

PLANNING COMMITTEE

0300/2021

APPLICATION FOR CONSIDERATION

REPORT OF ASSISTANT DIRECTOR - GROWTH & REGENERATION



Application Number: 0300/2021

Development: Proposed change of use of agricultural grain storage barn and adjacent field for Sui Generis use as events building, fitness classes, dog agility and events field (retrospective).

Location: Statfold Barn Farm, Ashby Rd, Tamworth B79 0BU

1. Introduction

- 1.1. This application is for full planning permission and therefore all matters are for consideration with this application.
- 1.2. It is for the change of use of an agricultural grain storage barn and adjacent field for sui Generis use as an events building, dog agility and events field.
- 1.3 It has been later observed during the course of the determination of the application that the barn is also being used for fitness classes.
- 1.4 The application is retrospective as the use has already taken place and continues to do so at the time of writing this report.
- 1.5 Statfold Barn Farm is located off Ashby Rd to the North East of Tamworth. The existing site encompasses farm house buildings, seed oil buildings, seed oil laboratory and offices, existing grain stores and the Stafford Steam Railway Trust buildings.
- 1.6 The site has no specific allocation within the adopted Tamworth Local Plan. It is located in the countryside with the odd dwelling located off roads in the local area.

2. Policies

2.1 Local Plan Policies

Adopted Tamworth Local Plan 2006-31

SS1 - The Spatial Strategy for Tamworth
SS2 – Presumption in Favour of Sustainable Development
EC6 – Sustainable Economic Growth
EN4 – Protecting and Enhancing Biodiversity
EN5 – Design of New Development
SU2 – Delivering Sustainable Transport
IM1 – Infrastructure and Developer Contributions
Appendix C Car parking Standards

Tamworth Design: Supplementary Planning Document Adopted July 2019
Planning Obligations: Supplementary Planning Document Adopted August 2018

2.2 National Policies

National Design Guide 2021
National Planning Policy Framework
Planning Practice Guidance

3. Relevant Site History

Application Reference	Type	Decision	Date
TEMP/0213/2020	Variation of Condition	Withdrawn	24-09-2020

0254/2019	Proposed agricultural barn for grain storage incorporating a wood chip powered biomass heating system	Approval with conditions	04-09-2019
0409/2010	Application for lawful development for existing use/development: Locomotive shed, labourers cottage, railway track, platform, locomotive storage shed, maintenance shed, canopy, traverser turntable, running shed, crane, water tank, signal with separate signal box and signal box base, bridges, footbridge, balancing pond, all incidental to the use of the farm dwellinghouse; agricultural use of a farm cattle handling yard and a car park serving the farm	Approve	26-06-2012
0851/2003	New agricultural crop storage building	Approval with conditions	23-01-2004
T23344	REMOVAL OF HEDGEROW		23-07-1997
T22520	FARM OFFICE, MESS ROOM AND TOILETS	Permit with Conditions	03-01-1996

4. Consultation Responses

- 4.1. The following is a summary of the received consultation responses. The full responses are available [online](#), if conditions are suggested within a response these will be considered, and if appropriate included within the conditions at the end of this report.

Staffordshire County Council Highways

A significant proportion of any peak hour trips will likely go through the 'Fountains junction'.

The Transport Statement (TS) details the timings of the events along with the generation of traffic set by permits sold.

Regarding the weekend trips, the impact of the busiest event (Steam engine miniature event) is 113 trips in the Saturday lunchtime peak.

As a result, the types of events should be restricted to the types of events described in the TS, and the days of the week (weekends and bank holidays in respect of all uses apart from the dog training use) when the events will be held should be secured, as should the number of days with events in the year.

In light of all of the above, the proposed impact on the network at weekends and on bank holidays is acceptable.

On the basis of the TS, the dog training use is the only use proposed to take place on weekdays that are not bank holidays. On the basis of the information in Table 3: Parking permits sold, the average attendance by car for dog shows/training etc. is 30 (so 60 two-way) trips.

To prevent potentially bigger class sizes starting or finishing adjacent to the weekday am and pm peaks, the classes should only take place between, say, 10 am and 4 pm and between 7 pm and 9 pm, thus avoiding car trips in the weekday peaks. On this basis, the proposed impact on the network on weekdays is acceptable.

The site is not in a sustainable location owing to the lack of public transport options in the area.

The submitted Travel Plan (TP) states

'it is proposed that a target to reduce single occupant staff car travel by 10% over the five-year period could be adopted.'

This target should be included as a definite target in a revised TP.

The details of tracking, visibility, radii, and width shown on the submitted Drawings are acceptable however some of the highway may have been conducted without the relevant consents and therefore in the event this application is permitted, the relevant processes under the Highways Act are likely to be required to be followed.

Proposed off-site highway works

Apart from the proposed access works, no other off-site mitigation is proposed

Tamworth Borough Council Environmental Protection – Revised comments 12th April 2022
Lighting

The Jacobs Feasey Associates Ltd Events Field Lighting Proposed Grain Store and field change of use Statfold Barn Farm Ashby Rd Tamworth B79 0BU Jan 2022 has been read and there is agreement with its contents.

Noise

This Soundtrack's report entitled Noise Impact Assessment Statfold Barn Farm – Events Field Tamworth Ref: 15561 Version 1 18.2.22 has also been read.

The report indicates that there may be at times a small increase 1dB above the level suggested by Graham Kemp of 45db. However it is the opinion of the department that if the mitigation levels outlined in the report are conditioned the noise management of the events should be satisfactory.

On-site Live Monitoring

It is recommended that live monitoring should take place during events.

In order to assess the MNL's at the nearest dwelling a sound level meter should be installed 20m from the stage and at the boundary of the dwelling.

The monitoring should take place prior to the music commencing, at sound check stage and throughout the event.

Tamworth Borough Council Environmental Protection – Initial comments of 8th November 2021

The submissions are totally inadequate; as the Noise document is completed on a predicted basis and no real 'live' measurements have been recorded as being undertaken.

From evidence received, the Noise levels present at time of an event from a property submitted to us, is very likely to be in excess of any predictions put forward and would very likely be a Statutory Nuisance that would affect 'the use and enjoyment of this property' when the levels received of music / PA are operating.

The Lighting submission is a photograph of a string of light bulbs suspended on posts and no detail whatsoever to accompany this picture.

Noise

Comment has been received from a 'nearby landowner', a full lighting plan is required for evaluation indicating light patterns and intensity and note that no light source should be directly observable from any property nearby. The view of the venue lit is not an issue but there should be no light above the boundary of the site that could be directly observable and certainly no light directed in or above the horizontal, into the sky.

Environmental Protection strongly advises REFUSAL of this application unless satisfactory information is supplied.

I would also recommend a prohibition on any further events, until approved, as clearly complaints are being received.

LLFA 12th April 2022 – Revised comments following qualifications over various matters by the agent

Following the comments on 26/01/2022, no objection to the proposals- and would recommend that a compliance condition should be imposed as set out in the initial consultation.

LLFA Initial comments of 26th Jan 2022

LLFA wish to be consulted on the details submitted for approval to your Authority to discharge this condition and on any subsequent amendments / alterations. Please also consult us again on any major changes to the proposed development or drainage scheme.

Staffordshire County Council Flood Risk Management position.

The proposed development will only be acceptable if the following measure(s) as detailed in the Flood Risk Assessment and other planning documents submitted with this application are implemented and secured by way of a planning condition on any planning permission.

LLFA 11/11/2021 Original Comments

The LLFA would recommend that that planning permission is not granted.

Surface Water Flood Risk to site

The applicant does not appear to have acknowledged the correct surface water risk to the site. It is to be noted that there is a considerable and significant surface water flow path in the eastern limit of the site associated with the 1 in 30, 1 in 100 and 1 in 1000 year return period events. This would need to be correctly acknowledged and mitigated against by any application. These details should be included in a detailed Flood Risk Assessment to be resubmitted by the applicant. As previously stated, where appropriate, finished development floor levels need to be set at an appropriate level above ground levels, and away from this surface water flow path as indicated on the Environment Agency Risk of Flooding from Surface Water map. The evidence and assessment submitted thus far is not satisfactory.

Environmental Agency (EA) 7th October 2021

No comments to make on the proposal

Rights of Way Officer 2nd August 2021

The above application has a direct impact on Public Bridleway No. 114 Tamworth and also the adjacent Footpath No. 111 Tamworth. The applicant needs to be reminded that although the track to the proposed events site is private, the fact that the route is a public highway (bridleway) takes precedence. The use by private vehicles is subject, and subordinate to, the public's right. In other words pedestrians, horse riders and cyclists have a public right and vehicles need to give way to them not the other way around. The applicant needs to be aware that it is a criminal offence to drive a mechanically propelled vehicle on a public footpath or bridleway without lawful consent or indeed obstruct the right of way by parking a vehicle on it. Staffordshire County Council being the traffic authority can impose temporary highway restrictions for a special event once, and for up to 3 days, in any calendar year (1 January to 31 December). Restrictions for special events beyond this that affect the same length of road require approval from the Secretary of State for Transport. Please see the guidance and also the attached application forms.

<https://www.gov.uk/government/publications/section-16-temporary-traffic-regulation-orders-for-special-events/temporary-traffic-regulation-orders-for-special-events>

The advice states:

The Road Traffic Regulation (Special Events) Act 1994 inserted sections 16A to C into the Road Traffic Regulation Act 1984 (RTRA) and gave local traffic authorities powers to make orders to impose temporary restrictions on the highway for sporting events, social events or entertainment (collectively known as special events).

The County Council can grant authority for an event if it satisfies the criteria but only once in a calendar year. If further events are planned on the same highway (inc. rights of way) then Secretary of State approval must be sought.

It is important that users of the path are still able to exercise their public rights safely and that the path is reinstated if any damage to the surface occurs as a result of the proposed development or use of the site if the application is approved. We would request photos of the condition of the path before any permission is granted along with the risk assessment for providing safe passage for members of the public exercising their public rights. The surface of the bridleway and adjacent 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 is only responsible for the surface of the bridleway for pedestrians, horse riders and cyclists, not vehicles, and the applicant should be made aware of this.

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.

Natural England 27th July 2021

Natural England has no comments to make on this application.

Lichfield District Council 26th July 2021

No objections

Severn Trent Water 26th July 2021

As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.

Tamworth Borough Council Conservation Officer 12th July 2021

The site is relatively near to a few listed buildings, including (to the north) Statfold Hall (GII), All Saints Church (GII*) and associated memorial in churchyard (GII) and (to the east) Thorpe Gorse Cottages (GII).

The distances to each of these is around 800m (for the buildings to the north) and 400m (to Thorpe Gorse Cottages). In addition both have bands of trees and the existing buildings of Statfold Barn in between the site and heritage assets.

A table of proposed events lists some 18 per year which might attract high levels of traffic and 100 dog agility training events likely to attract smaller numbers. I am likely to agree that if traffic is not a highways concern then it likely wouldn't amount to an adverse impact upon nearby heritage assets either. Similarly most of the events are one day events (4 events would be spread across two days.. and 'War' is a three day event.

The 'War' will likely be noisy but the majority of the other events, being one day are unlikely to give rise to any significant non-visual impacts on nearby listed buildings. Clarification about the war event so as to be better understand what might be involved required.

Overall, the proposals are unlikely to harm the special significance of nearby listed buildings via their setting and would thus achieve the 'desirable' objective of preserving the significance of listed buildings and their settings described in section 66 of the Planning Listed Buildings and Conservation Areas Act 1990.

Tamworth Borough Council Local Plans (Policy) Team 15th July 2022

The application site doesn't have any specific allocation in the adopted Local Plan, however the access does appear to be directly adjacent to the Statfold Barn Road Biodiversity Alert Site (BAS1), and so it should be ensured that the development would not have an adverse effect on the BAS in accordance with policy EN4 (Protecting and Enhancing Biodiversity).

The proposed use of the site would be considered sui generis. We therefore don't consider that there are any specific strategic policies to suggest that the use would be better placed elsewhere within the borough.

Based on the above, there are no strategic policy objections to the proposal.

North Warwickshire District Council (NWDC) 9th July 2022

I would be concerned about the potential impact arising from this proposal as far as it may affect NWDC.

Fortunately the site is isolated and that is to its benefit in respect of potential noise and lighting harms. I think that appropriate conditions would thus be necessary – particularly restricting frequency and the type of events e.g. prohibiting motor and shooting activity

Additional landscaping would help from a visual perspective, as well as assisting in mitigating some of these other impacts.

Clearly Staffordshire County Council will comment on the highway implications.

4.2 Additional Representations (Public)

As part of the consultation process adjacent residents have been notified as well as a press notice in the Tamworth Herald (dated 22nd July 2021) and a site notice was displayed.

A total of four people have made comments on the application including one objection raising concerns about the retrospective manner in which the application has been submitted and other specific matters relating to the potential noise from the events and the amount of traffic to and from these events.

The other comments relate to Japanese Knotweed and the public right of way; questioning whether it would be impacted by the development.

Those points raised that are material to the process are considered below. Issues over Japanese Knotweed are not material planning considerations and cannot be considered as part of this application process.

5. Equality and Human Rights Implications

5.1 Due regard, where relevant, has been taken to the Tamworth Borough Council's equality duty as contained within the Equalities Act 2010. The authority has had due regard to the public sector equality duty (PSED). Under section 149 of the Equality Act 2010, a public authority must in the exercise of its functions, have due regard to the interests and needs of those sharing the protected characteristics under the Act, such as age, gender, disability and race. This proposal has no impact on such protected characteristics.

5.2 There may be implications under Article 8 and Article 1 of the First Protocol of the Human Rights Act, regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these issues have been taken into account in the determination of this application.

6. Planning Considerations

6.1 The key issues to be considered at this stage are:

- Principle
- Character and Design
- Noise and Pollution
- Highways
- Public Right of Way
- Drainage
- Other Matters

6.2 Principle

6.2.1 Policy EC5 f) states that the council will promote existing tourist attractions. The existing site is also an established venue that has provided a variety of leisure-based activities surrounding its main selling point as a heritage railway for many years.

- 6.2.2 As a result of this, the proposed change of use of further buildings within the site for similar events such as fitness classes, dog agility with an events field would continue this and therefore provide economic benefits to the local area.
- 6.2.3 From a national perspective, as this site and the application for consideration is in a rural locality, the proposal would align with paragraph 84 of the NPPF in being that to support a prosperous rural economy and 'enable the sustainable growth and expansion of all types of business in rural areas both through conversion of existing buildings and well-designed new buildings'.
- 6.2.3 As a result the proposal is considered to be acceptable in principle. However, it would still need to ensure it meets other relevant policy and guidance which is discussed in this report.

6.3 Character and Design

- 6.3.1 Policy EN5 of the Tamworth Local Plan states that high quality buildings and places will be achieved across Tamworth. Furthermore, it states poor design or design that fails to take the opportunities available to improve the character and quality of an area and the way it functions will be refused. It states

New developments will be expected to (relevant to this development):

- a) Respect and where appropriate reflect existing local architectural and historic characteristics but without ruling out innovative or contemporary design which is still sympathetic to the valued characteristics of an area.
- b) Be of a scale, layout, form and massing which conserves or enhances the setting of the development.
- c) Utilise materials and overall detailed design which conserves or enhances the context of the development.
- d) Be outward facing with active frontages which incorporate landscaping and boundary treatments appropriate to the local context.
- e) Be legible and allow users to navigate the area with ease by providing landmark buildings at key locations and a choice of routes to walk, cycle or drive along.
- f) Minimise or mitigate environmental impacts for the benefit of existing and prospective occupants of neighbouring land. Such impacts may include loss of light, privacy or security or unacceptable noise, pollution, flooding or sense of enclosure.
- g) Pay particular regard to highway safety and servicing requirements, the capacity of the local road network and the adopted parking standards set out in Appendix C.
- h) Incorporate landscaping appropriate to the site, using native species wherever possible.
- i) Maximise health benefits through the incorporation of usable open space and footpaths and links to the wider green infrastructure network, in accordance with Policy EN3.

- 6.3.2 The site lies in a relatively rural setting and therefore is sensitive to new development. However, as this development relates to the change of use of existing buildings and the use of land it is adjudged that there would be no significant design impacts caused by the proposals. Similar comments have been made in the conservation officer comments too, also referring to the distance away they would be from the most sensitive buildings within the locality. As a result, the proposal is considered to accord with policy EN5 of the Tamworth Local Plan and the National Planning Policy Framework.

6.4 Noise and Pollution

- 6.4.1 Tamworth local plan policy EN5 g) states that new developments will be expected to minimise or mitigate environmental impacts for the benefit of existing and prospective occupants of neighbouring land. Paragraph 130 of the NPPF further reinforces this, stating that developments should 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.
- 6.4.2 There was an initial objection to the proposals by the Environmental Protection Team stating that the original submissions were not adequate insofar as the noise document was completed on a predicted

basis and no real 'live' measurements were recorded as being undertaken. No real assessment of lighting impact was also undertaken.

6.4.3 As a result of these comments, further work was undertaken by the applicant through the submission of a more robust Noise Impact Assessment stating that there may be at times a small increase of 1dB above the level previously suggested. However, given the mitigation levels outlined in the report are conditioned and the noise management of the events is considered satisfactory the proposed environmental health related concerns are viewed as acceptable.

6.4.4 Notwithstanding the technical aspects of the proposals, from an assessment of the intended use of the barn and land it is assessed to not create a significant level of impact that would cause an issue to the existing occupants of land and therefore conforms to policy EN5 of the Tamworth Local Plan and NPPF.

6.6 Highways

6.6.1 The proposal has been supported by a Transport Statement dated June 2021. This has provided substantial information about the access, impacts on the local road network and how the overall use would impact this.

6.6.2 The Staffordshire County Council Highways officer has observed data from the area and seen that there were no Personal Injury Collisions on Ashby Road within 215 metres either side of the access for the previous five years.

6.6.3 When considering the events are proposed at weekends and on bank holidays when the road network is less busy, the development has been considered to have an acceptable impact upon the local road network.

6.6.4 The access details shown on the submitted Drawings are acceptable.

6.6.5 The development is acknowledged to be in an unsustainable location owing to the lack of public transport options locally. As a result, there is a requirement for a travel plan to be produced to achieve the defined outcomes contained therein to ensure that the proposed development is satisfactorily assimilated into the transport network. A fee of £7,000.00 to enable Staffordshire County Council to provide support to the Developer's TP Co-ordinator; audit annual TP performance reports to ensure TP outcomes are being achieved and for it to take responsibility for any necessitated planning enforcement is required and will be obtained through a section 106 agreement.

6.6.6 With this it is adjudged that there is no severe impact upon highway safely and therefore the proposals comply with policy SU2 of the Tamworth Local Plan 2006-2031 and the NPPF.

6.7 Public Right of Way

6.7.1 National Planning Policy Framework paragraph 100 states that planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users.

6.7.2 The proposed change of use lies adjacent to Public Bridleway No. 114. There is no direct access however from the site to the footpath and therefore it is unlikely that there will be overuse of the footpath and conflicts between the use and the footpath. As a result it is considered the proposal is acceptable and would conform to this relevant policy of the NPPF.

6.10 Drainage and Surface Water Flooding

6.10.1 Severn Trent Water and the Lead Local Flood Authority have requested 'prior to commencement' conditions to demonstrate suitable drainage for foul and surface water in accordance with Policy SU4, which requires any major development to demonstrate that there is adequate wastewater infrastructure in place to serve the development. Although the application is a major proposal the site is within Flood Zone 1 and less than one hectare, therefore a site-specific flood risk assessment for consultation with the Environment Agency is not required.

Therefore the proposals comply with policy SU4 of the Tamworth Local Plan 2006-2031

6.11 **Other Matters**

- 6.11.1 It is noted that there are a number of concerns from neighbouring residents over various matters in association with the development.
- 6.11.2 One resident queried how the footpath may be impacted by the development. This has been raised in the commentary above but in essence whilst the proposals lie close to the footpath there will be minimal interference with it and therefore the development is acceptable in relation to this.
- 6.11.3 There is a more substantial objection to the proposals relating to the noise that the additional events may cause. The environmental protection officer did initially have some quite significant objection posed by the lack of information submitted to evidence that application would not have a harmful impact upon the amenity of those living nearby in terms of noise. However, with the submission of more robust data, the officer has subsequently removed their objection and now views the proposals as acceptable in this regard.
- 6.11.4 Concern was also given over to highway impacts but again following the submission of a robust Transport Statement (TS) detailing when the events would actually take place, the proposed impact on the network at weekends and on bank holidays is considered acceptable. The use change would avoid car trips in the weekday peaks. On this basis, the proposed impact on the network on weekdays is acceptable. Therefore, despite the local concern the proposals are considered to not create a severe impact to highway safety and would conform to policy SU2 of the Tamworth Local Plan 2006-31.

7 **Conclusion**

- 7.1 The site is already part of a wider site being used for leisure and events and therefore a legacy of development akin to that proposed is well established. As a result there is likely to be economic and social benefits to the proposal that make up what is the basis of sustainable development.
- 7.2 Statutory consultees are satisfied that the development would not result in increased flood risk, or adversely affect highway safety, or the nearby footpath. The development would safeguard the amenities of existing and future residents.
- 7.3 As a result of this, the application would accord with local and national planning policy and is therefore recommended for approval subject to conditions.

If the committee are in agreement with the recommendation, then a grant of delegated authority to the Assistant Director of Growth and Regeneration is requested to conclude negotiations and complete the related section 106 legal agreement.

8 **Recommendation**

Approve Subject to Conditions & Section 106 Legal Agreement requiring
£7,000 for a Travel Plan and associated costs e.g. monitoring

Conditions / Reasons

1. The development hereby permitted shall only be carried out in accordance with:
Plans
 - Parking Plan 19029-007 Rev C
 - Visibility Plan CH001 02

Reports

- Sountesting Report 15561 Version 1 – Section 9
- JFA Qube Events Field Lighting Assessment
- JFA Qube Events Field Flood Risk Assessment
- Events Schedule 19029/ES

unless otherwise agreed in writing by the Local Planning Authority.

Reason: To define the permission.

2. The types of events, days of the week (weekends and bank holidays) in respect of all uses apart from the dog training use, when the events will be held and the number of days which events in the year should be restricted to those prescribed in the Mr. G LEE Transport Statement Ref. REP/001 Issue 2 September 2021

Reason: In the interests of highway safety and to conform to EN5 and SU2 of the Tamworth Local Plan and the NPPF.

3. The dog shows/training shall take place only between the hours of 10.00 and 16.00 and between 19.00 and 21.00 Monday-Sunday

Reason: To ensure there is not undue pressure on the existing road network that could cause a severe impact and to conform to EN5 and SU2 of the Tamworth Local Plan and the NPPF.

4. Within one month of Planning permission being granted, the access arrangements shown on the Existing Site Access Arrangement Drawing (No. CH002 02) shall have been implemented in full in accordance with the said Drawing and retained throughout the life of the development.

Reason: In the interests of highway safety and to conform to EN5 and SU2 of the Tamworth Local Plan and the NPPF.

5. Within one month of Planning permission being granted, the visibility splays shown on Site Access Visibility Splays Drawing (No. CH001 02) shall be provided in accordance with the said Drawing The visibility splays shall thereafter be kept free of all obstructions throughout the life of the Development to visibility over a height of 600 mm above the adjacent carriageway level.

Reason: In the interests of highway safety and to conform to EN5 and SU2 of the Tamworth Local Plan and the NPPF.

6. Within one month of Planning permission being granted, the proposed car parking and circulation system shown on the Site Parking Plan As Existing Drawing (No. 19029-007 Rev. C) shall be sustainably drained, hard surfaced in a bound material and marked out in accordance with the said Drawing.. Thereafter these parking areas shall be retained in accordance with the approved plans for the lifetime of the development.

Reason: In the interests of highway safety and to conform to EN5 and SU2 of the Tamworth Local Plan and the NPPF.

7. Within two months of Planning permission being granted, a Travel Plan (TP) shall have been submitted to and approved in writing by the Local Planning Authority (LPA). The TP shall set out proposals (including a timetable) to promote travel by sustainable modes which are acceptable to the LPA. The TP shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the LPA. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date of the planning consent to the LPA for approval for a period of five years from first occupation of the development permitted by this consent.

Reason: In the interests of providing sustainable travel and to conform to EN5 and SU2 of the Tamworth Local Plan and the NPPF.

8. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) – (Document Ref – 19029-FRA – dated 10 Jan 2022 – amended by J Jacobs) and the following mitigation measures detailed within the FRA.

- That there is to be no permanent change to the vulnerability classification of the proposed development site.
- It is to be noted and to be secured by this planning condition that there will be no physical or material changes to the site or buildings within the proposed development site boundary
- That there will be no increase in any impermeable areas within the site boundary of the proposed development
- That there is an adequate and effective mechanism and plan for the cancellation of any events or activities that may be scheduled in the event of any indication of flooding associated especially with the noted surface water risk area to the east of the site.
- That there will be no changes or affects to the existing surface water drainage system, as a result of the development.
- That there is an adequate and proportionate risk statement to manage any risks associated with surface water flooding to the site.

Reason: To reduce the impact of flooding on the proposed development and future occupants, reduce the risk of flooding elsewhere and to conform to policy SU4 of the Tamworth Local Plan and NPPF.

9. There should not be at any time, the use of demarked lines to separate the track on the right of way reference Tamworth 114. The applicant cannot erect gates or other barriers across the right of way without submission of details approved in writing by the local planning authority.

Reason: To ensure existing footpaths are well maintained and available for use and to conform to policy EN5 of the Tamworth Local Plan and paragraph 100 of the NPPF.

10. The development shall be carried out at all times fully in accordance with the noise levels, on -site live monitoring and the general noise management plan set out in the Noise Impact report by SOUNDTESTING reference 15561 Version 1.

Reason: In the interests of protecting residential amenity and to conform to policy EN5 of the Tamworth Local Plan and the NPPF.