis the importance of a break for the whole family, a freedom to escape reality for a short while • Stress free for parents, providing a safe and welcoming environment with support, a fully accessible and inclusive environment • An ordinary holiday not practical and often not affordable when reduced incomes whilst caring for ill children. • Provide goal for children going through treatment and medical procedures. • Significant public benefits in contributing to meeting a national need to improve wellbeing of seriously ill children, which outweighs any perceived harm • The village will be built sympathetically and to a high standard • A rural setting but still relatively close to midland hospitals if required • The village would have a positive impact on the local community
Impacts on Amenity	<ul style="list-style-type: none"> • 10 lodges is an appropriate size to provide the facility but not large enough to adversely impact on local residents • Rural location is perfect to allow children to escape everyday life of hospital visits and doctors and get immersed in the experience.

	<ul style="list-style-type: none"> • No impact on local residents through noise and disturbance • No adverse impact on heritage assets • Numerous opportunities within the project to enhance and improve the natural landscape
Highways Impacts	<ul style="list-style-type: none"> • The proximity to the A38 and other transport links means that it will be accessible for families all over the country • The increased traffic is likely to be minimal with only 11 lodges • No increase in traffic generation on A38 junction due to new access road

The letters of objection include 27 from residents of Wychnor (from 17 properties), 1 letter from The Grange Management Company and 4 letters from wider afield (Barton Under Needwood and Yoxall).

Letters of Objection	
General	<ul style="list-style-type: none"> • WiFi and mobile phone signal limited in the area • No amenities within the vicinity • Is this considered a care facility? Would it be regulated by the Care Quality Commission? • Stability of sluice gate and water channel under the Causeway • Applicants business involvement with Forest Holidays, future change of use to commercial holiday facility • Question whether sufficient funding for the project, to set up and cover ever increasing running costs. Proposals do not appear to be financially strong enough to survive. What will happen if insufficient funding in the future? • Charity aims admirable, but chosen site inappropriate, will not meet the needs of the charity and will not make best use of funds. • New access road a costly white elephant • High costs of services, sewage, electricity, broadband, new access road, heating etc. • No reference to local healthcare facilities that are already under severe pressure, increased use by the site could impact on locals. • Will there be a healthcare provision on site? • Consultation with local community has not been constructive, open or engaging • Lodges have a large footprint, larger than normal holiday lodges, why do they need to be so large?
Impacts on Amenity	<ul style="list-style-type: none"> • Not a suitable location, too remote • A less environmentally sensitive site would be more appropriate • Adverse impact on open countryside and on local flora and fauna • Green field site not appropriate, plenty of quarry sites in Staffordshire could be used at less cost to the environment and better links

	<ul style="list-style-type: none"> • Development will be visible from the residential properties within The Grange • Application states grassland, but this is incorrect this is agricultural land, crops of the field in recent years, loss of valuable agricultural land • Site is windswept with a chill factor, question whether suitable for the intended use for ill children • Site surrounded by farm land where there will be use of heavy machinery and spraying of crops, is this suitable for the intended use? • The new access road will destroy farmland • Lighting at the site will be highly visible due to the open aspect to the river (lighting at the Country Club is hidden by trees and the walled garden • Existing high pressure gas pipe across the site • If successful expansion plans in the future would be devastating for the countryside • Extension of public footpath through the site conflicts with the aims of the path, getting away from development
Highways Impacts	<ul style="list-style-type: none"> • Transport report and surveys undertaken during COVID therefore not accurate reflection of traffic in Wychnor Lane, surveys whilst still working from home and Country Club not fully open • Data used in Transport Statement questioned for accuracy, both in terms of traffic movements and accidents • Wychnor Junction off A38 already has had a number of accidents, collisions with the narrow bridge, at least 1 a year • Wychnor junction on A38 dangerous, 90degree turn and no slip road from 70mph road • Dangerous access for people that know it, more so for those unfamiliar with the junction layout • Catholme junction off A38 also dangerous, not much better than Wychnor • New access road will just move the problem to the next junction on the A38 • Wychnor Lane single track road with passing places, no footpath or lighting • Increase in traffic more of a conflict with a variety of road users, vehicles, pedestrians, cyclists and horses. • Increased traffic in Dogshead Lane due to new access road • The increase in traffic associated with the use will have an adverse impact on the local road network and highway safety, particularly deliveries and service vehicles. • Wychnor Lane unadopted from the Causeway onwards with limited passing places. • The Causeway controlled by traffic lights as narrow, not capable of handling additional traffic, structure already in need of maintenance, wont cope with heavy vehicles or construction traffic • People often jump the traffic lights or lights get jammed, additional traffic will cause accidents

	<ul style="list-style-type: none"> • Future maintenance of the Causeway? The Grange and Wychnor Management Company currently responsible for maintenance of the road and traffic lights • Usage of new access road can't be controlled or policed • Sat Nav's will direct people to Wychnor junction and anyone who knows the area will use Wychnor junction rather than access road as quicker (ie staff & volunteers) • New access road won't make any difference to additional traffic along Wychnor Lane and unadopted road. • Due to construction the new access road will have no longevity, will likely sink and be useable • Weight restrictions on new access road • Theoretical use not operational use of new access road • Exit from The Grange has poor visibility, safety hazard with more vehicles • No amenities within the vicinity which will lead to additional car journeys by the visitors • Burst water main in the past, no water and no access from the village whilst the A38 repaired • Change over day a Sunday as lighter traffic, but walkers, cyclists and horse riders at weekends. • Previous refusals at the Country Club for expansion on highway safety grounds due to intensification of use of Wychnor Lane and A38 junction • Concerns about emergency vehicle access, will they find the site? Cases in the past where ambulances have not been able to find the village • Use of public transport not feasible, closest bus stop on A38, station 8.3miles away
Ecology	<ul style="list-style-type: none"> • Due diligence has not been followed in conducting meaningful assessment of potential environmental impacts, inconsistencies in the reports provided. • Reports not completed in accordance with accepted national guidance/standards • Surveys not undertaken in accordance with guidance at the right times of year. • Reports do not include reference to all species at the site: • Skylarks, lapwings, white clawed crayfish, badger sets, brown hares and horseshoe bats • Adverse impact on habitats • Harm to existing biodiversity. • Part of site previously considered for RSPB nature reserve, host to many bird species, some endangered
Planning Policy	<ul style="list-style-type: none"> • Conflict with Local Plan policies SP1, SP8, SP9, SP12 and SP15 • Not supported in principle by the NPPF paras 8, 84, 85 & 111. • Where is the proven need for the facility? No review of existing services and no acknowledgement of other charities that provide services and holidays for sick children and existing holiday sites that have existing infrastructure

	<ul style="list-style-type: none"> • An isolated site with poor links and connectivity, can't understand why it is considered an appropriate location for a care facility for young people at risk • No shops or local amenities so how will the facility contribute to the local economy? No apparent value or social benefit for local residents
Flood Risk	<ul style="list-style-type: none"> • Large areas of the site repeatedly flood during the winter leaving waterlogged ground • The extent of hard surfacing required will increase the surface water run off.
Heritage Assets	<ul style="list-style-type: none"> • Adverse impact on heritage assets in the vicinity • The Victorian Pump Room at the Causeway is structurally precarious and wont withstand additional volumes of traffic • Additional traffic adverse impact on listed narrow bridge at A38 junction
Ward Member	Councillor Jacqui Jones asked to be kept updated on the application

7. Policy Framework

National Policy

National Planning Policy Framework

National Planning Policy Guidance

Local Plan

Principle 1: Presumption in Favour of Sustainable Development

SP1: East Staffordshire Approach to Sustainable Development

SP8 Development Outside Settlement Boundaries

SP9 Infrastructure Delivery and Implementation

SP15 Tourism, culture and leisure development

SP24 High Quality Design

SP25 Historic Environment

SP26 National Forest

SP27 Climate Change, Water Body Management and Flooding

SP29 Biodiversity and Geodiversity

SP34 Health and Wellbeing

SP35 Accessibility and Sustainable Transport

DP1 Design of New Development

DP2 Designing in Sustainable Construction

DP5 Protecting the Historic Environment: All Heritage Assets, Listed Buildings, Conservation Areas and archaeology

DP6 Protecting the Historic Environment: Other Heritage Assets

DP8 Tree Protection

Supplementary Planning Documents

East Staffordshire Design Guide

Parking Standards

Assessment

It is considered that the key issues relevant to the determination of this application are as follows:-

- Principle of the Development
- Design and Impact on the Character and Appearance of the Area

- Residential Amenity
- Highways Matters
- Historic Environment
- Flood Risk and Drainage
- National Forest and Landscaping
- Ecology and Biodiversity
- S106 Contributions

8. Principle of Development

Relevant Policies

- 8.1 The NPPF states that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development.
- 8.2 Paragraph 8 of the NPPF advises that achieving sustainable development means that the planning system has 3 overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
- an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure
 - a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
- 8.3 Paragraph 84 of the NPPF states:
Planning policies and decisions should enable:
- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
 - b) the development and diversification of agricultural and other land-based rural businesses;
 - c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
 - d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.
- 8.4 Paragraph 85 states that Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of

previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist.

- 8.5 Paragraph 93 of the NPPF states that to provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:
- (b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community
- 8.6 Paragraph 130 states that planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Local Plan

- 8.7 The Council has adopted a positive approach in seeking to meet objectively assessed development needs of the Borough. The policies in the plan provide a clear framework to guide sustainable growth and the management of change, thereby following the Government's presumption in favour of sustainable development.
- 8.8 Strategic Policy 1 sets out the East Staffordshire Approach to Sustainable Development. Principles listed in the policy include social, environmental and economic considerations to be taken into account in all decision making where relevant. The principles are:
- located on, or with good links to, the strategic highway network, and should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of open countryside;
 - it is convenient and safe to walk, cycle and travel by public transport between (and for larger sites, around) the site and existing homes, workplaces, shops, education, health, recreation, leisure, and community facilities and between any new on-site provision;
 - retains, enhances, expands and connects existing green infrastructure assets into networks within the site and within the wider landscape;
 - re-uses existing buildings where this is practicable and desirable in terms of the contribution the buildings make to their setting
 - integrated with the character of the landscape and townscape, provides for archaeological investigation where this is appropriate and conserves and enhances buildings of heritage importance, setting and historic landscape character;

- designed to protect the amenity of the occupiers of residential properties nearby, and any future occupiers of the development through good design and landscaping;
- high quality design which incorporates energy efficient considerations and renewable energy technologies;
- developed without incurring unacceptable flood risk or drainage problems and uses Sustainable Drainage Systems (SUDS) where appropriate;
- does not harm biodiversity, but rather enhances it wherever possible, including increasing tree-cover, especially as part of the National Forest;
- creates well designed and located publicly accessible open space;
- would demonstrably help to support the viability of local facilities, businesses and the local community or where new development attracts new businesses and facilities to an area this does not harm the viability of existing local facilities or businesses;
- would contribute towards the creation of sustainable communities through the provision of a mix of housing types and tenures;
- uses locally sourced, sustainable or recycled construction materials (including wood products from the National Forest where this is appropriate), sustainable waste management practices and minimises construction waste;
- safeguards the long term capability of best and most versatile agricultural land (Grade 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future; and would result in the removal of contamination and other environmental problems associated with the site.

8.9 Strategic Policy 2 identifies the settlement hierarchy for the Borough.

8.10 Strategic Policy 8 states that development outside settlement boundaries will not be permitted unless it meets with several criteria:

- essential to the support and viability of an existing lawful business or the creation of a new business appropriate in the countryside in terms of type of operation, size and impact and supported by relevant justification for a rural location; or
- providing facilities for the use of the general public or local community close to an existing settlement which is reasonably accessible on foot, by bicycle or by public transport; or
- in accordance with a 'made' (i.e. legally in force) Neighbourhood Plan; or
- development under the Rural Exception Sites policy (see Policy 18 on Exception Sites); or
- Appropriate re-use of Rural Buildings following guidance set out in the Rural Buildings SPD; or
- infrastructure development where an overriding need for the development to be located in the countryside can be demonstrated; or
- development necessary to secure a significant improvement to the landscape or the conservation of a feature of acknowledged importance; or
- provision for renewable energy generation, of a scale and design appropriate to its location.
- otherwise appropriate in the countryside.

8.11 Proposals falling within one of these categories will be judged against the following criteria where applicable:

- The proposed development must not adversely affect the amenities enjoyed by existing land users, including, in the case of proposals for development close to an existing settlement, the occupiers of residential and other property within that settlement.

- Proposals do not introduce considerable urban form
- Proximity to settlements where there are advantages of sustainable linkages, but this should not create unacceptable urban extensions or create the opportunity for unacceptable backfill between the development and the urban area
- The detailed siting of the proposed development and its associated environmental impact are compatible with the character of the surrounding area,
- The design of the buildings, structures and materials are visually wellrelated to the proposed site and its setting with careful choice of materials, landscaping, massing of buildings and attention to local architecture and roofscape design.
- Landscaping associated with the proposal takes into account both the immediate impact and distant views of the development.
- The proposed development will not have an adverse impact on the transport and highway network and provides adequate access for all necessary users
- The need to maintain land of high agricultural value for food production

8.12 Strategic Policy 9 deals with Infrastructure delivery and implementation. The Council will ensure that sufficient on and off site physical, social and community infrastructure is provided to support the development identified in this Local Plan. Infrastructure and services required as a consequence of development, and provision for their maintenance, will be sought from developers and secured by the negotiation of planning obligations.

8.13 Strategic Policy 15 New tourism development will be assessed according to the extent to which they support the local economy and promote distinctive character and quality of the Borough. Tourism accommodation should be provided within existing settlements where it can make use of existing infrastructure and facilities. New tourism accommodation outside of settlements will only be acceptable where it will have good accessibility to existing infrastructure and will not have an adverse impact on the character and appearance of the countryside or the amenities of nearby residents.

8.14 Strategic Policy 34 deals with health and wellbeing and identifies that health and a sense of wellbeing are a key part in the delivery of sustainable development.

- Providing high quality design which minimises and mitigates against potential harm from risks such as air, noise, water and light pollution as well as land contamination;
- Development proposals that maximise the opportunity for movement, social interaction and physical activity, through green infrastructure (networks), sustainable transport routes including facilities for cycle storage, and open spaces, including where possible, community growing spaces such as allotments and community orchards;
- Development proposals that take account of the need to create socially vibrant and connected communities

Assessment

8.15 The site sits outside of settlement boundary within the Parish of Wychnor, where Local Plan Policy SP8 will be applicable.

8.16 The rural location is one of the key requirements of the charity in order to provide a facility away from everything and particularly medical environments and allow the children and their families to experience the countryside and the natural environment. The scale of the development is small with just 10 lodges, a communal building, staff accommodation and facilities building. Whilst the footprint of each lodge would be approx. 181sqm they need to provide 4 bedrooms to accommodate large families and

sufficient space for wheelchair access and those with mobility issues. The Hive communal building whilst partially two storey would have a flat roof to reduce its height and impact, whilst the unusual honeycomb design would add interest and reduce the overall massing of the building. The staff accommodation would be far smaller scale and would be tucked away between the trees. It is therefore considered that the development would fall within exception 1 of Policy SP8.

- 8.17 It must be recognised that the site sits within a rural location with limited highway accessibility and limited access to public transport. Given the specialist nature of the use, it is unlikely that the guests to the site would be able to travel other than by private car regardless of the location. But given the scale and size of the development the Transport Statement has demonstrated that the development would have no adverse impact on highway safety. This does however amount to a departure from Policy SP1 of the Local Plan in terms of sustainable development, but the scale and uniqueness of the facility and the nationally important social role that the development would provide is considered to outweigh any harm in terms of unsustainable development.
- 8.18 In terms of Policy SP8, it is considered that although the development would be run by a charity rather than a business that exception 1 would be applicable in that the proposal is a development which requires a rural location and one which given the unique circumstances is considered appropriate. The development would create a new business appropriate in the countryside in terms of type of operation, size and impact and supported by relevant justification for a rural location.
- 8.19 Given the above, the proposals then have to be assessed against each criteria in Policy SP8 below:
As detailed below in Section 10, the proposed development would have no adverse impact on the amenities of the surrounding occupiers.
Given the scale of the development it is not considered that it would introduce considerable urban form.
As detailed in Section 9 below, the development would be compatible with the character of the surrounding area.
The design of the buildings would be visually well related to its setting together with materials, landscaping and massing of the buildings.
As detailed in Section 14 below, the proposed landscaping and tree planting takes into account the National Forest location in terms of its immediate impact and distant views into and from the site.
As detailed in Section 11 below, the proposed development would not have an adverse impact on highway safety.
Whilst the land for the main village and the proposed access road is currently agricultural land the field is not regarded as high quality agricultural land given the topography, Flood Zone and a gas pipeline runs through the site. Whilst the field has a crop at the current time, there has been a number of years when the field has had no crop. The proposed access road also sits within agricultural land, but the position of the road would allow for the majority of the field to still to be used for agriculture.
It is therefore considered that the principle of the proposed development would accord with the criteria in Policy SP8 of the Local Plan.

Assessing the proposal as an Infrastructure Development project

- 8.20 The provision of a new access road is required to meet the needs of the main development and to ensure highway safety. Policy SP9 of the Local Plan requires that infrastructure and services required as a consequence of a development and their future maintenance would be sought from the developer. In this case the applicant

would provide the access road for use by their guests, staff, visitors and services and would be fully responsible for the maintenance of this private road in the future. The new road due to its unadopted status would not be a formal infrastructure project as it would not be for use by the general public.

Assessment as Tourist Accommodation

- 8.21 Whilst the proposals would provide holiday accommodation it is considered that due to the specialist and specific nature of the development that this should not be regarded as tourist accommodation as it would not be open to the public and would therefore not attract large numbers of visitors. It is therefore considered that Policy SP15 of the Local Plan does not apply in this case and a condition is recommended to ensure the use remains as that applied for only and not as general holiday accommodation, which would be unacceptable in this location. A further condition is recommended to ensure that the site is dismantled and returned to its natural state if the facility hereby approved is no longer required. An expansion of the scheme in the future would require additional planning consent which would be carefully assessed at that time.

Assessment as a Health Facility

- 8.22 Policy SP34 of the Local Plan identifies that health and wellbeing is a key part in the delivery of sustainable development. The facility in its rural location would help to improve the quality of life of the children and their families helping them to forget the outside world for a short while, whilst making memories and helping to improve mental health and wellbeing.

Assessment against the NPPF

- 8.23 Paragraph 8 of the NPPF requires consideration of the economic, social and environmental objectives.
- In this case whilst the development would not have any direct economic impacts to the village of Wychnor as there are no existing shops or services that would benefit from the facility, the development will bring economic benefits to the Borough as a whole with a significant initial investment (£2.8m) in construction and infrastructure costs with work tendered locally, bring jobs both created and supported by the development. Once completed the development will provide employment and local suppliers used to service the facility.
 - In social terms the benefits are clear, the development would provide help and respite for critically ill children and their families, providing a safe haven and allowing them to forget about the outside world for a week, to concentrate on family life and make some memories. The facility will be available to families free of cost, at a time when finances may be stretched with parents working less to look after children. The supporters of the scheme have acknowledged the importance of this sort of facility, based on their own experiences. A number of supporters have also welcomed the opportunity to support the scheme through volunteering and fundraising and welcome the scheme in the Borough.
 - In terms of environmental impacts it is accepted that the proposals would develop existing agricultural land, but the size and scale of the development would ensure that large areas of the site are retained as greenfield, together with significant environmental enhancements through the provision of a pond and extensive landscaping and tree planting throughout the site to National Forest standards. The development will have no adverse impact on protected

species and existing hedgerows and trees would be retained to protect existing habitats.

- 8.24 Whilst the site sits within an unsustainable location in terms of lack of access via sustainable transport modes, it is considered that the size and scale together with the requirements for this specialist facility would outweigh the harm.

9. Design and Impact on the Character and Appearance of the Area

Relevant Policies

- 9.1 The NPPF attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 9.2 Strategic Policy 1 state that development proposals should be integrated with the character of the landscape and be of high quality design which incorporates energy efficient considerations.
- 9.3 Strategic Policy 8 states:
Proposals do not introduce considerable urban form
The detailed siting of the proposed development and its associated environmental impact are compatible with the character of the surrounding area,
The design of the buildings, structures and materials are visually well related to the proposed site and its setting with careful choice of materials, landscaping, massing of buildings and attention to local architecture and roofscape design.
Landscaping associated with the proposal takes into account both the immediate impact and distant views of the development.
- 9.4 Strategic Policy 24 requires that development should:
Contribute positively to the in which it is proposed
Enhance the landscape and protect and enhance biodiversity.
Present an appropriate layout for new development that integrates with the existing environment and context
Reflect the character of the National Forest in their design where appropriate
- 9.4 Policy DP1 of the Local Plan re-iterates the design principles set by SP24 stating that development must respond positively to the context of the surrounding area, exhibit a high quality of design and be compliant with the East Staffordshire Design Guide.
- 9.5 The East Staffordshire Design Guide requires the design of development to demonstrate a strong, considered and sensitive response to its context. Design which is relevant to the site and wider context will be important, as this can support local distinctiveness. The Guide allows for development which employs a more modern architectural style but in terms of its proportions and siting it should still complement its surroundings.
- Assessment
- 9.6 The site layout has been designed specifically to take into consideration the landscape character of the area and all the constraints of the site; the existing public footpath, the existing gas pipeline, the line of the existing electricity power cables, the existing trees and woodland areas immediately outside of the application site, the position of the River Swarbourn, the area that sits within Flood Zone 3, distance views and the topography of the site.

- 9.7 The layout of the site is simple, the main buildings, the 10 lodges and The Hive building would sit in a line north/south towards the eastern side of the site, on the higher land and to the west of the Faggness woodland. This would provide the buildings with the best views across the open land to the west of the site whilst providing screening of the buildings from the east, north and south from the existing and proposed tree planting.
- 9.8 The buildings are considered appropriate for the site, in terms of their design, height, massing and materials, providing a natural appearance through the use of composite timber cladding, whilst ensuring longevity and reduced maintenance of the buildings. The appearance would be similar to timber helping to reflect the National Forest.
- 9.9 The staff accommodation, car park and facilities buildings would be well screened from views by the proposed tree planting. The vehicle routes into and through the site are the minimum required to allow for easy access to each building, sited to the rear of the buildings to reduce impact on views into and from the site across the countryside. Footpaths and boardwalks have been designed to allow accessible routes around the site, so the site and surrounding countryside can be experienced and enjoyed, no matter the extent of mobility.
- 9.10 The landscaping and tree planting proposed throughout the site (see Section 14 below for more details) has been carefully considered to enhance the site, to allow the site to blend with the surrounding character of the countryside and provide screening whilst still allowing views across the countryside from the new buildings.
- 9.11 The proposed pond will enhance the biodiversity of the site, with the decking area at the Hive carefully designed to overhang the pond to allow for full experience of nature for those less mobile.
- 9.12 External lighting around the site will be kept to a minimum using down lighters and sensitive designs on the lodges themselves, a condition is recommended to ensure all external lighting is submitted for approval prior to installation to avoid any adverse impact on the surrounding natural environment and protected species
- 9.13 Wychnor Park Country Club sits to the south of the site beyond The Grange. It is noted that 11 log cabins sit in a north/south line to the west of the Wychnor Park Country Club buildings, approved in 2003 as additional timeshare accommodation for members of the Country Club. These cabins sit closer to the River Swarbourne than the proposals and are visible from the open countryside to the west. The provision of log cabin style accommodation therefore already forms part of the character of the area.
- 9.14 It must be recognised that the site is situated within a rural area and any form of development would impact on the landscape character of the area, particularly within the short-term. However the site is situated in close proximity to built form (The Grange and Wychnor Park Country Club) and the proposed tree planting throughout the site would in the long-term provide a filter and screening of views of the development. It is therefore considered that the visual effects of the development on the landscape character of the area would be minor and neutral long-term.
- 9.15 It is considered that the sensitive design, layout, massing and materials of the proposed development are appropriate for the site and would be in keeping with the character of the area. The proposed extensive mitigation tree planting and landscaping proposed would filter views of the development from the surrounding countryside whilst allowing those staying at the Kids Village to experience and take pleasure from

the natural environment. As such it is considered that the proposals comply with Local Plan and NPPF policies.

10. Residential Amenity

Relevant Policies

- 10.1 The National Planning Policy Framework and Policy SP1 of the Local Plan seeks to ensure that development proposals are designed to protect the amenity of the occupiers of residential properties nearby and any future occupiers of the development through good design and landscaping.

Assessment

- 10.2 The closest residential properties to the site are situated within The Grange, a complex of converted and new residential properties set to the south of the application site, with the closest property approx. 335m from The Hive building.
- 10.3 Existing and proposed trees would provide screening between The Hive and the residential properties and together with the separation distance it is considered that there would be no adverse impact on the amenities of the occupiers of the properties at The Grange through loss of light, overlooking or loss of privacy. Given the separation distance it is considered that the residential occupiers are unlikely to be affected by noise and disturbance.
- 10.4 It is considered that the proposals would have no adverse impact on the amenities of the surrounding occupiers and would comply with Local Plan and NPPF policies.
- 10.5 A condition is recommended regarding external lighting, to ensure no adverse impact on the natural environment and the residents of The Grange.
- 10.6 Residents from The Grange have raised concerns about the visibility at the access from The Grange and the possible safety considerations given the increase in traffic along this section of the unadopted road which they currently do not experience. However given the width of the access and the level of traffic that would utilise the road SCC Highways have raised no concerns.

11. Highway Matters

Relevant Policies

- 11.1 The NPPF in section 4 sets out the role transport policies play in facilitating sustainable development which contributes to wider sustainability and health objectives. Decisions should consider ensure development proposals have taken the opportunities for sustainable transport modes, ensure safe and suitable access to the site can be achieved for all people and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 11.2 Policies SP1 and SP35 of the Local Plan aim to ensure development is located on sites with good links to the highway network, development is convenient and safe to walk, cycle and travel by public transport. Developments should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of the open countryside. For those developments likely to have an impact on the wider highway infrastructure, proposals should be accompanied by a transport assessment clearly setting out how the likely impacts of the development will be addressed.

11.3 Strategic Policy 8 states that development will not have an adverse impact on the transport and highway network and provides adequate access for all necessary users

11.4 The Council's parking standards SPD sets out standards for different uses including space size, accessibility and the quantity of car parking spaces required for different uses.

Assessment

11.5 The site can only be accessed via the A38 dual carriageway that forms part of the Strategic Highway Network, for which National Highways are responsible. Wychnor Lane off the A38 is a no through road, so all traffic enters and leaves Wychnor via Wychnor Lane.

11.6 The proposals has been developed over a number of years with direct consultation with National Highways and SCC Highway Authority. Several alternative access routes were considered and discounted due to access rights. As a result of the pre application consultation a new private access road between Dogshead Lane and Wychnor Lane is proposed for use by guests, visitors and staff of the Kids Village, which would alleviate additional traffic using the Wychnor junction of the A38, instead using the Catholme junction, which has a slightly longer slip road and wider road directly off the A38 rather than the narrow listed canal bridge and short slip road at the Wychnor junction. National Highways and SCC Highways have raised no concerns about the increased traffic in Dogshead Lane as a result of the proposals.

11.7 The applicants are committed to a Travel Plan for the site and an Operational Management Plan for the new private access road to ensure that traffic to and from the site is controlled. A S106 Agreement is recommended to secure the monitoring costs of the Travel Plan and secure the operational management plan of the private access road to be created. The Operational Management Plan for the new private access road will ensure that guidance for use is provided to all guests, visitors and staff to ensure use of the road rather than the Wychnor junction off the A38. The issue of Sat Navs directing users of the site will therefore not be applicable.

11.8 The applicant already have a close relationship with Birmingham Childrens Hospital and other charities and organisations, only children cleared by their medical team will stay at the site, so it is unlikely that ambulance attendance would be a regular occurrence. In the unlikely event that an ambulance is required arrangements would be made to ensure that ambulance service know where to attend.

11.9 The new private access road would largely be a 'floating' road which would employ a 'no-dig' method of construction due to the historical importance of part of the land, due to the construction methods required the road cannot be constructed to an adoptable standard. The road would be single carriageway and include passing places along its length to secure safe passage in both directions. The road would be constructed to the requirements of Historic England and would cater for larger vehicles, there is no known weight restriction for this route at this time. The access and egress routes onto Dogshead Lane and Wychnor Lane would be controlled by automatic barriers, which would prevent general public usage but enable access for all deliveries, staff, guests and visitors.

11.10 Wychnor Lane is a single track road that includes passing places along its length (13 passing places up to The Causeway). The road becomes unadopted and narrows at The Causeway, with access through The Causeway traffic light controlled. Beyond the The Causeway to the west and north west the road remains unadopted with passing places (3 new tarmacked passing places between The Causeway and Wychnor Park Country Club), providing access to The Grange residential properties and Wychnor

Park Country Club. The road extends beyond The Grange past the site and carries on northwards and eventually to a gated access onto the B5016.

- 11.11 The applicant has confirmed that they have agreed access over the unadopted section of Wychnor Lane and have agreed to contribute into the management company that maintains the road. It should also be noted that construction traffic will not use Wychnor Lane, but will have temporary access via Blakenhall Park off Bar Lane to ensure no unnecessary damage to The Causeway.
- 11.12 The proposals are supported by a Transport Statement which includes an automatic traffic count in Wychnor Lane undertaken over 7 days 12th to 19th September 2021. Whilst objectors indicate that this survey period is unrepresentative of normal traffic due to Covid restrictions, it should be noted that schools and work places were open at this time.
- 11.13 The survey indicates an average weekday traffic flow of 424 vehicles in both directions along Wychnor Lane in a 24 hour period (noting that Wychnor Lane is a no through road) with an average of 406 on Saturday and 318 on Sunday.
- 11.14 10 lodges would be provided and whilst these are 4 bedroomed they would only accommodate one family, and it is anticipated that each family will arrive by car with 50% of families bring 2 cars, a total of 15 guest vehicles are therefore allowed for in the assessment. Only 50% of vehicles will be likely to leave the site to take trips out, given the extent of facilities being provided on site so 8 guest vehicles allowed for. Day visitors to the site are likely to be minimal given the travel distance to the site, so 1 guest vehicle allowed for. 3 vehicles on average have been allowed for in terms of office staff. A laundry service in Barton Under Needwood would be used with collection and delivery service. These assumptions are considered appropriate and reasonable. This equates to 23 arrivals and 23 departure trips on a Sunday (change over day) total 46 vehicle movements with only 15 arrivals and 15 departures estimated each day for the remainder of the week total 30 vehicle movements.
- 11.15 The impact on this additional traffic movement has been calculated as up to 0.1% on the A38. The impact of these additional vehicle movements on the operation of the trunk road is therefore likely to be imperceptible and normal to daily fluctuations in traffic flow.
- 11.16 It is recognised that Wychnor Lane has a low base flows of traffic movement. By virtue of the limited existing base flows that the road supports and the nature of the highway itself it is predicted that the additional traffic generation from the proposals would be accommodated without any noticeable impact on the operation or performance of Wychnor lane when compared with the existing daily variation and across the week. It is calculated that the additional vehicle movements along Wychnor Lane would be up to 14.4% on Sunday (change over day) and 7.1% the remainder of the week. It is considered that the road is not currently, nor would be approaching the technical capacity of a single carriageway rural lane, such that its operation would be fundamentally affected by the limited additional traffic anticipated.
- 11.17 Accident data was also considered in the Transport Statement, in a 5 year period (Jan 2015 – Feb 2021) 12 accidents were recorded in the study period, of which 10 were slight and 2 serious, and no fatal accidents during the period. The data confirms that the accidents in the study area were minor in nature and severity and largely attributed to poor driver decision-making, lack of attention to other road users and driving inappropriate for the speed or road conditions. The proposals will require all guests' and visitors to use the proposed private access road which will route via Dogshead Lane. It is considered that the level of traffic generated by the development will be so small as to be comparable to fluctuations in daily traffic flows and is unlikely to lead to a worsening of safety conditions at the junction.

- 11.18 The Transport Statement acknowledges that due to the rural nature and location of the site sustainable transport options within the vicinity of the site are reduced, but staff will be encouraged to use sustainable forms of transport. The closest bus stop to the site is on the A38, and provides a limited service.
- 11.19 The site access and internal road site layout are considered to be suitable to accommodate the needs of the operation of the site.
- 11.20 A total of 38 parking spaces will be provided on site, 2 immediately adjacent to each lodge and 18 spaces in a car parking area adjacent to the staff accommodation, (including disabled parking) which would accommodate staff and visitors. The level of parking is considered appropriate for the site and facilities and would not lead to any adverse impact on highway safety. Secure cycle storage facilities will also be provided adjacent to the car park as well as changing facilities to encourage more sustainable travel options for staff.
- 11.21 It is recognised that Wychnor Lane has no pedestrian footpaths or lighting along its length which could impact on the safety of pedestrians along this route. It is however considered that there is unlikely to be a substantial increase in pedestrians using Wychnor Lane over that of the existing situation, as a result of the development, due to the nature of the use. The public right of way through the site will be retained and the very nature of its route would be more likely to be used as a route for walking by guests of the site.
- 11.22 Public Footpath No 5 Wychnor Parish runs through the site and along the site access road. The applicants are fully aware of this and do not intend to divert the route, but have incorporated it into the design of the scheme. The path will remain fully accessible for members of the public and will have enhanced planting along part of its length. Footpath No 4 Wychnor Parish also runs adjacent to the access road to the site and Nos 28(a), 28(b) and 28(c) Barton under Needwood also run adjacent to the northern most extent of the new access link road. These will all remain unaffected by the proposals and remain open for the use by the public.
- 11.23 It is therefore considered that the proposals accord with the NPPF and Local Plan policies and would not have any adverse impact highway safety.

12. Historic Environment

Relevant Policies

- 12.1 The NPPF states that Local Planning Authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.
- 12.2 In determining planning applications with respect to any building or other land in a conservation area, local planning authorities are under a statutory duty under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Case law has established that this means that considerable importance and weight has to be given to that statutory duty when balancing the proposal against other material considerations. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 12.3 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 provides that in considering whether to grant planning permission for development

which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Again, as for the Section 72 duty referred to above, case law has established that this means that considerable importance and weight has to be given to that statutory duty when balancing the proposal against other material considerations.

- 12.4 The NPPF also confirms that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal including by development affecting the setting of a heritage asset. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.
- 12.5 Strategic Policy 1 states that development should conserve and enhance buildings of historic importance, their setting and historic landscape character.
- 12.6 Strategic Policy 25 states that Development proposals should protect, conserve and enhance heritage assets and their settings, taking into account their significance, as well as the distinctive character of the Borough's townscapes and landscapes.
- 12.7 Detailed policy 5 goes into more detail regarding Historic Assets, Listed Buildings, Conservation Areas and Archaeology. Detailed policy 6 aims to protect other heritage assets which are not necessarily covered by listed building or conservation area status, such as shopfronts and the setting of important historic landscapes.

Assessment

- 12.8 The following Grade II listed buildings/structures are situated to the south of the main Kids Village site within Wychnor Park:
Wychnor Manor
Coach House
Game Larder
Walled Garden
The closest to the site is the walled garden, which sits to the south west of The Grange, over 350m from the proposed Hive building, the closest building within the development. It is recognised that the Kids Village site is a sensitive site in terms of heritage, but there is no designated archaeology, Registered Parks and Gardens or Listed Buildings within the development site itself. The existing and proposed trees would provide screening between The Hive and the listed walled garden and together with the separation distance it is considered that the proposals would not have any adverse impact on the appearance or setting of the listed structure or buildings.
- 12.9 Grade II Listed Northgate Lodge and South Lodge sit either side of The Causeway towards the western end, it is not considered that the nominal increase in traffic along the route would have an adverse impact on these heritage assets. It is noted that this section of the unadopted road is controlled by traffic lights which restricted traffic to single file.
- 12.10 The proposed new private access road however crosses the nationally significant Scheduled Pit Alignments north of Wychnor Bridge. Pit Alignments are generally of later prehistoric date and although little is known about their function and significance, they are believed to be related to division of the agricultural and political landscape. The pit alignments survive as a series of buried archaeological deposits and are

spatially associated with other prehistoric remains in the area. The archaeological research undertaken as part of this application show that the pit alignments continue south and west of the Scheduled area. These features would be considered as non-designated heritage assets of archaeological interest which are demonstrably of equivalent significance to scheduled monuments and should be considered subject to the policies of designated heritage assets.

- 12.11 Historic England consider that despite the ‘no dig’ construction proposed that would result in ground disturbance limited to the upper 50mm, the ground that is already the subject of disturbance from agricultural activity, there would be some impact on the below ground archaeology and there would be a degree of harm to significance from the proposals. Although the buried remains may not be readily appreciated by a casual observer, they maintain a setting and relationship to one another (and other features within the landscape) which would be negatively impacted by the new road proposals. Paragraphs 199, 200 and 202 of the National Planning Policy Framework (NPPF) states that great weight should be given a heritage asset’s conservation and that any harm to the significance of a designated heritage asset (or asset of equivalent significance - see footnote 68) requires clear and convincing justification. This harm must be weighed against the public benefits of the scheme.
- 12.12 Historic England have worked with the applicant to identify a route that would have the minimum impact on the designated archaeology but it is considered that there would still be some residual harm to the significance of the archaeological resource. The justifications for and the public benefits of the proposed scheme are tied to the use of the road for a Children’s respite village. The road being used for an alternate use on the site, general traffic, or a local short-cut would not have the same levels of public benefit. It is noted that the road would be closed to the general public with strict measures in place to control the use solely by guests, staff and visitors to the Kids Village.
- 12.13 The Council’s conservation officer considers that whilst there is a degree of harm resulting from the proposed private access road to designated and non-designated heritage assets, the level of harm is assessed at less than substantial and that the public benefits of the development would outweigh the impact.
- 12.14 It is noted that Historic England have not placed a weight restriction on the proposed road, but a condition is recommended to ensure that the new private access road is constructed and implemented in accordance with the requirements of Historic England and the subsequent Scheduled Monument Consent approval and the operational management plan that will restrict the long term use to the guests, visitors and staff associated with the Kids Village only, be secured by S106 Agreement. Further a condition is recommended by the County Archaeologist to secure further archaeological investigation.

13. Flood Risk and Drainage

Relevant Policies

- 13.1 Section 10 of the National Planning Policy Framework seeks to ensure that new development is not at risk from flooding, or does not increase flood risk elsewhere. It advocates the use of a sequential test with the aim of steering new developments to areas with the lowest probability of flooding. The Environment Agency produces flood risk maps which classifies land according to probability of flooding. The areas of highest risk are classified as Flood Zone 3, with a 1 in 100 or greater annual probability of flooding, and the areas of lowest risk are classified as Flood Zone 1, with a less than 1 in 1000 annual probability of flooding.

- 13.2 Strategic Policy 1 requires development without incurring unacceptable flood risk or drainage problems.
- 13.3 Strategic Policy 27 expects all new development to incorporate Sustainable Drainage Systems (SUDS). Systems will discharge clean roof water to ground via infiltration techniques, limit surface water discharge to the greenfield run-off rate and protect and enhance wildlife habitats, heritage assets, existing open space, amenity areas and landscape value.

Assessment

- 13.4 The western element of the site immediately adjacent to River Swarbourn sits within Flood Zone 3 (the 30-year, 100-year and 1000-year flood extent) the remainder of the site sits within Flood Zone 1. Surface water flow path is shown to bisect the central area of the site and discharge into the River Swarbourn. This flow path is however shown to be bisected by the outline drainage proposals, so a betterment of the existing scenario will be provided by the development proposals.
- 13.5 Whilst flooding hotspots have been identified these are on the opposite side of the River Swarbourn from the development and therefore unlikely to be relevant to the site.
- 13.6 The Flood Authority have raised no objections to the principle of the proposals subject to pre-commencement conditions to ensure that the buildings are constructed at an appropriate ground level and that detailed proposals of surface water drainage are submitted for approval.
- 13.7 The cabins and The Hive would sit across the centre of the site away from the Flood Area and at a higher level than the river.
- 13.8 The site would have its own sewage treatment plant so there would be minimal impact on the public sewage system, Severn Trent Water have raised no objections and do not require a drainage condition.
- 13.9 It is considered that subject to details of drainage the development would have no adverse impact on surface water and would be unaffected by flood risk and is unlikely to cause flood risk to the surrounding land. The proposals are therefore in accordance with Policies SP1 and SP27 of the Local Plan.

14. National Forest and Landscaping

Relevant Policies

- 14.1 The National Planning Practice Guidance is clear that green infrastructure is important to the delivery of high quality sustainable development, alongside other forms of infrastructure such as transport, energy, waste and water. Green infrastructure provides multiple benefits, notably ecosystem services, at a range of scales, derived from natural systems and processes, for the individual, for society, the economy and the environment. To ensure that these benefits are delivered, green infrastructure must be well-planned, designed and maintained. Green infrastructure should, therefore, be a key consideration planning decisions where relevant.
- 14.2 One of the core principles in the National Planning Policy Framework is that planning should recognise the intrinsic character and beauty of the countryside. The NPPF states that local plans should include strategic policies for the conservation and enhancement of the natural environment, including landscape. This includes designated landscapes but also the wider countryside.

- 14.3 Strategic Policy 1 requires development not to harm biodiversity and enhance where ever possible, including increasing tree cover especially as part of the National Forest and that development should be integrated with the character of the landscape.
- 14.4 Strategic Policy 24 requires development to reflect the character of the national Forest in their design
- 14.5 Strategic Policy 26 supports the National Forest Strategy expects developments within the National Forest to contribute towards the creating of the Forest by providing on-site or nearby landscaping that meets the National Forest planting guidelines.
- 14.6 Strategic Policy 30 states that development proposals will be expected to demonstrate that they have taken into account the Landscape Character Assessment for Staffordshire and consist of a scheme which reflects the landscape character and where possible enhances the landscape quality.

Assessment

- 14.7 The site is 13.8 hectares and therefore requires compliance with Strategic Policy 26 of the Local Plan.
- 14.8 The National Forest Company notes the need for this type of accommodation and welcomes the aspects of the proposals which allow and encourage visitors to access and interact with the natural environment in a National Forest setting. The use of shingle roofs and timber in the construction of the buildings is also welcomed and recommend that natural timber rather than timber effect be maximised throughout the development. They have also suggested a green roof to the Hive building.
- 14.9 The applicant has considered the use of natural timber for the buildings rather than composite. They have confirmed that for cost and maintenance reasons composite cladding will be used. The maintenance of natural timber would significantly add to the running costs of the village and would mean that the lodges would be out of use for some time for maintenance. A green roof to the Hive building was also considered but discounted due to its cost and the fact that the roof would not be visible so there would be no visual gain.
- 14.10 The proposed landscaping plan includes 2.5hectares of new woodland planting primarily to the north and east of the site. The planting within the site would extend The Faggness existing woodland to the north east of the site which sit just outside of the site boundary with further planting to the to the northern side of the existing woodland area that sits just outside of the southern boundary of the site, new tree planting to the western side of the site along the River Swarbourn and new grassland habitat to the west of the cabins and new pond as well as new hedgerow planting along the proposed access road and management of existing hedgerows, which all contribute to National Forest Planting.
- 14.11 Conditions are recommended to ensure the exact details of size, species mix, density, location of all planting, tree protection during construction, pond design to ensure biodiversity enhancement and management of the woodland and landscaping. A condition is also recommended to ensure details of the maintenance of the National Forest Way public right of way that will be routed through the site.
- 14.12 The National Forest Company consider that the extent of on site tree planting together with the grassland planting, the proposed natural pond, hedgerow planting as well as landscaping around the cabins would all contribute to National Forest Planting in compliance with Policies SP1 and SP26.

- 14.13 The areas of tree planting towards the east and south east of the site would provide screening of the staff accommodation and the facilities building from open views from the surrounding countryside. The position of the proposed cabins and The Hive allows for screening from the east by The Fagness woodland and new planting, from the north by new planting and from the south by existing and enhanced planting.
- 14.14 The position and orientation of the cabins and The Hive allow for the best views and appreciation of the countryside to the west of the site even for those less mobile, maximising access to the countryside. Retention of the existing public footpath route also ensures maximum public access in compliance with policy SP26 of the Local Plan.
- 14.15 The landscape proposals allow for landscaping immediately adjacent to each of the cabins and surrounding The Hive and together with the other planting around the site detailed above it is considered that the proposals maintain and enhance the existing landscape character of the area in compliance with policies SP1, SP26 and SP29 of the Local Plan.

15. Ecology and Biodiversity

Relevant Policies

- 15.1 The national Planning policy Framework (2021) s.174 states: “Planning policies and decisions should contribute to and enhance the natural and local environment by: ...
... d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures”
- 15.2 NPPF s.180 states that “When determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused...”
- 15.3 The Natural Environment and Rural Communities Act 2006 states that public authorities in England have a duty to have regard to conserving biodiversity as part of policy or decision making.
- 15.4 The Conservation of Habitats and Species Regulations 2017 and the Wildlife and Countryside Act 1981 (as amended); along with the Protection of Badgers Act 1992, provide the main legislative framework for protection of species. In addition to planning policy requirements, the LPA needs to be assured that this legislation will not be contravened due to planning consent. In addition to these provisions, section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. Section 41 refers to a list of habitats and species of principal importance to which this duty applies.
- 15.5 Strategic Policy 1 requires that development should not harm biodiversity and enhance it where ever possible.
- 15.6 Strategic Policy 29 lists criteria including development retain features of biological interest produces a net gain in biodiversity in line with Staffordshire biodiversity action plan species and supporting developments with multi-functional benefits.

- 15.7 Strategic Policy 30 states that development proposals will be expected to demonstrate that they have taken into account the Landscape Character Assessment for Staffordshire and consist of a scheme which reflects the landscape character and where possible enhances the landscape quality.

Assessment

- 15.8 The County Ecologist has assessed the submitted supporting documents and plans and has raised no concerns subject to a number of conditions relating to lighting design, planting and seed mix details, biodiversity enhancement measures, details of the natural pond profile and planting, a Construction Environmental Management Plan to include habitat protection and an Ecological Mitigation and Management Plan.
- 15.9 The breeding bird survey submitted found that breeding birds on site were mostly using the scrub and hedges on the perimeter of the site which will be retained and suggests mitigation in the form of improved hedge habitat and nest box provision.
- 15.10 The Invertebrate survey submitted concludes that the proposed habitat improvements would provide improvements for the commoner species present and also potential for rarer species to move in. It recommends bug / bee hotels, however if soils allow some small sandy south-facing banks would be better and possibly more cost effective and should be situated in the edges of the wildflower meadow area.
- 15.11 The bat activity surveys submitted covered buildings in the woodland fringes of the site that are not within the current application boundary. Any subsequent works to these buildings will likely require bat licences. The surveys also identified areas of key bat feeding activity which are along the River Swarbourne and along the woodland fringes to the south of the site. Lower levels of activity were observed to the north and east of the site. Recommendations include bat friendly lighting and installation of bat boxes as well as habitat enhancement that is covered in the landscaping and biodiversity net gain reports.
- 15.12 The site sits within the amber Impact Risk Zone for great crested newts. Impact risk zones have been derived through advanced modelling to create a species distribution map which predicts likely Presence. In the amber impact zone there is suitable habitat and a high likelihood of great crested newts.
- 15.13 There are 14 ponds within 500m of the site and 10 ponds within 500m of the proposed new access road. The initial great Crested Newt report submitted looked at the development site itself and failed to include the required 500m buffer or the ponds surrounding the proposed new access road. A further addendum report was therefore submitted and assessed by the East Staffordshire Newt Officer (Naturespace) who is satisfied that the development is unlikely to cause an impact on great crested newts and/or their habitats. However as the site sits within the amber impact zone an informative is recommended to remind the developer of their responsibilities.
- 15.14 The extent of landscaping, tree planting, provision of a pond and mitigation measures will ensure that the proposals would have no adverse impact on the natural environment and it is considered would provide biodiversity net gain to the site, in accordance with Policy SP29 of the Local Plan.
- 15.15 Objectors have raised comments regarding the ecological reports submitted, the timing of the surveys and the lack of reference to certain species known to be in the area. The County Ecologist has responded to these comments and has amended the original conditions recommended to ensure that specific mitigation for skylark and

lapwing are put in place as well as additional information to be added to the Ecology Mitigation and Management Plan and the Construction Environmental Management Plan included in the recommended conditions. To reduce the impact on ground nesting birds a condition is also recommended to ensure that the site has a policy that all dogs on site must be on a lead.

16. Response to Parish Meeting and Objections

- 16.1 Objectors consider that the proposals conflict with Policy SP12 of the Local Plan which relates to Derby Road, Burton upon Trent Regeneration Corridor, which is not relevant to the proposals as it sits within Burton upon Trent.
- 16.2 Objectors have asked if the facility would be regulated by the Care Quality Commission, but the applicant has confirmed that the facility will not be providing any medical facilities or staff and will not be a care facility so no regulation by the Commission would be required. The facility will provide respite care for children who have been cleared by their medical team for the trip.
- 16.3 Objectors have commented on the poor WiFi and mobile phone signal in the area. The applicants have advised that connectivity will be provided to the site.
- 16.4 Objectors have suggested that the site adjacent to agricultural fields is inappropriate for the type of development due to the possible noise and adverse impact from any crop spraying. This is the same scenario for any residential properties in the countryside and indeed for the existing residential properties within the Grange, so is not considered unreasonable.
- 16.5 Despite concerns by some residents about the form of the community involvement by the applicants, evidence has been submitted in support of the proposals that confirms community involvement prior to the submission of the application, has taken place. It should be noted that whilst pre-application engagement is encouraged it is not mandatory.
- 16.6 An objector has suggested that a former quarry site (of which there are several) elsewhere in Staffordshire in a more sustainable location, would be a far better option for the proposals. It should be noted however that the main purpose of the applicant is to provide a restful back to nature location that provides tranquillity and peace for the families staying there, this is unlikely to be the scenario at former quarry locations. There is no requirement in local or national planning policies which require the consideration or assessment of alternative sites which could fulfil the requirements of the development.
- 16.7 Whilst objectors consider that there could be more accidents along Wychnor Lane, particularly where vehicles jump the traffic lights at the Causeway, this is outside the control of the applicant or the planning process.

17. Section 106 Contributions

- 17.1 Paragraph 204 of the Framework and Regulation 122 of the Community Infrastructure Levy Regulations 2011 (as amended) set tests in respect of planning obligations. Obligations should only be sought where they meet the following tests:
- Necessary to make the development acceptable in planning terms;

- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

17.2

Item	Planning Obligation	Cost (where applicable)
Travel Plan Monitoring	A fee is required to cover the costs of Travel Plan Monitoring	£10,000
Use of Private Access Road	An Operational Management Plan to secure the use of the new private access road for use by guests, visitors, staff and services for the Kids Village only and not for general use	

17.3 The Operational Management Plan will control the use of the access road and include how the use will be enforced and monitored.

The Plan will contain the following Heads of Terms:

- All visitors and guests to the Kids' Village will be required to provide details of car registration and estimated time of arrival at the time the booking for the stay is made.
- At these times, guests will be advised how to approach and access the site. A clear map will be provided and directional details supplied that will show the route, and guests will be advised on the reasons why the new access road has been provided and the need to use this route when arriving at and departing from the Kids' Village.
- The postcode for satellite navigation purposes given to guests will be the northern end of the access road, at which point suitable information will be given to guests to complete the journey.
- Access to the access road will be controlled such that only visitors and guests to the Kids' Village can use the new road.
- The roadway will be gated at both ends, with a gate or barrier set back from the edge of the carriageway as appropriate, which will be open on changeover day (day when most guests are expected to arrive and depart) or otherwise controlled by the site to ensure its use is by authorised parties only.
- Regular users of the access road will have a fob to open gates/barriers as required.
- Once guest parties have arrived at the site, it is not anticipated that they will be leaving the site until the end of their week's stay. The purpose of the Kids' Village is to provide a break and so once resident on site, the needs of the residents will be provided internally. The use of the access road outside changeover day is therefore not expected to be regular and will involve those who have access fobs or will be managed by the site.
- If requested by the LPA, the Kids' Village will provide the details, subject to appropriate information data privacy requirements, to demonstrate that the use of the access road has been enforced.

17.4 The site falls within the 15km Cannock Chase SAC impact zone where contributions are usually sought to mitigate the impact of development. Such contributions apply to visitor accommodation however in this instance given that the visitors are unlikely to leave the site during their stay, it is considered that a contribution is not required.

18. Conclusions

- 18.1 It must be recognised that the proposed development amounts to a departure from Policy SP1 of the Local Plan in terms of sustainable development, but the scale and uniqueness of the facility and the nationally important social role that the development would provide is considered to outweigh any harm in terms of unsustainable development.
- 18.2 In terms of Policy Local Plan SP8, it is considered that although the development would be run by a charity rather than a business that exception 1 would be applicable in that the proposal is a development which requires a rural location and one which given the unique circumstances is considered appropriate. The development would create a new business appropriate in the countryside in terms of type of operation, size and impact and supported by relevant justification for a rural location.
- 18.3 With reference to Local Plan Policy SP9, the applicant would provide the access road for use by their guests, staff, visitors and services and would be fully responsible for the maintenance of this private road in the future. The new road due to its unadopted status would not be a formal infrastructure project as it would not be for use by the general public.
- 18.4 The proposals comply with Local Plan Policy SP34 as the facility in its rural location would help to improve the quality of life of the children and their families helping them to forget the outside world for a short while, whilst making memories and helping to improve mental health and wellbeing.
- 18.5 It is considered that the proposals comply with paragraph 8 of the NPPF in terms of the economic, social and environmental objectives.
- 18.6 The sensitive design, layout, massing and materials of the proposed development is appropriate for the site and would be in keeping with the character of the area. The proposed extensive mitigation tree planting and landscaping proposed would filter views of the development from the surrounding countryside whilst allowing those staying at the Kids Village to experience and take pleasure from the natural environment. As such it is considered that the proposals comply with Local Plan and NPPF policies.
- 18.7 The existing and proposed trees would provide screening between The Hive and the closest residential properties and together with the separation distance it is considered that there would be no adverse impact on the amenities of the occupiers of the properties at The Grange through loss of light, overlooking, loss of privacy or noise and disturbance. It is considered that the proposals would have no adverse impact on the amenities of the surrounding occupiers and would comply with Local Plan and NPPF policies.
- 18.8 The Transport Statement includes survey data that recognises that Wychnor Lane has a low base traffic flow, it is calculated that the additional vehicle movements along Wychnor Lane would be up to 14.4% on Sunday (change over day) and 7.1% the remainder of the week. It is considered that the road is not currently, nor would be approaching the technical capacity of a single carriageway rural lane, such that its operation would be fundamentally affected by the limited additional traffic anticipated. The Transport Statement acknowledges that due to the rural nature and location of the site sustainable transport options within the vicinity of the site are reduced. The site

access, internal access road and parking provision is all considered acceptable and National Highways and SCC Highways are satisfied with the proposals for the unadopted new road from Dogshead Lane to Wychnor lane to avoid the Wychnor junction off the A38. It is therefore considered that the proposals accord with the NPPF and Local Plan policies and would not have any adverse impact highway safety.

- 18.9 The existing public footpath that runs through the site will be retained and enhanced by new plating along its length through the site.
- 18.10 The Council's conservation officer considers that whilst there is a degree of harm resulting from the proposed private access road to designated and non-designated heritage assets, the level of harm is assessed at less than substantial and that the public benefits of the development would outweigh the impact. It is therefore considered that the development subject to safeguarding conditions accord with the NPPF and Local Plan policies and would have no adverse impact on heritage assets.
- 18.11 The proposed development would sit away from the Flood Area and at a higher level than the River. The Flood Authority have raised no objections to the principle of the proposals subject to pre-commencement conditions to ensure that the buildings are constructed at an appropriate ground level and that detailed proposals of surface water drainage are submitted for approval. Severn Trent water have raised no objections. The proposals therefore comply with Local Plan Policy SP27.
- 18.12 The National Forest Company consider that the extent of on site tree planting together with the grassland planting, the proposed natural pond, hedgerow planting as well as landscaping around the cabins would all contribute to National Forest Planting in compliance with Policies SP1 and SP26. It is considered that the proposals maintain and enhance the existing landscape character of the area in compliance with policies SP1, SP26 and SP29 of the Local Plan.
- 18.13 The extent of landscaping, tree planting, provision of a pond and mitigation measures will ensure that the proposals would have no adverse impact on the natural environment and it is considered would provide biodiversity net gain to the site, in accordance with Policy SP29 of the Local Plan.
- 18.14 Taking into consideration the economic, social and environmental impacts of the proposals together with impacts on highway safety and heritage assets it is considered that it would be in accordance with the relevant policies within the Local Plan, the East Staffordshire Design Guide and the NPPF.

19. RECOMMENDATION

Grant Planning consent subject to the following conditions and a S106 Agreement to secure Travel Plan Monitoring and Operational Management Plan for the use of the new access road

Conditions

1. Time Limit - 3Yr Standard

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

Reason: To conform with Section 91(1) of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Approved Plans

The development hereby permitted shall be carried out in accordance with the following approved plans and documents subject to compliance with other conditions of this permission:

Site Location Plan dated as received on 16-02-2022
Existing Site Plan Drawing KVES-HMA-XX-ZZ-DR-A-00005 Rev 02 dated as received on 16-02-2022
Proposed Site Plan Drawing KVES-HMA-ZZ-XX-DR-A-00006 Rev P02 dated as received on 16-02-2022
Proposed Landscaping Drawing KVES-HMA-ZZ-XX-DR-A-00007 Rev P03 dated as received on 17-11-2022
Site Sections Drawing KVES-HMA-ZZ-XX-DR-A-00004 Rev P02 dated as received on 16-02-2022
Redline Boundary Plan (Road) Drawing SK03 dated as received on 16-02-2022
Transport General Arrangement Plan Drawing SK01 Rev 2 dated as received on 17-12-2021
Standard Lodge Drawing KVES-HMA-SL-ZZ-DR-A-00001 Rev P1 dated as received on 17-12-2021
Accessible Lodge Drawing KVES-HMA-AL-ZZ-DR-A-00001 Rev P03 dated as received on 17-12-2021
Proposed Staff Lodge Drawing KVES-HMA-SL-ZZ-DR-A-00001 Rev P1 dated as received on 17-12-2021
Central Facilities – Ground Floor Drawing KVES-HMA-CF-00-DR-A-00001 Rev P1 dated as received on 17-12-2021
Central Facilities – First Floor and Roof Plan Drawing KVES-HMA-CF-ZZ-DR-A-00002 Rev P1 dated as received on 17-12-2021
Central Facilities – Sections and elevations Drawing KVES-HMA-CF-XX-DR-A-00003 Rev P1 dated as received on 17-12-2021
Technical Services Facilities Drawing KVES-HMA-FB-ZZ-DR-A-00001 Rev P1 dated as received on 17-12-2021
Transport Statement and Framework Travel Plan by SLR Ref 406.10073.00001 dated December 2021 dated as received on 17-12-2021
Preliminary Landscape and Visual Appraisal by SLR ref 406.10073.00001.07 dated 29-07-2021 dated as received on 17-12-2021
Landscape and Visual Appraisal for Potential Residential Development by SLR ref 403.10073.00001 dated October 2021 dated as received on 17-12-2021
Biodiversity Net Gain Report by Elite Ecology dated December 2021 dated as received on 17-12-2021
Great Crested Newt eDNA Survey Report by Elite Ecology dated May 20221 dated as received on 30-09-2022
Preliminary Ecological Appraisal (Village Site) by Elite Ecology dated November 2021 dated as received on 17-12-2021
Preliminary Ecological Appraisal (Road Site) by Elite Ecology dated November 2021 dated as received on 17-12-2021
Bat Activity Survey Report by Elite Ecology dated November 2021 dated as received on 17-12-2021
Invertebrate Survey Report by Elite Ecology dated November 2021 dated as received on 17-12-2021
Breeding Bird Survey by Elite Ecology dated November 2021 dated as received on 17-12-2021

Arboricultural Survey Report and Method Statement by John Booth dated March 2020 dated as received on 17-12-2021

Flood Risk assessment and Drainage Strategy by RAB Consultants Ref RAB:2734L V 3.0 dated 17-11-2021 dated as received on 17-12-2021

Historic Environment Desk-based Assessment by SLR ref 406.10073.00001 v 2 dated October 2021 dated as received on 17-12-2021

Letter from SLR dated 25-04-2022 update to Historic Environment Desk-based Assessment dated as received on 25-04-2022

Written Scheme of Investigation for Mitigation: Archaeological Monitoring by SLR Ref 406.10073.00001 V 1 dated October 2021 dated as received on 17-12-2021

Written Scheme of Investigation for Mitigation: Metal Detecting by SLR Ref 406.10073.00001 V 1 dated October 2021 dated as received on 17-12-2021

Geophysical Survey Report by Magnitude Surveys ref MSSK956 dated June 2021 dated as received on 17-12-2021

Re-assessment of cropmarks dated as received on 17-12-2021

Biodisc BD-BN Sewage Treatment Details – Klargestor Waste Management Solutions dated as received on 16-02-2022

Planning Statement by JMI Planning dated as received on 17-12-2021

Design and Access Statement dated as received on 16-02-2022

Reason: For the avoidance of doubt to ensure the development will not adversely affect the appearance of the locality, the amenities of neighbouring properties, or the safe and efficient use of the adjoining highway(s) in accordance with East Staffordshire Local Plan Policies SP1, SP8, SP15, SP24, SP25, SP26, SP27, SP29, SP34, SP35, DP1, DP2, DP5, DP6 and DP8, the East Staffordshire Design Guide, the Parking Standards SPD, and the National Planning Policy Framework.

3. Materials

The development shall only be carried out in accordance with the external materials that are stated within the application and on the approved plans and documents (as defined in Condition 2) unless otherwise first agreed in writing by the Local Planning Authority

Reason: To safeguard the character and appearance of the area in accordance with East Staffordshire Local Plan Policies SP1 and SP24 and the National Planning Policy Framework.

Tree protection

4. Archaeology

A) "Prior to the commencement of the development hereby permitted, a written scheme of archaeological investigation ('the Scheme') shall be submitted for the written approval of the Local Planning Authority. The Scheme shall provide details of the programme of archaeological works to be carried out within the site, including post-fieldwork reporting and appropriate publication.

B) The archaeological site work shall thereafter be implemented in full in accordance with the written scheme of archaeological investigation approved under condition (A).

C) The development shall not be occupied until the site investigation and post-fieldwork assessment has been completed in accordance with the written scheme of archaeological investigation approved under condition (A) and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured."

Reason: To ensure that no development takes place which may adversely affect any items of archaeological interest without adequate prior investigation in accordance with East Staffordshire Local Plan Policy DP5 the National Planning Policy Framework.

5. Surface Water Drainage

No development shall begin until the following elements of a surface water drainage design have been submitted to and approved by the Local Planning Authority in consultation with the Lead Local Flood Authority. The design must demonstrate:

1. Detailed proposals

Final detailed design (plans, network details and calculations where necessary) in support of any surface water drainage scheme, including details of any attenuation system, and the outfall arrangements. Design to be based upon the outline proposals included in the Flood

Risk Assessment of 17th November 2021 (including the use of swale(s), filter drains, permeable paving, and attenuation basin). The design should include storage to attenuate flows up to and including the 1 in 100-year rainfall event + an allowance of 40% for climate change. Discharges to the Swanbourne River are to be limited back to the greenfield runoff rate of to 4.4 l/s.

2. Drainage System Performance

Calculations showing the performance of the drainage system at the 2-year, 30-year, and 100-year + 40% rainfall events and for all storm durations.

3. Confirmation of Discharge

The applicant should supply evidence of permission to discharge to the River Swarbour (EA Main River) at an agreed location and rate.

4. Management and Maintenance

The applicant should submit a plan for the management and maintenance of the finalised drainage system. The applicant should provide a named individual or management company responsible for managing and mainlining the drainage system over the intended design life.

5. Flood Plan

A flood plan should be developed for the site, under the care of the facility manager and staff. This should identify the areas of site at risk of flooding (those below 56.3mAOD) and actions to be taken when flooding is likely to occur. The site manager (or Flood Warden) should register to receive Flood Alerts from the Environment Agency to act as a trigger.

Reason: To reduce the risk of surface water flooding to the development and properties downstream for the lifetime of the development in accordance with East Staffordshire Local Plan Policy SP27 the National Planning Policy Framework.

6. Travel Plan

Before any part of the development hereby approved is brought into beneficial use and irrespective of any document currently submitted a Travel Plan will be submitted to and approved by the LPA which will include a monitoring methodology which is will include a survey methodology for assessing the travel mode choices of residents, an initial series of targets for modal shifts for residents and a secondary series of targets should the initial targets not be achieved. These secondary targets could include contributions to improving infrastructure to support sustainable travel modes as well as or instead of other measures to drive change.

The Travel Plan once approved will be monitored and managed including an agreed surveying system to identify travel choices of (residents/customers and staff), changes in those travel choices and submission of annual reports from the Travel Plan Co-ordinator to the Local Authority for at least five years from the occupation of the final part of the development or until the targets in the Travel Plan are met.

Reason: To promote sustainable forms of transport in accordance with East Staffordshire Local Plan Policies SP1 and SP35 and the National Planning Policy Framework.

7. Access Road

Prior to the commencement of any development to implement the new private access road the details of the methodology and construction details shall be submitted to and approved in writing by the Local Planning Authority following consultation with Historic England. The access road shall be implemented in accordance with the approved details and thereafter retained and maintained for the lifetime of the development. When the Kids Village is no longer required the access road shall be removed and the ground reinstated to its former natural state in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to ensure the satisfactory implementation of the access road in the interests of the protection of archaeology and heritage assets in accordance with policies SP25 and DP5 of the East Staffordshire Local Plan and the National Planning Policy Framework.

8. Flooding

The lodges hereby approved shall be to be located upon ground at or above 56.30m AOD and the finished floor level shall be set at or above 56.9m AOD.

Reason: To ensure all vulnerable development is located outside of the flood extent and that Finished Floor Levels are set above the modelled 100 year plus climate change flood event in accordance with Policy SP27 of the East Staffordshire Local Plan and the National Planning Policy Framework.

9. Protection of Trees During Development

Prior to the commencement of any development on site a method statement and tree protection plan to protect all the existing trees and hedgerows within the woodlands immediately adjoining the site and within the site shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented before development commences and shall be retained at all times whilst construction work is taking place.

Reason: To ensure that adequate measures are taken to preserve trees and hedges and their root systems whilst construction work is progressing on site in accordance with East Staffordshire Local Plan Policy DP8 and the National Planning Policy Framework.

10. National Forest/Landscaping

Prior to the commencement of any work in site the following landscaping details shall be submitted to and approved in writing by the Local Planning Authority:

- Plan/s which quantifies and qualifies the National Forest planting (4.14ha) and includes:

Woodland mix - precise location, species mix, density of planting

Specimen trees –size, species and location

Biodiversity enhancement measures

Pond profile and design to ensure biodiversity enhancements

Areas of retained hedgerows and areas of new hedgerow planting to include standard trees

Full details of the proposed lodge and Hive planting zones

Planting that collectively achieve the proportions of habitats and numbers of features (such as hibernacula and bat boxes) set out in the Biodiversity Net Gain Report (page 41) (Elite Ecology, December 2021).

Details of specific mitigation for skylark and lapwing

- A landscape management plan to include details of the management of the above features which needs to include replacement planting in the event of failures.

- Details of the maintenance, enhancement and treatment of the National Forest Way.
- Details of features, including boardwalk and play equipment.

Reason: As recommended by the National Forest Company and Staffordshire County Council Ecologist, to ensure that a landscaping scheme to enhance the development, biodiversity and the National Forest is provided in accordance with East Staffordshire Local Plan Policies SP24, SP26 and SP29, the East Staffordshire Design Guide and the National Planning Policy Framework.

11. Landscape Implementation

All planting, seeding or turfing comprised in the approved details of landscaping required under conditions 1 shall be carried out in the first planting and seeding season following the completion of the development, and any trees or plants which within a period of 5 years from the completion of the landscaping scheme installation 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. Trees within the public realm shall be heavy gauge and those flanking the entry to the site shall be extra heavy gauge.

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 East Staffordshire Local Plan Policy SP1, SP24 and DP1, the East Staffordshire Design Guide and the National Planning Policy Framework.

12. Ecology

Prior to the commencement of any works on site a Construction Environmental Management Plan to include species and habitat protection measures shall be submitted to and approved in writing with the Local Planning Authority. This should specifically include reference to skylark and batwing mitigation, reference to brown hare, precautionary measures and pre commencement site checks for badgers and all the findings and recommendations of the approved Ecological reports listed in Condition 2.

Reason: To safeguard protected species and their habitats in accordance with East Staffordshire Local Plan Policy SP29 and the National Planning Policy Framework.

13. Ecology

Prior to the commencement of any works on site an Ecological Mitigation and Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This should specifically include reference to skylark and lapwing mitigation, reference to brown hare, and all the findings and recommendations of the approved Ecological reports listed in Condition 2. This shall include the establishment of the site and the first five years of aftercare

Reason: To safeguard protected species and their habitats in accordance with East Staffordshire Local Plan Policy SP29 and the National Planning Policy Framework.

14. Lighting

Prior to the first occupation of any part of the site, a lighting design strategy for biodiversity for the lodges, Hive and access routes shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external and internal lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To safeguard the visual amenity of the area, biodiversity and the amenities of occupiers of adjoining property in accordance with East Staffordshire Local Plan policies SP1, SP24, SP29, DP1 and DP7 and the National planning Policy Framework

15. Use restricted to that applied for

Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 or any order revoking and re-enacting that Order, this permission shall relate to the use of the premises as a children's respite village as described in your application and for no other purpose.

Reason: To ensure any future use of the premises does not adversely affect the amenities of occupiers of adjoining properties and the rural locality in general in accordance with the National Planning Policy Framework and East Staffordshire Local Plan Policies SP1 and SP8.

16. Building shall be removed when no longer required

Notwithstanding the provisions of the Town & Country Planning General Permitted Development Order 2015 (or any order revoking and re-enacting that Order) the buildings hereby permitted shall not be used for any purposes other than in association with the approved children's respite village and when the buildings hereby permitted are no longer required for the purposes of the children's respite village, they shall be dismantled, removed from the site and the land restored to its former condition.

Reason: The buildings have been approved for as children's respite village only, when that use ceases the removal of the buildings will allow the original character and appearance of the site to be restored in accordance with East Staffordshire Local Plan Policies SP1 and SP8 and guidance contained in the National Planning Policy Framework.

17. Electric Vehicle Charging Points

Prior to first occupation of the development hereby permitted details of electric vehicle charging points, shall be submitted in writing to and agreed in writing by the Local Planning Authority. The approved electric vehicle charging points shall be installed in accordance with the approved details and shall be retained and maintained for the lifetime of the development.

Reason: In the interests of creating a sustainable form of development and to encourage the use of ultra low emission vehicles in accordance with Policies SP1 and SP35 of the Local Plan and the Parking Standards SPD.

18. Provision of Cycle Storage Facilities

Prior to the first occupation of any of the buildings hereby approved secure cycle storage facilities shall be provided and thereafter retained for the life of the development.

Reason: To promote sustainable forms of transport in accordance with East Staffordshire Local Plan Policy SP35 and the National Planning Policy Framework.

19. Dogs on site

All dogs on site shall be kept on a lead at all times.

Reason: To safeguard ground nesting birds and their habitats in accordance with East Staffordshire Local Plan Policy SP29 and the National Planning Policy Framework.

Informatives

1. Pre-commencement Conditions

The conditions identified below require details to be approved before commencement of the development/works.

Condition No(s) 4, 5, 7, 9, 10, 12, 13 and 14

This means that a lawful commencement of the approved development/works cannot be made until the particular requirements of these conditions have been met.

As from 6th April 2008 requests for confirmation of compliance with planning conditions requires a payment of a fee to the Local Planning Authority. The fee chargeable by the authority is £116 per request (or £34 where the related permission was for extending or altering a dwelling house or other development in the curtilage of a dwelling house). The fee must be paid when the request is made. Any number of conditions can be included for each request.

Payment can be made by cheque or card only. Please telephone 01283 508606. Although we will endeavour to discharge all conditions within 21 days of receipt of your written request, legislation allows the Local Planning Authority a period of 8 weeks, and therefore this timescale should be borne in mind when programming development.

2. During development Conditions

The condition(s) identified below require details to be approved during the development/works.

Condition No(s) 6

This means that a development may not be lawful unless the particular requirements of these conditions have been met.

Confirmation of compliance with planning conditions requires a payment of a fee to the Local Planning Authority. The fee chargeable by the authority is £116 per request. The fee must be paid when the request is made. Any number of conditions can be included for each request.

Payment can be made by cheque or card only. Please telephone 01283 508606.

Although we will endeavour to discharge all conditions within 21 days of receipt of your written request, legislation allows the Local Planning Authority a period of 8 weeks, and therefore this timescale should be

3. Engagement

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 38 of the National Planning Policy Framework.

4. Highways

If they are to be progressed the proposed site access works shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack including an application form. Please complete and send to the address indicated on the application form or email to road.adoptions@staffordshire.gov.uk. The applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales. <https://www.staffordshire.gov.uk/Highways/highwayscontrol/HighwaysWorkAgreements.aspx>

5. Cadent Gas

Cadent have advised that there are gas pipelines and associated equipment within the vicinity of the application site. The applicants are advised to contact the plan protection team prior to any excavations/works commencing on site and that easements and BPD distances must be adhered to as must any pipeline plant protection measures deemed necessary by Cadent, to protect the integrity of the High Pressure gas pipelines must be adopted.

Email: plantprotection@cadentgas.com Tel: 0800 688588

6. Environmental Health

The business will need to be registered with the Environmental Health Team 28 days prior to trading. The business can register through the following link: <https://register.food.gov.uk/new/east-staffordshire>. If the applicant has any queries please direct them to the Environmental Health Team on 01283 508 578 or EHSupport@eaststaffsbc.gov.uk.

KITCHEN LAYOUT

The layout, design, construction and size of the kitchen must comply with Chapters I and II of Annex II to Regulation (EC) 852/2004, including the provision of a separate washbasin for cleaning hands, and adequate ventilation as detailed below. For further details the applicant should contact Environmental Health.

GREASE TRAPS

Provision should be made to include the installation of one or more grease traps or oil interceptors within the drainage system to prevent waste from entering directly or indirectly into a public sewer.

VENTILATION

The kitchen must be provided with suitable and sufficient means of natural or mechanical ventilation to all cooking equipment other than microwave ovens, in order to comply with Chapters I and II of Annex II to Regulation (EC) 852/2004. The ventilation system used must be easy to clean.

WASH-HAND BASINS

There should be the provision of a separate washbasin for cleaning hands as required by Chapter I of Annex II to Regulation (EC) 852/2004.

In addition, following the Food Standards Agency's guidance on E.coli, wash-hand basins in commercial kitchens where raw and ready to eat foods are handled should be provided with non-hand operated taps such as sensor, elbow or foot operated taps as they reduce the risk of cross-contamination.

SANITARY GUIDELINES FOR NEW PREMISES

Provision of Sanitary Accommodation in premises – Staffordshire standard

Number of Customers	Male Provision (Staffs Standard)	Female Provision (Staffs Standard)
Over 100	BS6465 2006 applies	
51 - 100	1 WC + 1 urinal + 1 WHB	
Separate provision for staff.	2 WC + 2 WHB	
Separate provision for staff		
26 – 50	1 WC + 1 WHB	Can be used by staff and customers.
Can be used by staff and customers.	1 WC + 1 WHB	
25 or less	Shared use of 1 WC + 1 WHB	
Can be used by staff and customers		

Advisory Comment

It would be considered 'good practice' if provision was made for a separate toilet for staff use only.

7. Newts

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.

8. Public Rights of Way

The attention of the developer should be drawn to the existence and location of the paths and to the requirement that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path network. If the paths do need diverting as part of these proposals the developer would need to apply to your council under section 257 of the Town and Country Planning Act 1990 to divert the footpaths to allow the development to commence. The applicants should be reminded that the granting of planning permission does not constitute authority for interference with the right of way or its closure or diversion. For further information the applicant should be advised to read section 7 of DEFRA's Rights of Way Circular (1/09).

It is important that users of the paths are still able to exercise their public rights safely and that the paths are reinstated if any damage to the surface occurs as a result of the proposed development. The surface of the footpaths must be kept in a state of repair such that the public right to use it can be exercised safely and at all times. Heavy vehicular use can cause the way to become unsuitable for use and in some instances dangerous. Some attention needs to be drawn to this and that surface works may be required.

The County Council has not received any application under Section 53 of the Wildlife and Countryside Act 1981 to add or modify the Definitive Map of Public Rights of Way, which affects the land in question. It should be noted, however, that this does not preclude the possibility of the existence of a right of way at common law, or by virtue of a presumed dedication under Section 31 of the Highways Act 1980. It may, therefore, be necessary to make further local enquiries and seek legal advice in respect of any

physically evident route affecting the land, or the apparent exercise of a right of way by members of the public.

20. Background papers

20.1 The following papers were used in the preparation of this report:

- Local and national policies outlined above in section 7

21. Human Rights Act 1998

21.1 There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these potential issues are in this case amply covered by consideration of the environmental impact of the application under the policies of the development plan and other relevant policy guidance.

22. Crime and Disorder Implications

22.1 It is considered that the proposal does not raise any crime and disorder implications.

23. Equalities Act 2010

23.1 Due regard, where relevant, has been had to the East Staffordshire Borough Council's equality duty as contained within the Equalities Act 2010.

For further information contact: Barbara Toy
Telephone Number: 01283 508729
Email: barbara.toy@eaststaffsbc.gov.uk