

Dear Members

Special Planning Committee (Large Scale Major Application)

A special meeting of the Planning Committee will be held in the **Craddock Room, Civic Suite, Civic Centre, Riverside, Stafford** on **Tuesday 27 February 2024** to deal with the business as set out on the agenda.

Please note that this meeting will be recorded.

The Committee will meet at the rear of the Civic Centre and depart at **9.30am** to visit the site(s) as set out in the agenda and re-convene at the Civic Centre at approximately **11.00am** to determine the application(s).

Members are reminded that contact officers are shown in each report and members are welcome to raise questions etc in advance of the meeting with the appropriate officer.



Head of Law and Governance

**SPECIAL PLANNING COMMITTEE
(LARGE SCALE MAJOR APPLICATION)
27 FEBRUARY 2024**

**Chairman - Councillor B McKeown
Vice-Chairman - Councillor A Nixon**

AGENDA

1	Apologies	
2	Declaration of Member's Interests/Lobbying	
3	Planning Applications	Page Nos 3 - 94

MEMBERSHIP

Chairman - Councillor B McKeown

B M Cross	D M McNaughton
F D J James	A Nixon
E G R Jones	M Phillips
P W Jones	J P Read
R Kenney	S N Spencer
B McKeown	

SPECIAL PLANNING COMMITTEE - 27 FEBRUARY 2024

Ward Interest - Nil

Planning Applications

Report of Head of Economic Development and Planning

Purpose of Report

To consider the following planning applications, the reports for which are set out in the attached **APPENDIX**:-

		Page Nos
23/37238/FUL and 23/37342/LBC	Shugborough Park, Lichfield Road, Shugborough, Stafford, ST17 0XB This application has been referred to the Planning Committee because the development is a large scale major application Officer Contact - Richard Wood, Development Lead Telephone 01785 619324	4 - 59
23/37621/FUL	Land North of Lower Hanyards Farm, Hanyards Lane, Tixall This application has been referred to the Planning Committee because the development is a large scale major application Officer Contact - Leon Carroll, Development Lead Telephone 01785 619184	60 - 94

Previous Consideration

Nil

Background Papers

Planning application files are available for Members to inspect, by prior arrangement, in the Development Management Section. The applications including the background papers, information and correspondence received during the consideration of the application, consultation replies, neighbour representations are scanned and are available to view on the Council website.

Application: 23/37238/FUL and 23/37342/LBC

Case Officer: Ed Handley

Date Registered: 16 June 2023

Target Decision Date: 15 September 2023

Extended To: -

Address: Shugborough Park, Lichfield Road, Shugborough, Stafford, Staffordshire ST17 0XB

Ward: Haywood and Hixon

Parish: Colwich

Proposal: 23/37238/FUL: Proposed visitors welcome centre, creation of new site access off Lichfield Road along with updated traffic management to existing access with associated new car park, the conversion of two outbuildings to provide updated staff facilities and toilets and demolition and rebuild of the existing southwest curved wall to the walled garden and removal of a later gateway

23/37342/LBC: Demolition and realignment of the southwest curved wall to the walled garden and removal of a later gateway and conversion of WWII building with associated internal alterations.

Applicant: National Trust

Recommendation: That the applications be approved, subject to conditions and the applicant entering into a planning obligation

REASON FOR REFERRAL TO COMMITTEE

Application 23/37238/FUL has been referred to the planning committee because the development is a large scale major application which the Council's Constitution specifies is determined by the Planning Committee.

Application 23/37342/LBC has been referred to the planning committee by the Council's Head of Economic Development and Planning because the two applications are dependent upon each other.

Context

The application site

The application site includes a significant part of the Grade I registered park and garden of the Shugborough Estate. Within the Estate are Grade I, II* and II listed buildings including Shugborough Hall and its associated landscaped parkland and facilities, the walled garden, and the Lichfield Drive Railway Bridge. The site also lies within the Shugborough and Great Haywood Conservation Area.

The site is within Flood Zone 2 and 3, the Shugborough Hall and Haywood Cliff Site of Biological Interest (SBI), the Cannock Chase National Landscape (formerly Area of Outstanding Natural Beauty) and is within 15km of the Cannock Chase Special Area of Conservation (SAC). The site is also within the amber risk zone for great crested newts, and an area classified as being at low risk by the Coal Authority.

The application site accommodates the proposed visitor centre and the car park is adjacent to the west coast main line railway on a large open grassed area beyond the former outdoor education centre in the southern part of Shugborough Park. The area is not currently accessible to visiting members of the public.

The proposal

The application site forms a major scheme of improvement works by the National Trust who own the Shugborough Estate and which is an established visitor attraction. The proposal comprises the following elements:

- (1) New visitor welcome centre and toilet block.
- (2) Relocation of car park.
- (3) Creation of new vehicular access through the existing Lichfield Drive and new access road within the site.
- (4) Extension and conversion of two outbuildings to provide updated staff facilities.
- (5) Partial demolition and realignment of walled garden wall and removal of existing gate.
- (6) Associated landscaping works.

The proposal therefore seeks planning permission under 23/37238/FUL together with listed building consent (23/37342/LBC) for the partial demolition of the southwest corner of the walled garden wall and its rebuilding in a revised location and works to the WWII building.

(1) New visitor welcome centre and toilet block

The proposed visitor centre would be located in the southeast of the Estate, between the Lichfield Drive Railway Bridge and the Walled Garden, to the north of (and in close proximity to) a veteran oak tree.

The Design and Access Statement, and the design of the proposed buildings, makes it clear that the visitor centre is a transitional zone to improve the welcome experience of the Shugborough Estate by offering information and key amenities at the start of a visit. The

proposed café would have a limited number of covers to cater for people as they start their visit and before leaving. Most visitors are likely to pass through this space into the historic estate relatively quickly.

The building would have a curvilinear footprint with maximum dimensions measuring 49m (outside edge) x 8.7m (side elevations). The building would be single storey with a sloped roof, increasing in height to 5.8m on the inside eaves. The building would be constructed of straw bales set within a timber frame, with reclaimed brickwork substructure and wall footings. The walls would have a plaster finish with porcelain tiles (pineapple wall) on the east elevation and a relief map of Shugborough on the west elevation. The roof would be clad in zinc standing seam.

The toilet block would be located to west of the visitor centre forming a funnel to direct people from the car park into the Estate towards the points of attraction.

The toilet block would have a curvilinear footprint mirroring the visitor centre, with maximum dimensions measuring 24m (outside edge) x 8.10m (side elevations). The building would be single storey with a sloped roof, increasing in height to 4.6m on the outside eaves. The building would be of the same construction as the visitor centre with materials to match, including flat porcelain tiles on the north elevation.

(2) Relocation of car park

The existing car park to the west of the walled garden, which has space for 326 vehicles, would be decommissioned and returned to parkland. A new 532 space car park is proposed to the southeast of the walled garden. An overspill car park with 210 spaces and a secondary (unmarked) overflow grassed area would also be provided for use on particularly busy days which could accommodate a further 300 vehicles. Three coach parking spaces would be provided within the main car park. The car park would have an asphalt surface with spaces in a gravel-filled plastic retention system. The overflow car park would also comprise a gravel-filled plastic retention system with spaces being grass-filled. Eight electric vehicle charging points would be provided in the main car park and visitor cycle parking near the proposed new visitor centre.

(3) Creation of new vehicular access through the existing Lichfield Drive and new access road within the site

The existing Lichfield Drive access off Lichfield Road would be brought back into use through significant realignment works. The proposed access drive would pass beneath the Lichfield Drive railway bridge and lead to the proposed car park. The exit route would pass to the south of the walled garden (necessitating partial realignment) and lead south towards the existing exit onto the A513. The existing access route would be retained for larger vehicles (which can't pass under the grade II listed Lichfield Drive Railway Bridge) and pedestrians.

(4) Extension and conversion of two outbuildings to provide updated staff facilities

Two buildings would be converted to provide staff facilities (4). The former WWII building (north of Lichfield Drive Bridge and East of the walled garden) which is currently used for storage would be repurposed to provide breakout space, staff facilities, office space, a workshop, and storage space. A new canopy is proposed to the west elevation to provide external covered storage space; the canopy roof would have solar PV panels. The canopy would measure 25.6m x 4.3m with a mono-pitched roof sloping up from 2.41m to 2.97m in height. New painted timber windows would be provided in bricked up openings and to replace existing windows where the existing cannot be repaired. The application of a breathable, water-based sealant layer is proposed to the external side of the brick walls. The plant sales building (west of the walled garden) with existing guest toilets would be repurposed to provide staff facilities, meeting space, and storage facilities. The porch to the west elevation would be removed, no other external alterations are proposed.

(5) Partial demolition and realignment of walled garden wall and removal of existing gate

The southernmost curved corner wall of the walled garden (5) would be dismantled and rebuilt 2.4m to the northeast with a larger radius to widen the pinch point between the walled garden and Network Rail land to facilitate the proposed new exit route. The late 20th Century vehicular entrance in the western wall would be blocked up.

(6) Associated landscaping works

A significant amount of hard landscaping and soft surfacing is proposed (6). Access routes comprise asphalt and hoggin with elements in natural stone paving, self-compacted gravel, temple setts, and granite setts. Elements of boardwalk would be provided, with means of enclosure to comprise estate railing, balustrade vertical bar, timber fencing, sleeper walls, and hedges; benches would be provided throughout the site along with refuse bins, and cycle storage. An extensive scheme of tree removal, works, and planting is also proposed. Details of most landscaping features are included within the application documents.

The vacant former outdoor education centre buildings would be demolished, as would the existing timber visitor reception building between the existing car park and the walled garden.

Application submission

The applications are supported by the following documents:

- Planning statement
- Design and access statement
- Heritage statement
- Archaeological impact assessment
- Structural report
- Landscape and visual appraisal
- Transport assessment
- Rail protection report
- Arboricultural survey and arboricultural impact assessment

- Additional arboricultural information (Oak tree T429a)
- Preliminary ecological appraisal
- Bat survey report
- Biodiversity net gain report
- Badger report
- Badger report addendum
- Flood risk assessment and drainage strategy
- Desk study and ground investigation report
- Land contamination assessment
- Water quality statement
- Lighting report (considerations for effective design)
- Energy strategy report
- Overheating risk assessment report
- Pre-application advice note from Historic England
- Heritage statement: walled garden
- Supporting statement: walled garden
- Design and access statement: walled garden

Officer assessment – Key considerations

1 Principle of development

Section 38(6) of the 2004 Planning and Compulsory Purchase Act and section 70 of the Town and Country Planning Act 1990, as amended, require decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan for the purposes of this application comprises The Plan for Stafford Borough 2011-2031 Parts 1 and 2 (TPSB) and the Colwich Neighbourhood Plan.

Heritage conservation

Paragraph 195 of the National Planning Policy Framework (NPPF) states that heritage assets are an irreplaceable resource which should be conserved in a manner appropriate to their significance so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 203 also requires local planning authorities to take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of heritage assets can make to sustainable communities (including their economic vitality), and the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 205 further states that great weight be given to the conservation of a heritage asset, irrespective of whether any potential harm amounts to substantial harm, total loss, or less than substantial harm to its significance. Paragraph 206 also requires that any such harm to the significance of a designated heritage asset to require clear and convincing justification, and at paragraph 208 where development will lead to less than substantial harm to the significance of a designated heritage asset this harm must be weighed against the public benefits of the proposal.

Policy N9 of The Plan for Stafford Borough seeks to sustain and enhance the significance of heritage assets and their setting and, in line with the NPPF, requires clear justification for any potential harm to the significance of a heritage asset.

Rural sustainability and economy

In order to support a prosperous rural economy, paragraph 88(c) of the NPPF seeks to sustain existing sustainable rural tourism and leisure developments which respect the character of the countryside.

In turn, Spatial principle (SP) 6 seeks to achieve rural sustainability by protecting and enhancing its environmental assets and character whilst sustaining the social and economic fabric of its communities by promoting, amongst other things, a sustainable rural economy, and the conservation or improvement of the rural environment.

SP7 provides for development in the open countryside which is consistent with SP6, and policy E2; where it does not conflict with the environmental protection and nature conservation policies of the plan; and where provision is made for any necessary mitigating or compensatory measures to address any harmful implications.

Policy E1 seeks to sustain the local economy by supporting the location, diversity, and intensity of new economic development through measures including supporting the rural economy in accordance with SP6 and encouraging development consistent with SP7.

Policy E2 supports rural sustainability by encouraging development including facilities for tourism consistent with policy E6, proposals which help to conserve or improve the rural environment, and recreation uses appropriate to a rural location. Development should, where appropriate and feasible, respect and protect the natural landscape and built vernacular character of the area and any designated heritage asset; be of a high quality of design; be appropriately designed for its purposes; and incorporate necessary mitigating or compensatory measures to address any harmful implications.

Tourism

Policy E6 seeks to promote and enhance tourism opportunities in appropriate locations where it can be demonstrated through a business case that the use can be sustained in the long term. Furthermore, E6 refers to the need to promote and enhance the Borough's landscape and historic character, and that development should not be detrimental to the natural environment.

The Shugborough Estate currently employs 42 Full Time Equivalent (FTE) posts. It is stated that the proposed development would assist in the provision of 5 new full-time jobs which include gardeners and a cycle hire manager, 2 new part-time roles, and 10 new seasonal roles.

The National Trust advise that in 2021-22 a total of 239,000 people visited the site and that the current infrastructure should be adequate to support up to 250,000 visitors per year, however the car park is beginning the struggle with increasing visitor numbers and large dwell time at the estate. Furthermore, other areas of visitor infrastructure are becoming strained due to increasing visitor numbers.

The application is supported by information which suggests that the overall scheme would provide updated facilities to support the ongoing success of the Shugborough Estate as a tourist designation. It is considered that the works would also improve access into the estate and would reduce the impact of the tourist attraction upon heritage assets within the Shugborough Estate.

The Colwich Neighbourhood Plan (policy CLE1) supports the sustainable growth and expansion of commercial enterprises and proposals which facilitate the employment of people living in the neighbourhood area. Furthermore, policy CLE6 supports the development of tourist and visitor facilities associated with Shugborough, subject to the provision of car parking and there being no harm to highway safety.

The principle of development, in regard to improvements to, and the promotion of, a significant visitor attraction, is therefore considered to be acceptable.

Policies and guidance:-

National Planning Policy Framework

Paragraphs: 7, 8, 10, 11, 88, 195, 203, 205, 206, 208

The Plan for Stafford Borough

Policies: SP6 achieving rural sustainability; SP7 Supporting the location of new development; E1 Local economy; E2 Sustainable rural development; E6 Tourism

The Plan for Stafford Borough: Part 2

Policies: SB1 Settlement boundaries

Colwich Neighbourhood Plan

Policies: CLE1 Existing and new businesses; CLE6 Tourism

2 Heritage, character, and appearance

Heritage assets

The application site lies within the grade I Registered Park and Garden (RPG) of the Shugborough Estate, the setting of a number of grade I and II* listed buildings (of international significance), and within the Shugborough and Great Haywood Conservation Area. The grade I listings of Shugborough Park and Shugborough Hall reflect their status as being of the highest architectural and historic significance. Furthermore, the site is also within the designated Cannock Chase National Landscape and is therefore a particularly sensitive site with regard to heritage assets.

The RPG's significance is derived from its mid-18th Century designed landscape which was heavily influenced by the international travel of the Anson family. The walled garden was constructed in the early 19th Century and replaced an earlier walled garden closer to Shugborough Hall. The significance of the walled garden lies in its sophisticated hot wall construction – a wall constructed with a pipework heating system in its cavity to hasten the ripening of fruit trees.

The courts (*Steer v Secretary of State for Communities and Local Government, Catesby Estates Limited, Amber Valley Borough Council* [2018] EWCA Civ 1697) have found that for a development to affect the setting of a heritage asset, there has to be a distinct visual relationship, although economic, social, and historic considerations may also play a part. Given the context of the estate, it is considered impossible to disentangle the settings of each individual listed building from the others, as each contributes individually and collectively to the composition of the Estate. As such, the listed buildings are both integral parts of the landscaped park as a whole and many also provide reciprocal and overlapping settings for each other.

The application is supported by a heritage statement which considers the significance of designated and non-designated heritage assets, key views into and within the estate, and the potential impacts of the proposed development. The assessment concludes that the initial removal of the 1990's car park set within a highly significant area of the landscaped park would be greatly beneficial in heritage terms and that the cumulative impact, including some negligible and minor harm to heritage significance, would be beneficial overall with the harm outweighed by the public benefits, including the restoration of the existing car park area as landscaped parkland. Mitigation to harm and enhancements are proposed; the statement refers to the reinstatement of the lost Lichfield Drive approach, reuse of the WWII buildings, new visitor access to the quarry and Underley Cop, improved interpretation, landscaping works, removal of ad hoc car parking, and selective tree work to open up lost historic views and frontages.

Any harm to a heritage asset requires clear and convincing justification; the heritage statement recognises the likely harm, particularly to the walled garden and concludes that the heritage benefits of the relocation of the existing car park which result in the need for the other works which would result in the identified harm outweigh the less than substantial harm required to facilitate to new egress route.

The proposal involves a scheme of works within the RPG, the conservation area, and the setting of numerous listed buildings, including the partial demolition and rebuilding of the walled garden and the restoration of the Lichfield Drive approach, including works beneath and surrounding the Lichfield Drive Railway Bridge.

The plans to reorientate the Shugborough Estate, and particularly the relocation of the car parking areas, would require the provision of a new vehicular egress route adjacent to the railway cutting. At the closest point between the railway boundary and the walled garden the gap is too narrow (3.2m) for vehicle restraint measures to prevent impact damage to either the historic wall or the railway boundary fence and therefore it is proposed to dismantle and rebuild the southwestern corner of the walled garden 2.4m to the northeast with a larger radius. The structural report submitted in support of the application states that the 3.5m high wall (where works are proposed) is of solid brickwork construction, one-and-a-half to two bricks thick and extends 1.4m below ground level without any corbelling or additional footing. The wall is in poor condition, with a significant amount of vegetation growth which is causing further damage; some vertical cracks and areas of frost damaged brickwork are noted. It is acknowledged that existing historic bricks will be reused where possible and replacement bricks, capping stones, and lime mortar mixes will be the same as used under recent repairs works for the rest of the walled garden walls.

The application is supported by a heritage statement specific to the proposed works to the walled garden which finds the southwest curved wall of the walled garden to be in a poor condition as it has not benefitted from repairs works due to the likelihood of this proposal coming forward. Furthermore, the wall is breached by inappropriate modern vehicular access gates which would be blocked up. The heritage statement acknowledges less than substantial harm to the listed wall but that the proposed works are fundamental to the scheme as a whole and are therefore justified by the restoration and visual enhancement of the wall. Furthermore, it is considered that the heritage benefits of the wider scheme (specifically the relocation of the car park and revised access/egress route) which would be unlocked by the works proposed to the walled garden, outweigh the harm caused.

The scheme also involves the provision of a site maintenance hub within the WWII building which is a circa 1943 ward block; this building was an open-plan ward for 28 beds; original windows have been replaced by wooden framed units or been infilled with brick. The building has been used as an equipment store for the wider uses on site in recent years. The proposal involves the reopening of windows, internally insulating the walls, and providing a new lean-to/canopy (with solar PV array) along the east elevation. The applicant's heritage statement suggests that the proposed development would result in negligible impacts whilst providing a benefit in keeping the building in an appropriate use and minimising impact upon more sensitive locations. The structural report submitted in support of the application states that there is a movement joint halfway along the long elevations of the building, the ground floor structure appears to be an unreinforced ground bearing concrete slab, and the building has been re-roofed fairly recently. The building is considered to be in reasonable condition and the report concludes that localised repairs and a replacement lintel are required.

The plant sales building, adjacent to the walled garden and constructed around ten years ago, would be repurposed as a staff facility. The structural report submitted in support of the application suggests that it remains in reasonable condition. It is not considered that the proposed amendments would result in any undue harm to the character of the building.

Historic England advise that they have provided pre-application advice to the National Trust during the design stage of the proposed works, highlighting that Shugborough Hall is of the historic significance with the walled garden being separately listed grade II* due to its more than special historic interest. Historic England state that the proposed development would inevitably result in a degree of harm to heritage significance, yet the reorientation of the visitor arrival and the visitor experience are part of wider plans to enhance and better reveal the historic character of the RPG, and the setting and experience of the Hall and other key historic buildings within the estate. It is concluded that considerable care has been taken to mitigate potential heritage impacts and to maximise benefits, a key element of which is taking the opportunity to address the poorly located, intrusive, and excessively dominant car park and the associated restoration of the historic parkland. Consequently, Historic England raise no objection on heritage grounds on the basis that this comprehensive scheme would enhance the ability of visitors to better appreciate and enjoy the unique heritage offer of the Shugborough Estate.

Whilst accepting the principle of relocating the existing car park, reinstating Lichfield Drive as the primary vehicular access, and constructing a new visitor welcome centre, the Council's Conservation Officer initially raised concern regarding the siting of the proposed visitor centre and its layout, integration and engagement with the historic landscape, and potential consequent impacts to the veteran oak tree.

The Conservation Officer advises that the existing car park is in a visually intrusive location and that its relocation is welcomed. The restoration of the existing site would also serve as an enhancement to the designed landscape and the detailed landscaping scheme is considered to be of a high quality, sympathetic to the designed landscape. The restoration of the existing car park site as grass parkland should therefore be secured by condition of any approval.

The Conservation Officer acknowledges that the reinstatement of Lichfield Drive would facilitate the relocation of the car park and that alterations to the junction with Lichfield Road (A513) are required to improve highway safety. Furthermore, it is acknowledged that the railway line and embankment comprise significant constraints to development and that the realignment of the southwest curve of the walled garden is required to provide sufficient width for vehicles and associated defensive infrastructure. The removal of the poorly executed modern vehicular gate is also considered to be an improvement. It is noted that existing historic bricks would be salvaged and reused, and where necessary reclaimed bricks would be obtained. It is accepted that the dismantling and relocation works would result in less than substantial harm to the historic and architectural interest of the grade II* listed structure, but the reorientation is part of a wider masterplan to enhance and better reveal the historic significance of the Shugborough RPG, the setting of the grade I listed Shugborough Hall, and other key historic buildings within the site, such as views from the grade I listed Hadrians Arch.

It is also accepted that every effort has been made to mitigate harm to the walled garden and that the hot wall construction would remain unaltered, the unsympathetic modern alterations would be remedied, and the wall (in this location) is in a very poor state of repair. The Conservation Officer concludes that whilst the rebuilding of the walled garden is less than ideal, the wider benefits to the heritage assets and their setting would outweigh the less than substantial harm in this instance. It is considered necessary that the bricks and mortar to be used should be secured by condition of any approval.

Whilst the existing curtilage listed WWII building is not considered to be the most aesthetically attractive building it would be the first visible structure on the approach from the Lichfield Drive access and is an important element of the history of the Shugborough Estate. The Conservation Officer does however raise no objection to the principle of extending, renovating and repurposing the building as a maintenance hub. New tree planting and landscaping is also proposed which would help to screen the building from view. Following concerns being raised, the lean-to canopy extension is shown set back one bay from the end gable to clearly express the new structure as a later extension and not compete with the primary gable of the curtilage listed building. Whilst the applicant continues to propose the use of a chemical waterproofing agent, the Council's Conservation Officer raises concern regarding its use due to the lack of evidence and understanding of its long-term effects upon historic masonry. It is therefore recommended that a traditional limewash or lime sheltercoat is secured by condition instead of the proposed chemical treatment.

It is noted that the Gardens Trust raised concern about whether the existing window frames within the WWII building would be retained and double glazed or replaced due to contradictions on the drawings. Following clarification from the applicant that the replacement of windows would depend upon their condition the Council's Conservation Officer recommends a condition to ensure that all windows and doors which are suitable for retention are retained and that a window condition survey is secured by condition to include full joinery details for any replacement windows and doors. Notwithstanding queries raised by the Gardens Trust regarding whether the lightweight roof of the canopy would be robust enough to support the proposed solar PV panels and how the structure would be supported against the existing building the Conservation Officer raises no concern regarding the structural loading. This follows details of the junction of the proposed lean-to roof to the existing brick wall which has been designed with assistance from Civic Engineers. It is, however, considered necessary to secure precise details of the solar panels by condition prior to their installation.

Whilst the Conservation Officer acknowledges that it is unfortunate that the proposed visitor centre building could not be sited outside of the root protection area of the veteran oak tree it is acknowledged that the additional supporting information demonstrates that the proposed development would not result in a negative impact upon the health of the tree or its rooting system. Consequently, the initial conservation objection to the location of the visitor centre is removed. Amendments made during the consideration of the application, to include the café windows and the inclusion of a perimeter footpath around the tree are also welcomed by the Conservation Officer as they would enhance visitor engagement with the tree. The visitor centre is considered to utilise high quality materials and to have a design which integrates and engages with the historic landscape, curving around the adjacent 550-year-old veteran oak tree which predates the 18th Century designed landscape.

Whilst the Conservation Officer raises no objection to additional access drive works it is recommended that a condition be attached to any approval to ensure that the bolt-down plastic kerbing to be used to keep traffic away from listed structures has a visually recessive colour finish rather than the black and white block shown in the concept images. Whilst a concept image is provided of the proposed vehicle height barrier and that it is accepted that the design will need to follow its function it is considered that precise details of this structure should be secured by condition.

It is recognised that the parkland has evolved in its layout and extent since the late 17th Century and the Estate has not seen any major investment for most of the past century. Staffordshire Gardens and Parks Trust on behalf of the Gardens Trust advise that many of the changes which have occurred, particularly in recent times to serve modern audiences, have intruded into the landscape and degraded its special qualities. The Gardens Trust acknowledges that the proposal seeks to redress the adverse impacts of more recent development and would open up more of the historic landscape for visitor access. Whilst this part of the Estate formed an integral part of the wider designed landscape, much of the original landscape character has been lost since the second world war; this, together with its visual separation from the principal parts of the park make the area more receptive to the proposed large-scale changes where the degree of harm would fall well short of substantial. The removal of the poorly sited car parks would, in the view of the Gardens Trust, greatly enhance appreciation of the landscape. Whilst one amendment is

suggested, with regard to the layout of the proposed car park and tree planting, the Gardens Trust raise no objection to the proposed development. Following submission of amended details regarding the proposed works to the WWII building, the Gardens Trust raise no objection, stating that visually the form of the amended canopy to the WWII building is acceptable.

The Council's Design Advisor initially raised concern regarding the siting of the proposed visitor centre in such proximity to the veteran oak given the references made in the submission to celebrating and embracing the tree and that by its internal arrangement the visitor centre would 'turn its back on' the tree. The applicant has offered further clarification that the visitor centre and toilet block would form a transitional zone where visitors would arrive at Shugborough, make use of arrival facilities, and move onwards into the Estate. This element is therefore not intended to be an attraction, in itself, or a destination within the Estate.

Amended plans also address earlier concerns, regarding the modification of the window in the café which would overlook the veteran oak and the improvement of the landscape design, including a small picnic area and perimeter path, to provide opportunities for visitors to better engage with the tree.

Regarding the wider scheme and its impact upon the designated heritage assets which comprise the Shugborough Estate, the Council's Design Advisor defers consideration to the conservation specialists. However, with specific regard to the design of the new contemporary visitor centre, following resolution of the fundamental conflict between the underlying concept of the building celebrating the veteran oak and the articulation of design, it is considered that the proposed building comprises a compelling and convincing design. The architectural design of the visitor centre is also considered to have significant visual appeal.

The materials proposed form a modern palette with reference to the history of the Shugborough Estate, such as the re-use of timbers from buildings to be removed and the use of porcelain tiles to provide a 'pineapple' skin texture. It is considered that samples of materials to be used should be secured by condition.

Archaeology

The application is supported by an archaeological impact assessment which has been produced following detailed communication with the County Archaeologist and which finds that there are no designated archaeological assets within the application site area, although there is moderate to high potential for evidence of activity of local or regional significance. The extant WWII buildings and structures which are to be retained and conserved, are considered to be of regional to national significance. The assessment concludes that impacts of the proposed development upon non-designated heritage assets could be mitigated through a staged programme of archaeological work.

The County Archaeologist raises no objection to the proposed development, advising that the impact assessment is generally supported and that there are no material archaeological constraints associated with the proposal which would prevent their implementation. Furthermore, the proposed staged programme of mitigation works is considered to be an appropriate response. Construction groundworks have the potential to

impact on below ground archaeological features dating from the prehistoric period up to remains of the WWII military hospital and works to extant historic buildings have the potential to reveal information about their construction and use through pre-works recording and structural watching briefs during works. Given this clear potential, it is considered necessary that any permission is subject to a condition to secure a staged programme of archaeological works as recommended by the County Archaeologist.

Cannock Chase National Landscape

Paragraph 182 of the NPPF state that great weight should be given to conserving and enhancing landscape and scenic beauty in National Landscapes which have the highest status of protection.

Paragraph 183 further states that major development should be refused within National Landscapes (formerly AONBs) other than in exceptional circumstances and where it can be demonstrated that the development is in the public interest.

The application is supported by a Landscape and Visual Appraisal (LVA) which acknowledges that the site is within the Cannock Chase National Landscape and a particularly sensitive area with regard to heritage assets. However, the LVA clearly indicates that the zone of theoretical visibility is reduced significantly by surrounding topography and woodland. The LVA states that the Shugborough Estate is an intact and well-contained parcel of land with special qualities which is capable of accommodating change without harm to the National Landscape. It concludes that the proposed development, when taking into account mitigating landscape works, would result in some moderate adverse effects during construction activities, minor adverse effects upon the Lichfield Lodges (residential) visual receptor due to increased passing traffic, minor beneficial effects upon the Stafford and Stafford Wood Lodges due to decreased passive traffic, and moderate and major beneficial effects upon residual landscape and visual change and close-range views. Given the capacity of the Shugborough Estate to accept change and that the proposed development includes a series of significant landscape improvements and enhancements, not least the removal and relocation of the car park, it is not considered that the proposed development would result in undue harm with regard to its impacts upon the surrounding landscape.

The Cannock Chase AONB Partnership offer their support to the proposal, acknowledging that it sits within the context of an ambitious masterplan to develop the Shugborough Estate as a regional destination for visitors, that the development would result in high quality buildings and places of good design standards, and that careful consideration has clearly been afforded to the proposal to ensure the conservation and enhancement of the landscape and scenic beauty, wildlife, and cultural heritage within the Cannock Chase National Landscape. Notwithstanding this, the AONB Partnership state that the application should be supported by a “formal landscape and visual impact assessment” carried out under GLVIA3 (guidelines for landscape and visual impact assessment 3) standards, either prior to determination or to be secured by condition. It is noted that the methodology used in developing the supporting LVA is based on current best practice guidance set out GLVIA3. Whilst it is not considered that a condition to secure such a document would meet the tests set out in paragraph 56 of the NPPF as it must form part of the decision-making process, it is considered that the LVA submitted in support of the application is appropriately detailed and has enabled the AONB Partnership to offer their support to the proposed development.

With regard to paragraph 183 of the NPPF it is considered that the proposed development is (a) necessary in order to provide enhancements to the significance of the Shugborough RPG and the setting of the grade I listed Shugborough Hall (and other associated listed buildings), (b) could not be developed outside of the National Landscape due to it comprising works to the Shugborough Estate situated within the National Landscape area, and (c) could be accommodated without harm to the National Landscape by virtue of the Shugborough Estate being an intact and well-contained parcel of land with special qualities, notwithstanding that mitigating measures are proposed to ensure enhancement to the wider landscape.

Lighting

A lighting report, which sets out considerations for the effective design of lighting schemes, is submitted in support of the application. It is noted that neither the Conservation Officer, Environmental Health Officer or Biodiversity Officer raise concern regarding lighting and it is considered that a detailed lighting scheme should be secured by condition prior to installation.

Conclusion

It is acknowledged that the proposed development would result in some harm, however it is considered that the harm is outweighed by the public benefits associated with the wider enhancements to be made to the park, specifically the relocation of the car park and changes to the visitor arrival experience which would better open up a significant portion of the Estate to visiting members of the public. In light of the provisions of paragraphs 205, 206 and 208 of the NPPF it is considered that the proposed development is acceptable with regard to the character and appearance of the site and the surrounding area as well as the impacts of the development upon heritage assets and the surrounding landscape.

Policies and guidance:-

National Planning Policy Framework

Paragraphs: 131, 135, 137, 139, 176, 177, 182, 183, 195, 198, 200, 201, 203, 205, 206, 207, 208, 209, 210, 2011, 2012, 213

National Design Guide

The Plan for Stafford Borough

Policies: N1 Design; N7 Cannock Chase AONB; N8 Landscape Character; N9 Historic Environment

Supplementary Planning Document (SPD) – Design

Colwich Neighbourhood Plan

Policies: CLE1 Existing and new businesses; CE1 Design

3 Residential amenity

The majority of the proposed development would be situated a significant distance from the nearest residential properties, however the Lichfield Lodges are immediately adjacent to the proposed access off the A513 and there are a number of dwellings at White Farm past which the exit route runs. These are all under the control of the applicant and form part of the Shugborough Estate.

Given the location of the various elements of proposed development it is not considered that it would result in any undue harm with regard to visual amenity or privacy.

Vehicular movements around Milford (Stafford Drive access) would be reduced due to the majority of vehicles being directed towards the proposed new access.

Vehicular movements around White Farm would not change as the access route in this location would remain as existing.

Whilst vehicular movements would significantly increase around the Lichfield Lodges these are currently let as short-term visitor accommodation by The National Trust and it would be clear to potential visitors, due to their location at the access, that vehicular movement in the vicinity is likely to be significant. Notwithstanding this, it is not considered that the impacts of noise and disturbance from the proposed access upon this visitor accommodation would justify the refusal of this application.

Any disturbance created during works could be appropriately controlled under a construction management plan to be secured by condition.

The Council's Environmental Health Officer raises no objection to the proposed development; comments are considered in detail within section 7 of this report.

Policies and guidance:-

National Planning Policy Framework
Paragraphs: 135

The Plan for Stafford Borough
Policies: N1 Design
Supplementary Planning Document (SPD) – Design

Colwich Neighbourhood Plan
Policies: CLE1 Existing and new businesses; CE1 Design

4 Highways, access, and parking

The proposed development involves the provision of a new access junction with the A513 at the Lichfield Drive entrance. Furthermore, a new vehicular route through the parkland to a new car parking area is proposed, as well as a revised exit route towards the existing egress onto the A513 west of White Farm, hereafter known as the 'White Farm junction'. The existing route into the Shugborough Estate would be retained for pedestrian and cyclist access and larger/emergency vehicles.

The proposed car parking areas would provide for 742 vehicles with an overflow area for a further 300 vehicles. Eight electric vehicle charging points would also be provided within the main car park. There would be space for 3 coaches to park within the main car park and cycle parking provision near to the proposed visitor centre.

Signage within and in the vicinity of the Estate would need to be amended, replaced, or newly provided.

The application is supported by a transport assessment which concludes that the proposed development would have minimal impact upon the transport and highway network and that the proposed access junction would replace an existing unsafe junction, improving road safety. The proposed development is not considered likely to increase visitor numbers, in itself, given the nature of the works involved in reorienting the site and improving the visitor welcome experience rather than increasing the quantity or quality of visitor attractions themselves.

The local highway authority initially raised concerns regarding the application on the following three grounds:

- the increase in visitors entering the site at the existing substandard White Farm junction onto the A513 which has poor forward visibility when travelling east;
- uncertainty as to whether the proposed ghost island right turn land could accommodate high volumes of traffic during special events and;
- uncertainty as to how motorists would be warned in advance (both directions) of any potential height restrictions which may affect their access into the site.

Following the submission of further signage details and discussion between the applicant and the local highway authority these objections were removed. The local highway authority comments that the existing (historic) junction of Lichfield Drive is unsuitable to accommodate larger volumes of traffic; the proposal would shift the junction west to improve forward visibility of the junction. It is confirmed that the proposed junction would meet relevant standards as a single carriageway priority junction with right turn lane ghost island. To accommodate the ghost island it will be necessary to widen the A513 by a maximum of 3.4m to allow for the additional lane; this widening would be on the estate side of the road given the land ownership and the presence of trees on the opposite (southern) side. The local highway authority confirm that the proposed access is acceptable, however, it is stated that the access junction would require detailed design checks and safety audits and therefore it is considered that any approval should be subject to conditions to secure final details of the proposed junction and road markings and their provision thereafter.

The highway authority accepts that special events, where additional high volumes of traffic is likely to be attracted to the Estate over a short period of time, would fall outside of the scope of the proposed development as they would comprise separate matters which require planning permission, or alternative licensing in their own right. Consequently, concerns regarding special events are not relevant to the consideration of this application.

The drawings indicate a right turn ban for vehicles travelling east on the A513 at the White Farm junction. Whilst it is possible that no additional right turn movements will occur at this location due to staff being encouraged to use the proposed access, and other larger vehicles being advised in advance to use the alternative access routes, the applicant has agreed to monitor the use of the junction of the 2024 Easter weekend (likely to be one of the busiest weekends of the year at the Estate) and to carry out subsequent monitoring over the next five Easter weekends; should the number of vehicles turning right into the estate at the White Farm junction increase by 10% or more in any of these years, a traffic management scheme at this location, to enhance the junction or reduce the number of vehicles turning right, will be required. This should be secured by condition of any approval.

Additional details of signage to direct vehicles to the appropriate access point based on vehicle height/size have been provided. The local highway authority is satisfied with these, in principle, but advise that they must go through relevant design checks as part of agreements with the local highway authority. Consequently, it is considered appropriate to attach a condition to any approval to secure a final scheme of highway signage given the possibility of minor amendments being required, and to ensure their provision.

The transport assessment states that the applicant supports low-carbon staff commuting choices by participating in the Cycle to Work scheme and offering season ticket loans for rail travel for staff; for visitors the Shugborough Estate website prioritises sustainable modes of transport to the site. In order to further encourage visitors to travel by low-carbon modes for transport, the proposed redevelopment includes the provision of electric vehicle charging points and the applicant is exploring ways to encourage and incentivise non-car travel. Whilst travel planning is informally in place at Shugborough, it is proposed that this be formalised in conjunction with the proposed development and a Travel Plan Coordinator has been appointed. The local highway authority recommends a condition to ensure that the development is occupied in accordance with a travel plan which shall first be submitted to, and approved by, the local planning authority.

With regard to the above considerations, the applicant is required to enter into a planning obligation to secure a £10,000 travel plan monitoring fee and a £10,000 contribution towards a potential traffic management scheme at the White Farm junction.

It is acknowledged that proposed off-site highway works will require a highway works agreement and this should be brought to the attention of the applicant via an informative on any approval.

Bridleway (64 Colwich) passes through the site, starting east of White Barn Farm, running west of the walled garden, east of Park Farm, heading to the northeast, and crosses Essex Bridge. The bridleway also makes up part of the Staffordshire Way promoted route. The County Rights of Way Officer raises no objection to the proposed development but states that if the bridleway requires diversion as a result of the proposed development

the applicant must first apply to divert the public right of way. Such authorisation cannot be the subject of a condition and therefore an informative should be attached to any approval to bring this matter to the attention of the applicant.

HS2 do not wish to make any comment with regard to this application.

Policies and guidance:-

National Planning Policy Framework

Paragraphs: 104, 108, 109, 110, 111, 112, 114, 115, 116, 117

The Plan for Stafford Borough

Policies: N7 Cannock Chase AONB; T1 Transport; T2 Parking and Manoeuvring Facilities; Appendix B – Car Parking Standards

Colwich Neighbourhood Plan

Policies: CLE6 Tourism; CTR1 Parking and road safety; CTR2 Sustainable travel; CTR3 Pedestrian facilities

5 Arboricultural matters

The application is supported by an Arboricultural survey and Arboricultural impact assessment and, following concerns raised by the Planning Officer, further additional arboricultural information relating to Oak tree T429a, hereafter referred to as 'the veteran oak', which is located to the southeast of the existing vacant outdoor education centre (and around which the proposed visitor centre would be situated).

Given the nature of the application site, a historic landscaped parkland, it is inevitable that development of the scale proposed would result in some tree loss. The Arboricultural survey and impact assessment clearly set out the trees which would be impacted by the scheme, and details 162 surveyed trees to be of categories A (1%), B (6%), C (28%), and U (65%) which would need to be removed as well as an area of 10,000sqm mixed-species plantation. The report makes reference to the removal of a strip of historic roadside woodland to facilitate the construction of the new junction as having the greatest visual significance, and the removal of 10,000sqm of mixed-species plantation and associated peripheral trees to accommodate the proposed new car park as being the most extensive tree loss.

A schedule of robust tree protection measures is proposed to ensure the protection of retained trees and a significant amount of tree planting is proposed to assist in the visual screening of the proposed car parking area and improved woodland cover. In particular, additional planting is proposed around the proposed access onto Lichfield Drive, adjacent to Lichfield Drive, adjacent to the WWII building, between the proposed visitor centre and the walled garden, within and around the car parking area, along the boundary with the west coast main line, and within the area covered by the existing car park which is to be restored back to parkland. Furthermore, the landscaping scheme includes a significant amount of shrub planting, and grassland planting is also proposed, as well as hedgerows and willow screens.

In response to the proposed development, as initially submitted, the Council's Tree Officer raised no objection, advising that there is a significant survey for the site and the well-detailed supporting information considers the effects of the proposed development upon existing trees. It is acknowledged that there are two areas of development which are likely to cause most concern due to the extent of tree removal required - the proposed new vehicular access into the Estate from the A513 along the Lichfield Drive, and the proposed new parking areas.

It is noted that the proposed access would require the removal of 2 category A, 15 category B and 45 category C trees from the woodland belt which defines the north side of the road. However, it is not considered that the detriment would be long-term due to the number of trees to be retained (categories A, B, and C) and distant views from both directions towards the new access are likely to be largely unaffected.

The proposed parking areas would require the removal of 11 category B and 11 category C trees along with approximately 10,000sqm of unmanaged and poor-quality conifer plantation. Some of the plantation would be retained between the two car parks and this would assist in breaking up their cumulative visual extent. A line of poor-quality Sycamore trees would also be removed along the boundary with the railway to provide for the egress from the car park.

The Council's Tree Officer acknowledges that there are clear disbenefits to the proposals caused by the removal of trees, however of all tree removals it is noted that only 1% would be category A (best quality) and 71% would be category C (poor quality) or U (dead or dangerous). It is stated that retained trees and new planting across the sites/proposals would help to maintain the long-term character and historic value of the conservation area.

Whilst the removal of trees in any situation is unfortunate, it is accepted that the project, as a whole, necessitates tree removal to facilitate the restoration of the historic parkland and its setting. The Tree Officer concludes that, on balance, the long-term benefits outweigh short term disbenefits caused by tree losses.

The Tree Officer also acknowledges that the proposed visitor centre would be within the RPA (root protection area) of the veteran oak, but accepts that the majority of this incursion is within the footprint of existing development. The proposed building would involve an additional 10% incursion into the enhanced RPA (of 2,470sqm) of the veteran oak above what is already taken up by the existing vacant building. The total area of the new building which would fall within the enhanced RPA would be 374sqm (15% of the RPA) and of that, 332sqm would be built over the footprint of the existing building and parking area. The remaining 80sqm of previously undeveloped land within the RPA would equate to just over 3% of the total RPA for the veteran oak. Whilst the extent of excavation required for the proposal is unknown, it is accepted that this is likely to be localised excavation. Furthermore, the removal of the existing concrete road and other hard surfaces within the RPA is likely to benefit the veteran oak. The veteran oak has previously been managed and crown reduced to a substantial extent in order to lessen the potential for future failure of the stem or limbs; further pruning is recommended in the supporting information. These works have had (and will have) the effect of reducing the crown size and, with it, the required moisture and nutrient uptake of the tree. It is considered that the small extent of any new excavations would not cause any detriment to the health or long-term retention of the veteran oak, particularly given the other works proposed within the RPA which would enhance ground conditions.

With regard to queries raised by the Planning Officer in relation to government advice on ancient woodland, ancient trees, and veteran trees, the applicant has provided further supporting information regarding development within the root protection area of the veteran oak. The statement, by Symbiosis Consulting, notes that there is no suggestion that the proposal would result in the deterioration in condition of the veteran oak. It is contended that the standing advice for a buffer zone of at least 15 times the tree's diameter from any development is not directly applicable as there is an existing building situated within the specified buffer zone; the standing advice does not offer any guidance in this scenario.

The Council's Tree Officer, in response, confirms their agreement with the views of the applicant's arboricultural specialist in that, subject to appropriate conditions, there should be no loss of, or deterioration of any ancient or veteran trees. In coming to this conclusion, the Tree Officer acknowledges that the NPPF and standing advice state that planning permission should be refused if development would result in the loss or deterioration of ancient woodland, ancient trees, or veteran trees, unless there is demonstration of both wholly exception circumstances and there being a suitable compensation strategy – none of which apply in this case.

In this case, the standing advice would result in a minimum buffer zone with a 28m radius, however it is accepted that there are existing structures and surfaces which post-date the veteran oak within the RPA and which will have had (and will continue to have) an effect on the root system of the tree. Consequently, it is considered that the RPA for the veteran oak should be redrawn as a polygon containing the area in accordance with the recommendations made in British standards with the western/north-western line of the polygon following the eastern edge of the road which separates the tree from the existing and proposed development as it is this area which should be subject to the greatest protection. Whilst the polygon should be the area of greatest protection, it is important to consider those areas of new development which fall outside of the polygon and within either RPA. It is therefore recommended that all tree protection measures set out in the supporting arboricultural impact assessment are put into place prior to the commencement of any works around retained trees. A detailed method statement setting out the protection measures, phasing, etc. to minimise the potential impact of works on retained trees should be secured by condition. The statement should also include details of the amended RPA and protection of the veteran oak.

Whilst the application drawings indicate the siting of proposed individual trees there is no detail relating to their species, stock, or planting methodology. Equally, there is no detail of the proposed woodland planting. In principle, the proposed tree planting is acceptable, however precise details should be secured by condition.

Policies and guidance:-

National Planning Policy Framework
Paragraphs: 136, 180 and 186

The Plan for Stafford Borough
Policies: N1 Design; N4 The Natural Environment and Green Infrastructure; N5 Sites of European, national and local nature conservation importance; N8 Landscape character; N9 Historic Environment

6 Ecology and biodiversity

Whilst the application site is within the proximity of the Cannock Chase Special Area of Conservation (SAC), it is not considered that the proposed development, which seeks to rationalise the access, parking, and visitor welcome experience to the Estate (rather than comprising further development of visitor attractions), would directly increase visitor numbers and vehicular traffic. The application has been screened out of Appropriate Assessment under the habitat regulations.

Natural England also raise no objection and advise that the proposed development would not result in significant adverse impacts on statutorily protected nature conservation sites.

With regard to matters of ecology and biodiversity, the application is supported by a Preliminary Ecological Appraisal (PEA), bat survey report, badger report and addendum, a biodiversity net gain report, and a lighting report.

Amongst other things, the PEA recommends that bat and badger surveys are carried out and that mitigation and enhancement measures are considered. The subsequent bat surveys conclude that bats are extensively present within the site, but that no significant adverse impacts upon protected species would result provided that the implementation of prescribed recommendations is ensured. Furthermore, the badger survey report (August 2022) and follow-up addendum (January 2023) conclude that there is badger activity within the Shugborough Estate and that mitigation, comprising the provision of two artificial badger setts to compensate for the loss of badger setts would be required. Furthermore, the survey report recommends a pre-commencement survey immediately prior to the commencement of any works on site amongst other recommendations with which the development should be carried out. The addendum report concludes that the earlier mitigation strategy remains purposeful and correct.

The Council's Biodiversity Officer raises no objection to the proposed development, advising that the supporting information is appropriate and makes recommendations which should be secured by condition.

A condition is recommended to ensure that the development is carried out in accordance with all reasonable avoidance measures recommended by Pearce Environment and be supervised by an Ecological Clerk of Works. Furthermore, conditions are recommended to secure the provision of the proposed wildlife pond in accordance with details to be submitted to and approved by the local planning authority; a number of habitat improvements for various species, including amphibian hibernacula, habitat/log piles, bat boxes tiles, bird boxes, and artificial badger setts; and the installation of an appropriate external lighting scheme which accords with the recommendations of the considerations for effective lighting design report by Elementa (November 2022).

The Biodiversity Net Gain report submitted in support of the application indicates a 22% uplift in habitat units and a 23.6% uplift in hedgerow units. It is considered that the management of the restoration of wood pasture and parkland, and lowland acid grassland, would be key to achieving the net gain. A condition should be attached to any approval to secure the provision of a detailed acid grassland restoration plan to be maintained for an appropriate period of time along with appropriate monitoring and reporting.

Whilst the Council's Biodiversity Officer recommends a condition to ensure that works are not carried out in the bird nesting season to ensure their protection, it is considered that nesting birds are effectively protected under separate legislation. An informative should however be attached to any approval to bring their protected status to the attention of the applicant.

The Biodiversity Officer also refers to the provision of new hedgerows and tree planting of appropriate native species; it is noted that the hedgerows proposed comprise a native hedgerow mix in a staggered double row. Whilst the Council's Tree Officer raises no objection to the quantity of proposed tree planting it is considered that details of the species mix and planting methodology (including the size of stock to be planted) should be secured by condition.

The application site is within the amber impact risk zone for great crested newts (GCN) where there is highly suitable habitat and a high likelihood of GCN presence. The Newt Officer initially raised objection to the proposed development on the basis that insufficient information had been submitted to demonstrate that great crested newts and/or their habitat would not be adversely impacted. Following submission of an ecological report and reasonable avoidance measures (RAMs)/non-licensed method statement (NLMS) the Newt Officer raises no objection to the proposed development on the basis that such measures would reduce and avoid any likely impact upon GCN. A condition is recommended to ensure that the development is carried out in accordance with these mitigation measures and an informative is also recommended to bring to the attention of the applicant the protected status of GCN.

Policies and guidance:-

National Planning Policy Framework
Paragraphs: 8, 180, 185, 186, 187, 188

The Plan for Stafford Borough
Policies: N1 Design; N4 The Natural environment and green infrastructure; N5 Sites of European, national and local nature conservation importance; N6 Cannock Chase Special Area of Conservation; N7 Cannock Chase AONB

Colwich Neighbourhood Plan
Policies: CE3 Biodiversity

7 Other

Flood risk

The Shugborough Estate lies within flood zones 2 and 3 and the application is therefore supported by a flood risk assessment and drainage strategy. This document states that the proposal is classified as 'less vulnerable' development which is appropriate within flood zone 2 and flood zone 3a. Whilst a section of the access road may be within flood zone 3a in the future due to the effects of climate change, the Estate would be closed during times of flooding and the existing access road, located in flood zone 1, would be available for emergency access. The flood risk assessment concludes that the site is at

low or insignificant risk from flooding from all sources. A surface water drainage strategy has been drawn up which proposes the discharge of surface water to the ground via permeable paving for the access road and car parks, and underground geo-cellular infiltration tanks for the proposed buildings. Foul drainage would be discharged to an existing wastewater treatment plant on site.

The Lead Local Flood Authority (LLFA) raise no objection to the proposed development, recommending conditions to ensure that the drainage system is appropriately managed and maintained over the lifetime of the development. It is considered appropriate to attach conditions to ensure that the proposed drainage scheme is implemented prior to the development first being brought into use and that it is thereafter managed and maintained to any approval.

The application site is within flood zone 3 where the flood zone is generated by a main river. The Environment Agency provides standing advice to be applied in such circumstances. The NPPF details the requirement for a risk based sequential test to avoid, where possible, flood risk to people and property by steering new development to areas with the lowest risk of flooding from any source. Paragraph 168 states that development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding.

The flood risk assessment (FRA) states that the objective of the proposed development relates to sustaining an existing tourist attraction and therefore it would not be possible to develop any other site and that, consequently, the test is deemed to be passed. It is accepted that the proposed development must be provided within the Shugborough Estate given its context and end use, and that the constraints of the Estate limit the land available for the proposed development. The FRA concludes that the flood risk to the proposed development is insignificant (surface water, sea, and infrastructure) and low (river, reservoir, and groundwater). The development is all considered to be classified as less vulnerable with regard to flood risk which is appropriate development within flood zones 1, 2, and 3a, and only inappropriate within zone 3b (functional floodplain); an exception test is therefore not required.

With regard to flood risk mitigation, it is stated in the FRA that the current access drive (wholly in flood zone 1) would remain available for use by emergency services to access any of the three buildings which are the subject of this application. Furthermore, the National Trust is signed up to receive flood warnings and is committed to keeping the estate closed in the event of a severe flood warning and has a flood plan which comes into operation in the case of flooding. This flood plan involves active monitoring of water levels in areas at risk of flood to close areas at risk and to remove garden furniture. In the event that the site cannot safely operate the Estate is closed to visitors. The drainage strategy proposes the discharge of surface water to the ground via permeable paving and underground geo-cellular infiltration tanks based on no flooding up to the 3.3% AEP event and no internal flooding up to the 1% AEP storm event plus a 40% allowance for climate change. Foul water would connect to an existing on-site wastewater treatment plant. Given the support of the LLFA whereby it is recommended that conditions would ensure the reduction of risk of flooding downstream, it is considered that such risk is adequately considered. On the basis of an appropriate FRA being submitted in support of the application, and that the recommended drainage system would be secured by condition as

recommended by the LLFA, it is not considered that the Environment Agency object to the proposed development having regard to their standing advice.

Water quality

With regard to water quality, the application is supported by an assessment which concludes that the permeability of the ground would allow for surface water drainage via infiltration and the proposed use of permeable hardstanding would encourage the drainage of surface water run-off at source as well as providing the basic water quality treatment to mitigate pollution from suspended solids, metals, and hydrocarbons. Furthermore, foul drainage would utilise the existing arrangements under a discharge permit.

Ground contamination

The accompanying land contamination assessment refers to the presence of arsenic and lead (both unlikely to be volatile), and asbestos (likely to be remnants of the demolition of WWII camp buildings). The assessment report recommends that construction workers are aware of the location and type of contamination to allow for a safe system of work to protect workers and that any asbestos found during works should be dealt with in accordance with relevant legislation. The ground investigation report echoes these recommendations and states that any visual or olfactory evidence of contamination identified during ground works should trigger further investigation and review of the risk assessment. The Council's Environmental Health Officer raises no objection, stating that the reports are satisfactory. A condition should therefore be attached to any approval to ensure that the proposed development is carried out in accordance with the Land Contamination Assessment (report reference 893-30).

Additionally, it is noted that the Environment Agency are not a statutory consultee with regard to contamination in this instance. The Environment Agency has therefore not been consulted about controlled waters on the basis that the ground investigation report makes reference to non-volatile substances and the Environmental Health Officer raising no concerns.

Construction works

The Environmental Health Officer raises no concerns regarding noise mitigation, dust management, or lighting overspill. Whilst a number of general conditions are recommended it is considered that these matters could be appropriately dealt with via the submission of a Construction Management Plan (CMP) which can be secured by condition.

Energy efficiency

The application is supported by an energy strategy and an overheating risk assessment which conclude that the proposed development would benefit from sufficient ventilation to mitigate potential overheating and that the development will assist in the National Trust's pledge to reduce the use of fossil fuels and cut carbon emissions from energy use for heat and electricity.

Staffordshire Police

Staffordshire Police raise no objection to the proposed development. A number of comments are made with regard to matters which are covered in detail within the proposal, including the provision of electric vehicle charging points and bicycle storage. Furthermore, comments are made regarding security measures and it is considered that these recommendations should be brought to the attention of the applicant via an informative on any approval.

Network Rail

The application is supported by a Network Rail protection report which outlines potential issues, and avoidance/mitigation measures to resolve any such concerns. Measures proposed include the provision of Trief kerbing (vehicular containment kerbs) and timber railing along the car park and exit route to prevent ingress onto railway land; the provision of bollards and a height barrier to prevent vehicular strike of the Lichfield Drive Railway Bridge; the use of appropriate permeable surfacing (and Trief kerbing) to reduce overland water flows towards railway land; the use of bolt-down kerbing to guide vehicles through the Lichfield Drive Railway Bridge to prevent vehicular strike without having to excavate adjacent to the foundations of the bridge; and the re-building of the walled garden wall 6.5m from the boundary fence to prevent earthworks for the exit route impacting the railway cutting or boundary fence. Network Rail raise no objection to the proposed development and make comments relating to lease agreements between Network Rail and the applicant, National Trust. It is considered that an informative would be appropriate to bring this matter to the attention of the applicant. Notwithstanding this, it is considered appropriate that precise details of the proposed timber railing, bollards, and height barrier should be secured by condition on any approval.

Policies and guidance:-

National Planning Policy Framework

Paragraphs: 8, 124, 158, 158, 159, 160, 164, 165, 167, 168, 169, 170, 173, 174, 180, 185, 186, 187, 188, 189, and 190

The Plan for Stafford Borough

Policies: N1 Design; N2 Climate change; N3 Low carbon sources and renewable energy; N4 The natural environment and green infrastructure; N5 Sites of European, national and local nature conservation importance

Colwich Neighbourhood Plan

Policies: CI1 Flooding

8 Conclusion and planning balance

Paragraph 88 of the National Planning Policy Framework seeks to support existing sustainable rural tourism and leisure developments which respect the character of the surrounding area and which is echoed through The Plan for Stafford Borough. It is accepted that character of the site and surrounding area is derived from the heritage assets which form the Shugborough Estate and the Cannock Chase National Landscape.

In considering development which may affect heritage assets it is acknowledged that any harm to the significance of a designated heritage asset will require clear and convincing justification (paragraph 206 of the NPPF) and, where development will lead to less than substantial harm to the significance of a designated heritage asset this harm must be weighed against the public benefits of the proposal. It is accepted that the proposed development will result in less than substantial harm, particularly to the grade II* listed walled garden, however the works proposed to the walled garden are clearly required to facilitate the relocation of the primary vehicular access and car parking areas which will result in significant enhancements and improvements to the grade I listed RPG and the setting of the grade I listed Shugborough Hall, including views from the grade I listed Hadrians Arch. The public benefit, acknowledged by Historic England, arising from the proposed comprehensive scheme in enhancing the ability of visitors to better appreciate and enjoy the unique heritage offer of the Shugborough Estate is considered to outweigh the demonstrable harm and given the proximity of the railway line it is accepted that the harm is, unfortunately, necessary in order to facilitate the works which will provide such benefits.

Subject to conditions it is considered that the proposed works will result in the enhancement of designated heritage assets of international significance and their setting. Furthermore, it is considered that the proposal would, subject to conditions, result in improvements to highway safety in approaching this popular tourist attraction, and enhancements in the ecological value of the site through comprehensive tree planting and works to protect and improve the biodiversity within the site.

It is considered that planning permission and listed building consent should be granted, subject to conditions and to the applicant entering into a planning obligation.

Consultations

Highway Authority

(Comments dated 14 December 2023):

No objection.

- The estate currently operates a one-way system with access from the A513/Holdiford Road junction and the exit 1.6km to the east on the A513.
- The current entrance is approximately 8m from the give way markings at a junction with an acute angle relationship. This is an unsatisfactory arrangement and congestion can occur if a vehicle is at the give way lines of Holdiford Road.
- The A513 at the exit point has reduced forward visibility and overtaking is prohibited by means of a double solid white centre line. This exit is shared as an access for White Barn Farm.

- The existing trip generation of the estate has been used to calculate trip generation as a result of the proposed development and visitor growth targeted by National Trust. Visitor numbers between March 2021 and February 2022 were 239,000 and this is expected to grow substantially in the coming years and expected to double by 2034.
- The proposed car park would be surfaced with plastic pavers and gravel infill, as would the overflow car park. The secondary overflow car park would be existing grassland and no bays would be formally marked.
- The parking of vehicles within the site would not have a significant effect on the highway, however vehicles entering and leaving the site may do, especially when special events take place and large number of visitors enter or leave in a short period of time.
- The proposed access would utilise a historic access arrangement into the estate, leading to a one-way access road connecting to the proposed car park. The existing junction is unsuitable to accommodate larger volumes of traffic and the proposal seeks to shift the junction west to ensure motorists on the A513 have sufficient forward visibility of the junction.
- The proposed junction would meet Design Manual for Roads and Bridges (DMRB) standards as a single carriageway priority junction with right turn land ghost island. To accommodate the ghost island it will be necessary to widen the A513 by 3.4m at its widest to allow for the additional lane. This widening would be on the estate side of the road given land ownership and the presence of trees on the opposite (southern) side.
- Although agreed in principle, the proposed access would require detailed design checks as part of an agreement with the highway authority and would require a road safety audit.
- Service vehicles below the 2.8m height limit would utilise the proposed access road under the Lichfield Drive bridge; all vehicles above this height would use the existing exit route as it would remain a two-way route for large vehicles and those accessing White Barn Farm.
- The drawings indicate a right turn ban at the White Farm Barn junction (vehicles travelling east on the A513). It is possible that no additional right turn movements into this site at this location will occur due to staff being encouraged to use the proposed access and all larger vehicles being told in advance to use alternative access routes. To verify the number of right turn movements, the applicant has agreed to monitor the use of this junction over the 2024 Easter weekend (one of the busiest weekends for the estate) and to carry out subsequent monitoring over easter weekends for the next five years. If the number of vehicles turning right into the estate from this junction increases by 10% in any of the subsequent years, a traffic management scheme at this location, to enhance the junction or reduce the number of right turning vehicles, will be required.
- The applicant has also agreed to enhance the road markings and signs associated with the site exit point onto the A513 as indicated on the drawings.
- It is accepted that special events, where additional high volume of traffic is attracted over a short period of time, would fall outside of the confines of the proposed development; they would comprise a separate matter which require planning permission or alternative licensing arrangement to be dealt with under separate regimes.

- The applicant has provided details of additional signage to direct vehicles to the correct access point based on vehicle height/size. The drawings are considered to be indicative and subject to the usual highway design checks as part of agreements with the local highway authority.
- Conditions are recommended to secure the following:
 - o Provision of junction onto the A513, road marking, and signage.
 - o Monitoring of right turns at the White Farm Barn access into the estate, and provision of subsequent traffic management scheme should right turns increase by 10% or more above the baseline figure.
 - o Development to be occupied in accordance with a travel plan to first be submitted and approved.
- The applicant is required to enter into a s106 agreement to secure the following:
 - o £10,000 travel plan monitoring fee.
 - o £10,000 contribution to a potential traffic management scheme.
- Off-site highway works will require a highway works agreement.

(Comments dated 17 August 2023):

Objection.

- The application should be refused for the following reasons:
 - o The traffic generated by vehicle entering the site at the proposed egress to the proposed development would be likely to result in an increase in highway danger due to increased use of the substandard existing junction with poor forward visibility for vehicles travelling east on the A513.
 - o It is unclear from the information provided if the traffic generated by the development, when special events are held, creating an additional high volume of vehicles over a short period of time, can be accommodated within the proposed ghost island right turn lane, causing potential road safety concerns.
 - o It is unclear from the information provided how vehicles will be warned in advance (both directions) of any potential height restriction that may affect their access into the site leading to frustrated road users making erratic / unlawful manoeuvres causing road safety concerns.
- It is unclear whether Network Rail have been informed of the increased use of a bridge with height restrictions that services their west coast main line.
- It is unclear what the exact width/height limit of the Ornamental Bridge will be, how it will be protected from large vehicles, and how this information will be indicated to visitors.

Conservation Officer

(Comments dated 14 February 2024):

No objection, subject to conditions.

- Whilst it is unfortunate that the proposed visitor centre building could not be sited outside of the root protection area of the ancient oak tree, additional information has been provided which demonstrates that the proposal would not result in a negative impact upon the tree's health or its rooting system. The objection to the location of the visitor centre is removed.
- The amendments to the visitor centre (window facing the veteran oak tree and inclusion of a perimeter footpath) are welcomed as they would improve visitor engagement with the tree.
- The lean-to canopy to the WWII building has been set back by one bay as requested. It is noted that the applicant seeks to retain the existing window frames but that some may require replacement dependent upon their condition. From a historic building perspective, the original windows should be retained as far as possible and could be

thermally upgraded through secondary glazing, draft stripping, replacement of the existing single glazed panes with slimline double-glazed units or vacuum insulated glazing. A condition is recommended for submission of full joinery details and a window condition survey for this building prior to the removal of any existing windows and doors and prior to the installation of any new windows and doors/glazing.

- It is accepted that the applicant has demonstrated that the proposed lean-to extension is adequate to take the structural load of solar PV panels.
- The additional information relating to the access drive works within the Network Rail Protection Report is broadly acceptable, however it is requested that the bolt down plastic kerbing be a visually recessive colour rather than the black and white block shown in the concept images as this would be harmful to the immediate setting of the grade II* listed walled garden and grade II listed Lichfield Drive Railway Bridge.
- The detail submitted under the stage 3 landscape specification is acceptable and would be sympathetic to the character and setting of the grade I Shugborough RPG, the conservation area, and the setting of the numerous listed buildings and structures.
- Clarity has been sought from a Conservation Accredited architect who specialises in lime, on the type of lime mortar to be used in the reconstruction of the corner of the grade II* listed walled garden. There was initially a concern regarding the use of NHL 3.5 as its compressive strength has the ability to increase over time; it is agreed that NHL 2 would be more appropriate due to the concerns of the harder set of NHL 3.5. A condition is recommended that for the rebuilding of the wall (with the exception of the below ground brickwork) NHL 2 lime mortar shall be used.
- Despite concerns being raised regarding the use of surfapore-C water repellent coating on the external brickwork of the WWII building, this is still proposed, although additional information is provided. The technical specification claims that the product impregnates, waterproofs, and protects surfaces and claims to be breathable, however breathable is not a regulated term. It is understood that the product contains chemicals which combine with the substrate to form a hydrophobic layer which is likely to affect capillary movement near the surface. There could be a risk of salt build up below the surface, if salts are carried close to the surface to be deposited at the junction of the treated and untreated material, this could lead to physical degradation or pore blocking. As these types of water repellent coatings are relatively new there is little evidence in the potential long-term effects of their application to masonry. On this basis it is not possible to establish the extent of harm such a coating may cause to the brickwork in the long-term. Traditional limewash or lime sheltercoat on the other hand is a tried and tested method of providing a degree of weather proofing and is likely a safer option in this circumstance. This should be secured by condition.
- Conditions to secure the following are recommended:
 - o Restoration of existing visitor car park as grass parkland.
 - o Window and door condition report for WWII building, to include details of proposed replacements.
 - o Bolt-down plastic kerbing to have a dark green, dark grey, or black colour finish.
 - o Precise details of the vehicle height barrier.
 - o Details of any new or reclaimed brickwork to be used in the reconstruction of the corner of the grade II* listed walled garden.
 - o Use of NHL 2 lime mortar in above ground reconstruction of walled garden and use of NHL 5 lime mortar below ground.
 - o Any external coating to be applied to the WWII building shall be in lime, in accordance with details which shall first be approved.

(Comments dated 17 August 2023):

Objection.

- The principle of relocating the existing car park, reinstatement of Lichfield Drive as the primary vehicular access, and construction of a new visitor centre in the area of the former outdoor education centre has been a matter of pre-application discussion between the National Trust and Stafford Borough Council for a number of years.
- The existing car park is in a visually intrusive location and its relocation is welcomed. The re-landscaping of the existing car park would serve as an enhancement to the designed landscape in conservation terms. The detailed landscaping schemes are considered to be of high quality, with native species planting, and are sympathetic to the designed landscape.
- The reinstatement of Lichfield Drive would facilitate the relocation of the car park. It is noted that alterations to the junction with Lichfield Road (A513) are proposed to improve visibility and safety. The existing entrance in Milford would be closed to general vehicular traffic and would become a pedestrian, coach, and deliveries access. There have been a number of road traffic accidents at this entrance due to its configuration and it is acknowledged that there are highway safety benefits to the access/egress proposals.
- It is acknowledged that the railway line or embankment cannot be altered or encroached upon and therefore the slight realignment of the southwest curve of the walled garden is proposed as the gap between the two is too narrow for any vehicle restraint measures to be installed to prevent vehicular damage to the historic wall or boundary fence to the railway. The proposed dismantling and rebuilding of the curved wall would provide the additional space required for the safe passage of vehicles. The removal of the gate is considered to be an improvement as it is a poorly executed later addition of inappropriate materials which detracts from the enclosed walled garden. Where possible, existing historic bricks would be salvaged and reused, bonded into the adjacent structure to match the original (mismatched 20th Century bricks would not be used). This dismantling and relocation would inevitably result in less than substantial harm to the historic and architectural interest of the grade II* listed structure, however it is appreciated that the re-orientation of the visitor arrival and the visitor experience are part of wider plans to enhance and better reveal the historic significance of the RPG, the setting and experience of the grade I listed Shugborough Hall and other key historic buildings within the site (such as views from the grade I listed Hadrians Arch). It is noted that every effort has been made to mitigate harm to the walled garden; the hot wall construction would remain unaltered, and this corner has been subject to some unsympathetic alterations in the 20th Century and is in a very poor state of repair. Whilst its relation is less than ideal, the wider benefits to the grade I Shugborough RPG, the Shugborough and Great Haywood Conservation Area, and the setting of numerous listed buildings are considered to outweigh the less than substantial harm in this instance.
- The proposed use of natural hydraulic lime mortar (NHL 3.5) is considered to be unacceptable as it would be too hard for use with the soft handmade bricks. A non-hydraulic lime mortar should be used in a ratio mix and colour to match the original lime mortar in the wall.
- There is no objection to the principle of extending, renovating, and repurposing of the existing curtilage listed former WWII building as the park maintenance hub. The extension would comprise an open-sided lean-to structure and would incorporate solar

panels in its roof. Whilst the building is an important element of Shugborough's history and demonstrates the contribution the estate made towards the war effort, it is not the most aesthetically attractive building and would be the first visible structure on the approach from the Lichfield Drive access. New tree planting and landscaping is proposed in front of the building which would screen it from view on this approach. It is, however, considered that the lean-to extension should be set back one bay from the end gable to clearly express the new structure as a later extension and not compete with the primary gable of this curtilage listed building. Furthermore, the use of a chemical waterproofing agent is not acceptable and this should be omitted from the proposal.

- There is no objection to the principle of a new visitor centre utilising high quality materials and a design which integrates and engages with the historic landscape. A curved design is proposed with principles which centre on the adjacent 550-year-old ancient oak tree which may be the oldest tree on the estate and which predates the 18th Century designed landscape. It is, however, disappointing to see the lack of engagement with the tree as the active frontage of the proposed building would face the proposed toilet block. The side of the building facing the tree would be relatively blank with a single, centrally placed window. It is noted that the design driver for this is to protect the tree from visitors causing damage to it and its rooting area, however the proposed new building would likely have significantly deeper foundations than the modular building which it would replace and would be situated in the root protection area (RPA) of the oak tree which could result in detriment to the tree's future health. It is disappointing that the building turns its back on the ancient tree and actively prevents visitor engagement with this significant feature of the RPG. Whilst the form and materials are generally acceptable, it is considered that there should be more engagement with the tree and the proposed visitor centre should be located outside of the RPA to avoid unnecessary damage, possibility incorporating a wider curve to accommodate the RPA and moving slightly further northeast. The side of the building facing the tree should be the active frontage with more glazing and the internal layout should be rearranged accordingly. If necessary, visitor access to the tree could be prevented through estate railings. Consideration should also be given to incorporating the toilet block into the visitor centre building.
- The proposal involves some of the most significant changes to the estate since the 19th Century and must be carefully executed with great attention to detail and promote visitor engagement with the most important historic estate and designed landscape in Staffordshire.
- Whilst the proposal would result in some (less than substantial) harm, particularly in terms of the alterations to the grade II* listed walled garden, overall the proposal has the potential to achieve wider heritage benefits for the grade I Shugborough RPG and the ability to improve visitor engagement. However, there remain some issues which require resolution before the proposed development is acceptable. From a heritage conservation perspective, the proposed visitor centre and toilet block fall short of the high standards require in terms of layout, integration, and engagement with the historic landscape; and the potential impacts to the ancient oak tree.
- The proposal, in its current form is contrary to policies N1, N8, and N9 of The Plan for Stafford Borough and paragraphs 200 and 202 of the NPPF. Furthermore, the proposal fails to satisfy sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 which places particular emphasis on the desirability of preserving listed buildings and their setting, and conserving or enhancing the character and appearance of the conservation area.

Historic England

(Comments dated 1 August 2023):

No objection.

- Shugborough Hall is of the highest significance for its exceptional historic and architectural interest – both the Hall and the RPG are listed grade I. In addition, the walled garden is separately listed (grade II*) due to its more than special historic interest.
- The proposed development would result in a degree of harm to heritage significance, however the reorientation of the visitor arrival and visitor experience are part of wider plans to enhance and better reveal the historic character of the RPG, and the setting and experience of the hall and other key historic buildings within the site.
- The proposal takes the opportunity to mitigate potential heritage impacts and to maximise the benefits, a key element of which is the proposed relation of the poorly located, intrusive, and excessively dominant car park and the associated restoration of historic parkland.
- It is considered that the scheme would enhance the ability for visitors to better appreciate and enjoy the unique heritage of Shugborough.

Staffordshire Gardens and Parks Trust (on behalf of The Gardens Trust)

(Comments dated 6 February 2024):

No objection.

- Visually, the form of the amended lean-to roof (WWII building) is now acceptable. It is, however, unclear how the structure would be supported against the existing building and details should be provided. Furthermore, it is unclear whether the proposed lightweight roof would be robust enough to support the proposed solar PV panels.
- The elevation drawings (WWII) note that the existing window frames would be retained and double glazed but the footnote states that windows are to be replaced.
- It is unclear whether a 'softpore' chemical treatment would be applied to the historic brickwork, it is considered that this is an unsuitable treatment.

(Comments dated 2 August 2023):

No objection.

- The application proposal has been the subject of extensive discussion over recent years and is considered to be well thought out and sensitive. The Gardens Trusts welcome the proposed development and raise no objection in principle.
- The regimented layout of the proposed new car park is unfortunate, however and a looser arrangement of the parking bays and a staggering of the tree planting to break up the otherwise unrelieved mass of stationary vehicles has been suggested to the applicant informally in order to better blend the facility into the wider parkland. A small amendment to the scheme would be welcomed.

Georgian Group

(Comments dated 4 August 2023):

No objection.

- It is clear that moving the car park from its present, highly intrusive location would do much to improve visitor appreciation of the nationally significant designed landscape and to reverse the harm caused since the second world war. The site of the proposed new car park is in an area which has suffered significantly since WWII and is also better screened than the present site. The proposed car park would compromise important designed views within the parkland to a far lesser extent than the existing.

- The Georgian Group concurs with the comments of the Staffordshire Gardens and Parks Trust regarding amendments to the layout and design of the proposed car park.
- The walled garden is one of a small number of grade II* listed walled gardens in the country and one that was additional significant in the early 19th Century for its role in training future gardeners. Given the proximity of the railway line it has proved impractical to move the access route further from the walled garden and avoid the necessity for works to the walled garden.
- It is accepted that the wall, in this location, is in poor repair and in need of rebuilding work and, furthermore, has been altered by the insertion of a large gateway in the 20th Century. Whilst the proposed works would result in a minor degree of harm to the overall grade II* listed walled garden complex, a strong justification has been provided for undertaking the work and it is clear that the overall scheme would be beneficial to the nationally significant designed landscape.
- The group reluctantly accepts the need for the minor works of demolition proposed.
- The group defers to others over the wider proposals for the Shugborough Park.

County Archaeologist

(Comments dated 7 July 2023):

No objection.

- The supporting archaeological impact assessment is comprehensive and has been produced following detailed discussion with the County Council. It is informed by pre-application non-intrusive and intrusive archaeological evaluation works.
- The conclusions of the assessment are supported and it is considered that there are no material archaeological constraints associated with the current proposal which would prevent them going forward. The proposed programme of mitigation works would be an appropriate response.
- Construction groundworks have the potential to impact on below ground archaeological features dating from the prehistoric period up to any remains of the WWII military hospital. Works to extant historic buildings have potential to reveal information about their construction and use through pre-works recording and structural watching briefs during works.
- Should permission be granted, a staged programme of archaeological works should be secured by condition. This programme of works should include a combination of:
 - o Targeted archaeological watching briefs.
 - o Archaeological building recording.
 - o Archaeological strip, map and sample excavation.
- The scope of the above works should be agreed in advance and the approach formalised, and methodology outlined, in an Archaeological Management Plan (AMP) to be secured by condition.

Design Advisor

(Comments dated 17 January 2024):

No objection.

- The revised plans adequately address the two issues previously considered outstanding; namely the modification of the window in the café overlooking the veteran tree and the improvement of the landscape design to provide opportunities for visitors to better engage with and enjoy the tree.
- It is particularly pleasing that a short linking footpath between the new picnic area to the south of the veteran Oaks RPA and the southwestern corner of the visitors centre has been provided as requested.

(Comments dated October 2023):

Objection.

- It is unfortunate that the applicant has declined to modify any aspect of the proposal to address the concerns previously outlined.
- Comments made in August remain relevant.

(Comments dated August 2023):

Objection.

- There is much to commend the overall scheme (the reintroduction of the historic access and approach will vastly improve the quality of the sense of arrival and appreciation of the historic landscape setting, the relocation of the public parking area will significantly improve the landscape setting of the triumphal arch folly and wider estate, the provision of a new visitors centre will provide up an up to date and enhanced offer to visitors, the refurbishment of the WW2 maintenance buildings will bring these buildings back into effective use and tangibly add them to the historic narrative that visitors to the estate can appreciate, works to the walled garden will repair unsensitive damage to the historic fabric that was previously carried out, etc) and it is broadly agreed and support that the entire package of works will bring significant improvement to the quality of experience that visitors to Shugborough Hall and its environs have.
- Clearly, most of the proposed interventions are directly concerned with alteration and improvement to the historic fabric and landscape of the estate, and in this respect, it is considered that the advice offered by Historic England and the Council's Conservation Advisor should have precedence in consideration of the design of those elements of the proposals. However, in specific regard to the design of the new contemporary visitor centre there is considered to be a significant and fundamental conflict in how the underlying concept of the building has been realised and articulated in its final design.
- The specific placing and curved architectural plan-form of the building has clearly been inspired and driven by the presence of an ancient and remarkable oak tree, with the building apparently embracing and celebrating it, and while this in itself is a compelling and convincing design narrative it is disappointing that the building is essentially turning its back to the tree and almost totally excluding it from being an intrinsic and elemental part of the visitor experience of both the internal and external spaces that the new building and its landscape setting create. By facing the building away from the tree and by effectively excluding public access anywhere near the tree and only providing a relatively small window from the café overlooking the tree, the relationship between the building and its external spaces feels almost counter-intuitive with regard to how they celebrate this ancient tree, and it seems as though the new centre is effectively saying "stay away" from the tree. It would be a more satisfying architectural resolution to have the fully glazed and interactive façade of the building overlooking and opening itself up to this tree and allowing pedestrian access to revolve around it (though not necessarily facilitating direct physical access to it, or its root protection area by provision of appropriate railings or glazed screening) and in this manner would embrace and celebrate the ancient tree with far greater architectural integrity and satisfaction.
- Part of the building sits within the root protection area of the tree, and while it is understood that potentially up to 25% of an RPA could be impacted by new construction without it having a detrimental impact on the health of the tree, again this seems counter-intuitive to a sensitive design response to the presence of the tree.

- Although in isolation, the architecture of the visitor centre has significant visual appeal, it is considered that for the above reasons, the current design of the centre seems compromised and counter-intuitive in regard to its relationship with the ancient Oak and this holds the design of this specific element of the overall scheme back from it being regarded and supported as a high-quality and convincing design solution. This is, at the least, disappointing given the opportunity that this key element of the scheme represents to truly enhance and add to the appreciation of the historic and cultural significance of the site and wider estate.

Natural England

(Comments dated 4 July 2023):

No objection.

- The proposed development would not result in significant adverse impacts on statutorily protected nature conservation sites.

Cannock Chase AONB Partnership:

(Comments dated 23 July 2023):

No objection.

- The AONB Partnership is supportive of the proposed development.
- The proposal sits within the context of an ambitious masterplan by the National Trust to develop Shugborough as a regional destination for visitors. Central to the application is the reconfiguration and introduction of key infrastructure within the estate.
- The National Trust intends to deliver the proposal using an ambitious net zero carbon approach to sustainability, set within the context of complex heritage, ecological, physical, and economic constraints.
- Access for all is at the heart of these proposals, in terms of physical access, and a holistic approach considering opportunities for adventure, learning, ecological, and cultural experiences for people of all ages, backgrounds, and abilities.
- The proposal is generally of an acceptable standard, however it should be supported by a formal landscape and visual impact assessment carried out under LVIA3 standards.
- The proposal would result in high quality buildings and places, and it is considered that good design is demonstrated within the proposal.
- Careful consideration has been afforded to the proposal to ensure the conservation and enhancement of the landscape and scenic beauty, and the conservation and enhancement of wildlife and cultural heritage within the AONB. The scale and extent of the proposed development is appropriate.
- The proposal is in accordance with the National Design Guide where applicable and the proposal would significantly encourage tourism within the Borough.

Tree Officer

(Comments December 2023):

No objection.

- It is clear that some of the proposed development falls within the enhanced RPA/buffer zone of the standing advice, however only a small area would not already be affected either by existing buildings, roads, hardstanding, or pathways. The standing advice takes no account for this.
- Both the NPPF and standing advice state that planning permission should be refused if development would result in the loss of deterioration of ancient woodland, ancient

trees, or veteran trees, unless there is demonstration of both wholly exceptional circumstances and there being a suitable compensation strategy – none of which apply in this case.

- British standards have a capped RPA of a circle with a 15m radius whilst the standing advice has an uncapped minimum buffer zone of 15 times the trunk diameter which in this case would be a circle with radius of 28m.
- Whilst the importance of ancient and veteran trees should not be disputed, any professional arboricultural would look at pre-existing site conditions when considering new development relative to any tree.
- There are existing structures and surfaces which post-date the veteran tree and which are within the RPAs which will have had (and continue to have) an effect on the root system of the tree; these are detailed in the supporting information and the conclusion is supported.
- The RPA for the oak tree should be redrawn as a polygon containing the same area in accordance with the recommendations made in British standards with the western/north western line of the polygon following the eastern edge of the road which separates the tree from the existing and proposed development; it is this area which should be subject to the greatest protection.
- Whilst the polygon should be the area of greatest protection, it is important to consider those areas of new development which fall outside of the polygon and within either RPA. It is recommended that all tree protection measures set out in the supporting arboricultural impact assessment are put into place prior to the commencement of any works around retained trees. A detailed method statement setting out the protection measures, phasing, etc. to minimise the potential impact of works on retained trees should be submitted for approval. The statement should also include details of the amended RPA and for its protection.
- Subject to appropriate conditions there should be no loss or deterioration of any ancient or veteran tree.

(Comments dated 16 August 2023):

No objection.

- The proposed building involves an additional 10% incursion into the enhanced (standing advice guidance) RPA (2,470sqm) of the veteran oak above what is already taken up by the existing building.
- The total area of new build falling within the enhanced RPA is 374sqm (15% of total RPA); of that 332sqm is built over the footprint of the existing building and parking area at the rear, the remaining 80sqm on previously undeveloped land within the RPA equates to just over 3% of the total RPA.
- It is unknown whether new excavation would be required where the proposed structure would be built over the existing footprint. Localised excavation would be necessary for vertical timber supports for a timber framed structure, or pile and beam foundations would be suitable where only localised excavation would be required with the walls and floors being built above existing ground levels off beams supported on the piles.
- The existing concrete road and other hardstanding/footpaths between the existing and proposed buildings within the RPA are to be removed – this should benefit the Oak.
- The oak has been substantially crown reduced in the past and managed to lessen the potential for future stem/limb failures; new pruning is recommended in the arboricultural survey in this respect. These works have had (and will have) the effect of reducing the crown size and, with it, the moisture and nutrient uptake requirements of the oak.

- Regardless of the new build materials and foundations it is considered that the small extent of any new excavations which may be required would not cause any detriment to the health of long-term retention of the veteran oak, particularly given the other works being carried out within the RPA to enhance the ground conditions.
- All recommended tree protection measures in the arboricultural impact assessment must be put into place prior to the commencement of any works in the vicinity of retained trees. A detailed method statement to set out protection measures and phasing, etc. to minimise the potential impact of works on any vulnerable retained trees should be submitted for approval.

(Comments dated 2 August 2023):

No objection.

- No reference is made to the veteran tree adjacent to the proposed visitor centre because almost all of the new proposal (where it is within the RPA) is within the footprint of existing development. Subject to all protective measures taking place in accordance with the supporting arboricultural information there should be no detrimental impact to this tree.

(Comments dated 13 July 2023):

No objection.

- There is a significant topographical survey for the site and the detailed Arboricultural Survey (AS) and Impact Assessment (AIA) by Symbiosis are based on this. The AS and AIA are thorough and all aspects of the proposals and their effects on trees have been examined and considered.
- There are two main areas in the proposals that are likely to cause most concern due to the extent of tree removal required: the proposed new vehicular access into the estate from the A513 along the Lichfield Drive, and the proposed new parking areas.
- To facilitate the proposed parking areas 11 category B and 11 category C (poor quality) trees would need to be removed, along with approximately 1ha of unmanaged and poor-quality conifer plantation. The proposed car park would not require the removal of any category A trees.
- A block of the plantation would be retained between the two car parks which would aid in breaking up their visual extent.
- A block of trees would be retained on the north side of the main car park but a line of poor quality Sycamores would require removal along the railway fence line in order to facilitate the new egress from the car park.
- The proposed access into the estate from the A513 would require the removal of two category A trees, 15 category B trees and 45 category C (poor quality) trees from the woodland belt which defines the north side of the road. A mix of category A, B, and C trees would be retained between the new access and the existing access (to be closed off). Whilst the proposed tree removals would cause some initial detriment to the character of this local area I do not consider that the detriment will be long-term due to the number of trees being retained. Distant approaches/views from both directions to the new access are likely to be largely unaffected.
- Whilst there are clear disbenefits to the proposals caused by the removal of trees there would be only 1% of category A (best quality) trees removed across the whole of the site whilst 71% of those to be removed are category C (poor quality) or U (dead or dangerous). Retained trees and new planting across the sites/proposals would help to maintain the long-term character and historic value of the conservation area.
- The removal of trees in any situation is unfortunate, and particularly if this is unavoidable. Whilst removals could be avoided this would mean that the whole project would be at risk and/or could not be implemented and the restoration of the historic

parkland and setting would not be possible. On balance it is considered that the long-term benefits outweigh any short term disbenefits caused by tree losses and accordingly there is no objection to the proposed development.

- A condition is recommended to ensure tree protection; an arboricultural method statement should be submitted and approved prior to the commencement of development.

Biodiversity Officer

(Comments dated 14 July 2023):

No objection.

- Pearce Environment undertook a Preliminary Ecological Appraisal in June/July 2022. A Biodiversity Net Gain Assessment report by Wildwood Ecology is submitted in support of the application.
- Conditions are recommended to ensure the following:
 - o Development to be carried out in accordance with a Construction Environment Management Plan (CEMP) supervised by an Ecological Clerk of Works, and which includes all details of Reasonable Avoidance Measures (RAMs) recommended by Pearce Environment.
 - o Reasonable Avoidance Measures should be implemented as stated with regard to badgers, reptiles, amphibians, and great crested newts.
- Areas should be retained and/or enhanced as grassland, with a mosaic of scrub/trees, and planting to benefit local amphibian populations.
- A new wildlife pond would be created, a minimum of 100sqm with shallow sides and shallower, mid depth margin, down to a sump.
- The site should be managed to benefit the species, including leaving dead wood piles, dead hedging, etc.
- The following provision should be made:
 - o 3 Amphibian hibernacula
 - o 5 Habitat/log piles
 - o 4 Bat boxes
 - o 2 Bat tiles
 - o 2 artificial badger setts
 - o 20 bird nesting boxes for passerine bird species (to include provision for swifts, house martins, sparrows, kestrels, tawny owls, and barn owls).
- External lighting should be installed in accordance with an appropriate plan to avoid light spill on boxes and commuting areas.
- Vegetation works should not be undertaken in the nesting season unless it can be demonstrated by the developer that breeding birds will not be affected.
- The Biodiversity Net Gain report indicates a 22% uplift in habitat units and 23.6% uplift in hedgerow units. Recommendations for restoration of Wood Pasture and Parkland, and Lowland Acid Grassland should be carried out. Subsequent management will be key in achieving/maintaining the required condition. A restoration plan should be secured by condition along with a plan for monitoring and reporting.
- Revised landscaping plans should be secured by condition, to include provision of new hedgerows and tree planting of appropriate native species.

Newt Officer

(Comments dated 12 July 2023):

No objection.

- The ecological report and reasonable avoidance measures/non-licensed method statement are acceptable and should reduce and avoid any likely impact upon great crested newts (GCN).
- A condition is recommended to secure the measures.
- An informative is recommended as a precaution to bring to the attention of the applicant the protected status of GCN.

(Comments dated 6 July 2023):

Objection.

- The application site is within the amber impact risk zone for great crested newts (GCN) where there is highly suitable habitat and a high likelihood of GCN presence.
- There are 16 ponds within 500m of the application site, the closest being within 5m of the northern boundary, and there are recent GCN records within 350m of the site.
- There is connectivity between the application site and surrounding features in the landscape via woodland and grassland.
- The applicant has not provided any ecological information in support of the application, apart from a biodiversity net gain assessment. It cannot, therefore, be determined whether there is a likely impact to GCN and/or their habitats.

Environment Agency

Please refer to standing advice.

Lead Local Flood Authority

(Comments dated 17 July 2023):

No objection subject to conditions to ensure the implementation of the approved drainage scheme and its maintenance in accordance with details to be approved.

County Rights of Way Officer

(Comments dated 27 June 2023):

No objection.

- Public bridleway (64 Colwich) crosses the application site and would be directly impacted by the proposed development.
- The bridleway starts east of White Barn Farm, runs west of the walled garden, east of park farm, heading northeast, then crosses Essex Bridge. It also makes up part of the Staffordshire Way promoted route.
- The granting of planning permission would not constitute authority for any interference with the public right of way and associated items, including its obstruction.
- If the bridleway requires diversion as a result of the proposed development, the applicant must apply to divert the right of way to allow the development to commence.

Environmental Health Officer:

No objection.

- The Ground investigation reports are satisfactory.
- The area of the former military use has been identified as having discrete areas of asbestos containing materials (ACM), the recommendations to manage and contain 'found' asbestos during excavations/construction must be adopted in accordance with the Land Contamination Assessment (report reference 893-30).

- There are no specific comments with regard to noise mitigations/dust management or lighting overspill.
- The following general conditions are recommended:
 - o Restriction of hours of works and demolition.
 - o Prohibition of burning on site during development
 - o Proper removal and disposal of all demolition materials.
 - o Provision of facilities at the site to be used when necessary for damping down to prevent excessive dust.
 - o High intensity site lighting during works should be directed away from nearby residences.

Staffordshire Police

(Comments dated 7 July 2023):

No objection.

- Electric vehicle charging points should be installed within the car park.
- Lighting around the site should allow for safe passage for pedestrians and vehicles.
- Secure bicycle parking should be provided in an area with good surveillance.
- Solar PV panels should be on roofs which are difficult to access and should be secured with theft resistant fastenings.
- The WWII hut should be access controlled at all times.
- The visitor welcome centre should be alarmed.

HS2

(Comments dated 3 July 2023)

No comment response.

Network Rail

(Comments dated 13 July 2023):

No objection.

- The applicant grants leases to Network Rail so they should be aware of these.
- It is requested that the applicant contact Network Rail so it can be understood what works are proposed in the vicinity of the lease area. Network Rail have rights to access and park at Lichfield Lodge and Trout Farm; both are included in the site plan.

Colwich Parish Council:

No objection.

- The Parish Council is unanimously supportive of the proposed development.

Neighbours (48 consulted):

Two representations received in support of the proposed development, raising the following points:

- The proposal would greatly enhance and restore the landscape of the park.
- The proposal would help to develop and improve this tourist facility.
- The current access is awkward and easily obstructed by traffic.
- The current access results in vehicles and pedestrians using a narrow lane for a significant distance.
- Resulting harm to biodiversity would be mitigated to provide a net gain.

Five representations received in objection to the proposed development, raising the following points:

- Encouraging an increase in visitor numbers would lead to an increase in the volume and speed of the traffic on a busy road.
- The existing car park is relatively new and locating a car park further from the attractions is not environmentally advisable.
- Increased vehicle numbers leaving the site in the existing dangerous location is not advisable.
- The proposed access would be inadequate and unsafe.
- The proposed driveway would cut through woodland.
- Harm to biodiversity on the site.
- Loss of walking routes.
- The need for carparking would be reduced if investment was made in subsidising public transport to the estate.
- The proposed access route would not accommodate local access or those using public transport.
- There would be no pedestrian access to the proposed access junction.
- The design of the visitor centre is not in keeping with the estate. The modular building currently in use are small and relatively unobtrusive by comparison.
- The proposed visitor centre is unnecessarily large and duplicates facilities provided elsewhere in the estate in more appropriate locations.
- The proposed development would risk harm to, or loss of, a veteran tree.

One representation received, neither in support nor objection to the proposed development, raising the following points:

- It is unclear how the design would allow continued use of the bridleway to Essex Bridge.

Site notice expiry date: 11 January 2024

Newsletter advert expiry date: 10 January 2024

Relevant Planning History

74/01162/SCG – Proposed erection of a one classroom mobile unit – Approved 12 February 1975

80/11252/SCG – Proposed mobile unit to be used as dining room – Approved 14 January 1981

85/17029/SCG – Timber dormitory block – Approved 20 February 1985

85/17032/SCG – Conversion of loco shed to exhibition area and workshops in association with county museum – Approved 20 February 1985

16/24902/FUL - Enhancement of the existing car park alongside surface improvements to existing areas to provide more all-weather car parking provision, designated disabled and larger standard spaces, complete with associated drainage, landscaping and screening – Approved 21 December 2016

16/25157/FUL - Erection of a timber framed ticket office structure with canopy – Approved 9 February 2017

17/25702/ADV – Welcome, admission and information signs – Approved 15 March 2017

17/26873/LBC – South walled garden remediation works – Approved 27 October 2017

19/31005/FUL – The creation of a temporary all weather buggy turning area complete with associated landscaping – Approved 31 October 2019

Recommendation 23/37238/FUL

Approve subject to the following conditions and the applicant entering into a planning obligation:

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
- 2 This permission relates to the originally submitted details and specification and to the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-

2202-3-010 P Existing Ground Floor Plan
 2202-3-020 P WW2 Building - Existing GF Plan
 2202-3-021 P WWII Building - Existing Roof Plan
 2202-3-030 P Walled Garden Building - Existing GF Plan
 2202-3-051 P WW2 Building - Existing Sections
 2202-3-060 P OEC Canteen Building - Existing Elevations
 2202-3-061 P WWII Building - Existing Elevations
 2202-3-062 P Walled Garden Building - Existing Elevations
 2202-3-110 P1 Visitor Centre- Proposed Ground Floor Plan
 2202-3-111 P1 Visitor Centre- Proposed Roof Plan
 2202-3-112 P Proposed Reflected Ceiling Plan
 2202-3-120 P2 WWII Building - Proposed GF Plan
 2202-3-121 P2 WWII Building - Proposed Roof Plan
 2202-3-130 P Walled Garden Building - Proposed GF Plan
 2202-3-201 P1 Visitor Welcome Building- Sections
 2202-3-220 P2 WW2 Building - Proposed Sections
 2202-3-301 P1 Visitor Welcome Building- E and W Elevations
 2202-3-302 P1 Visitor Welcome Building- NE and SW Elevations
 2202-3-303 P1 WC Building- Elevations
 2202-3-310 P2 WWII Building - Proposed Elevations
 2202-3-320 P Walled Garden Building - Proposed Elevations
 2202-3-500 P Visitor Centre and Toilet Block Section Details
 2202-3-501 P WWII Building - Proposed Details
 3599-LAN-ZZ-XX-DR-L-1001-P02 - Landscape Mitigation Strategy (1 of 3)
 3599-LAN-ZZ-XX-DR-L-1002-P01 - Landscape Mitigation Strategy (2 of 3)
 3599-LAN-ZZ-XX-DR-L-1003-P01 - Landscape Mitigation Strategy (3 of 3)
 893-30-CIV-XX-XX-D-C-30000 P06 PROPOSED BELOW GROUND DRAINAGE SITEWIDE
 893-30-CIV-XX-XX-D-C-30001 P02 PROPOSED BELOW GROUND DRAINAGE SHEET 1
 893-30-CIV-XX-XX-D-C-30002 P06 PROPOSED BELOW GROUND DRAINAGE SHEET 2
 893-30-CIV-XX-XX-D-C-30003 P06 PROPOSED BELOW GROUND DRAINAGE SHEET 3
 893-30-CIV-XX-XX-D-C-30004 P06 PROPOSED BELOW GROUND DRAINAGE SHEET 4

893-30-CIV-XX-XX-D-C-30005 P06 PROPOSED BELOW GROUND DRAINAGE SHEET 5

893-30-CIV-XX-XX-D-G-20011 P04 FFL CONTOURS SITEWIDE

893-30-CIV-XX-XX-D-G-20012 P04 FFL CONTOURS SHEET 1

893-30-CIV-XX-XX-D-G-20013 P04 FFL CONTOURS SHEET 2

893-30-CIV-XX-XX-D-G-20014 P04 FFL CONTOURS SHEET 3

893-30-CIV-XX-XX-D-G-20015 P04 FFL CONTOURS SHEET 4

893-30-CIV-XX-XX-D-G-20016 P04 FFL CONTOURS SHEET 5

893-30-CIV-XX-XX-D-G-20017 P04 FFL CONTOURS SHEET 6

893-30-CIV-XX-XX-D-G-20018 P04 FFL CONTOURS SHEET 7

893-30-CIV-XX-XX-D-G-20019 P04 FFL CONTOURS SHEET 8

893-30-CIV-XX-XX-D-G-20020 P04 FFL CONTOURS SHEET 9

893-30-CIV-XX-XX-D-G-20021 P04 FFL CONTOURS SHEET 10

893-30-CIV-XX-XX-D-H-40100 P03 S278 and S38 SWEPT PATH PLAN

893-30-CIV-XX-XX-D-H-40130 P02

893-30-CIV-XX-XX-D-H-40131 P02

893-30-CIV-XX-XX-D-H-40132 P02

893-30-CIV-XX-XX-D-H-40133 P02

893-30-CIV-XX-XX-D-H-40134 P02

893-30-CIV-XX-XX-D-Z-10010 P06 PLANNING RED LINE BOUNDARY SITE PLAN

893-30-CIV-XX-XX-D-Z-10011 P06 PLANNING RED LINE BOUNDARY SHEET 1

893-30-CIV-XX-XX-D-Z-10012 P06 PLANNING RED LINE BOUNDARY SHEET 2

893-30-CIV-XX-XX-D-Z-90100 P03 S278 and S38 BOUNDARY PLAN SITE WIDE

893-30-CIV-XX-XX-D-Z-90101 P03 S278 and S38 BOUNDARY PLAN SHEET 1

893-30-CIV-XX-XX-D-Z-90102 P03 S278 and S38 BOUNDARY PLAN SHEET 2

893-30-CIV-XX-XX-D-Z-90103 P03 S278 and S38 BOUNDARY PLAN SHEET 3

893-30-CIV-XX-XX-D-Z-90104 P03 S278 and S38 BOUNDARY PLAN SHEET 4

893-30-CIV-XX-XX-D-Z-90130 P03 S278 and S38 GENERAL ARRANGEMENT PLAN SITE WIDE

893-30-CIV-XX-XX-D-Z-90131 P04 S278 and S38 GENERAL ARRANGEMENT PLAN SHEET 1

893-30-CIV-XX-XX-D-Z-90132 P04 S278 and S38 GENERAL ARRANGEMENT PLAN SHEET 2

893-30-CIV-XX-XX-D-Z-90133 P03 S278 and S38 GENERAL ARRANGEMENT PLAN SHEET 3

893-30-CIV-XX-XX-D-Z-90134 P03 S278 and S38 GENERAL ARRANGEMENT PLAN SHEET 4

893-30-CIV-XX-XX-D-Z-90500 P01 S278 and S38 LOCATION PLAN

TNT-SUG_HTA-L_DR-0900 04 Landscape Masterplan

TUT-SUG_HTA-L_DR-0901 04 Lichfield Drive Entrance

TUT-SUG_HTA-L_DR-0902 04 Lichfield Drive and bridge

TUT-SUG_HTA-L_DR-0903 06 Lichfield Drive and car parks

TUT-SUG_HTA-L_DR-0904 05 Lichfield Drive and car parks

TUT-SUG_HTA-L_DR-0905 04 Existing Car Park and Walled Garden

TUT-SUG_HTA-L_DR-0906 05 Lichfield Drive

TUT-SUG_HTA-L_DR-0907 04 Park Farm

TUT-SUG_HTA-L_DR-0908 05 Mansion Car Park and Ladywalk

TUT-SUG_HTA-L_DR-0909 04 Mansion Car Park and House

TNT-SUG_HTA-L_DR-0910 04 Walled Garden

TUT-SUG_HTA-L_DR-0911 04 Forest Garden and Underley Cop
 TUT-SUG_HTA-L_DR-0912 05 Underley Cop and Parkland
 TUT-SUG_HTA-L_DR-0913 04 Walled garden south
 TUT-SUG_HTA-L_DR-0914 04 Underley Cop
 TUT-SUG_HTA-L_DR-0915 04 Visitor Centre and Underley Cop
 TUT-SUG_HTA-L_DR-0916 06 WWII Building
 TUT-SUG_HTA-L_DR-0917 04 Park Farm
 TUT-SUG_HTA-L_DR-0918 04 Park Farm
 TUT-SUG_HTA-L_DR-0919 05 Mansion Car Park
 TUT-SUG_HTA-L_DR-0920 04 Existing entrance
 TUT-SUG_HTA-L_DR-0945 05 Visitor Centre
 TUT-SUG_HTA-L_DR-1001 03 Existing Site Plan Lichfield drive
 TUT-SUG_HTA-L_DR-1002 03 Existing Site Plan Lichfield drive and bridge
 TUT-SUG_HTA-L_DR-1003 03 Existing Site Plan Lichfield drive
 TUT-SUG_HTA-L_DR-1004 03 Existing Site Plan Lichfield drive and Haha
 TUT-SUG_HTA-L_DR-1005 03 Existing Site Plan Existing car park and walled garden
 TUT-SUG_HTA-L_DR-1006 03 Existing Site Plan Lichfield drive
 TUT-SUG_HTA-L_DR-1007 03 Existing Site Plan Park Farm
 TUT-SUG_HTA-L_DR-1008 03 Existing Site Plan Mansion Car park and gardens
 TUT-SUG_HTA-L_DR-1009 03 Existing Site Plan Mansion Car park and House
 TUT-SUG_HTA-L_DR-1010 03 Existing Site Plan W11Building
 TUT-SUG_HTA-L_DR-1011 03 Existing Site Plan Existing entrance
 TNT-SUG_HTA-L_DR-1900 06 Site Landscape Masterplan
 TNT-SUG_HTA-L_DR-3901 P05 Section Walled Garden
 TNT-SUG_HTA-L_DR-3902 P04 Section East annex
 TNT-SUG_HTA-L_DR-3903 P04 Section Northern route
 TNT-SUG_HTA-L_DR-3904 P03 Section Southern route
 TNT-SUG_HTA-L_DR-3905 P01 Section Walled Garden
 TNT-SUG_HTA-L_DR-3906 P04 Section Parkland route
 TNT-SUG_HTA-L_DR-3907 P04 Section visitor centre
 TNT-SUG_HTA-L_DR-3908 P04 Section Entrance junction
 TUT-SUG_HTA-L_DR-9521 06 TR and R Lichfield Drive Junction
 TUT-SUG_HTA-L_DR-9522 07 TR and R Lichfield Drive and Bridge
 TUT-SUG_HTA-L_DR-9523 07 TR and R Lichfield Drive and car parks
 TUT-SUG_HTA-L_DR-9524 07 TR and R Lichfield Drive and car parks
 TUT-SUG_HTA-L_DR-9525 06 TR and R Existing Car Park and Walled Garden
 TUT-SUG_HTA-L_DR-9526 07 TR and R Lichfield Drive
 TUT-SUG_HTA-L_DR-9527 06 TR and R Park Farm
 TUT-SUG_HTA-L_DR-9528 06 TR and R Mansion Car Park
 TUT-SUG_HTA-L_DR-9529 07 TR and R WWII Building and Lichfield Drive
 2202-3-100 Rev A - Visitor Centre Proposed Site Plan

- 3 Other than pre-development ecological mitigation works, and hedgerow and tree removal, no development shall take place unless and until an Archaeological Management Plan (AMP) has first been submitted to, and approved in writing by, the Local Planning Authority. The AMP shall provide details of the programme of archaeological works to be carried out within the site, including post-excavation reporting and appropriate publication. The development shall thereafter be implemented in accordance with the approved Archaeological Management Plan and the development shall not be brought into use unless and until the site investigation and post-excavation assessment has been completed in accordance with the approved AMP.
- 4 Other than pre-development ecological mitigation works, and hedgerow and tree removal, no development shall take place unless and until a Construction Management Plan (CMP) has been submitted to, and approved in writing by, the local planning authority. The CMP shall include, but not be limited to, details relating to the hours of works and associated deliveries, and mitigation measures relating to dust, noise and general disturbance during development works. The development shall thereafter be carried out in accordance with the approved CMP.
- 5 No above ground construction works shall commence unless and until a Landscape Ecological Management Plan (LEMP) has been submitted to, and approved in writing by, the local planning authority. The LEMP shall include the following details, including timescales for the works, and ongoing maintenance, management, monitoring, and reporting. The development shall thereafter be carried out in accordance with the approved LEMP.
- (i) Details of areas to be retained, enhanced, or restored as acid grassland/parkland and wood pasture.
 - (ii) Details of 3 amphibian hibernacula and 5 habitat/log piles to be provided.
 - (iii) Details of planting to benefit local amphibian populations.
 - (iv) Other management of the site to benefit herptiles, such as the provision of dead wood piles and dead hedging.
 - (v) Provision of a new wildlife pond (in the location of pond WB3) as prescribed within the Preliminary Ecological Appraisal Report by Pearce Environment.
 - (vi) Provision of a minimum of 20 bird nesting boxes for passerine bird species as prescribed within the Preliminary Ecological Appraisal Report by Pearce Environment.
 - (vii) Provision of 1 tree-mounted kestrel nesting box within a mature tree.
 - (viii) Provision of 1 nesting box for Tawny Owls.

The development shall thereafter be carried out in accordance with the approved LEMP.

6. No development shall take place, other than pre-development ecological mitigation works, and hedgerow and tree removal, unless and until an Arboricultural Method Statement (AMS) relative to the following specific areas of development/works (i-viii) has been submitted to, and approved in writing by, the local planning authority.
- (i) Visitor Welcome Centre
 - (ii) Visitor Car Parks

- (iii) New A513 Junction
- (iv) Lichfield Drive and WWII Track
- (v) WWII Maintenance Building
- (vi) Egress Road and Sher Brook Bridge
- (vii) Underley Cop
- (viii) Mansion House Car Park

The AMS shall include the details set out in points a-e of this condition.

- (a) The type, position, phasing (including any repositioning), and the final removal of tree protective fencing and ground protection measures.
 - (b) Special construction techniques to be used where development falls within the RPA (Root Protection Area) of retained trees.
 - (c) Any excavation for new drainage or services (or alterations to existing) within the RPA of any retained tree, to be shown on plans within the AMS and mitigation measures to minimise the effect of these works on tree roots and the RPA where it is not possible to provide drainage or services outside of the RPA.
 - (d) Amended details for the position/shape of the Standing Advice's 'enhanced' RPA, the timing and method of removal of the existing tarmac drive, the ground reinstatement and details for ensuring the exclusion of visitors from the new meadow area and veteran Oak tree (T429A) adjacent to the proposed visitor centre.
 - (e) Details of specific arboricultural supervision, site monitoring and recording.
 - (f) Thereafter the development shall be carried out in accordance with the approved details.
- 7 No tree removal or pruning shall be carried out unless and until a method statement has been submitted to, and approved in writing by, the local planning authority to demonstrate the timing of preparatory/pre-commencement tree removal and pruning, and the precautions to be taken to ensure no damage occurs to retained trees (including rooting environment) through felling operations and stump removal. All removal and pruning shall thereafter be carried out in accordance with the approved method statement.
- 8 The development shall be carried out in accordance with the recommendations of the land contamination assessment (reference 893-30-CIV-XX-XX-R-C-30002).
- 9 The development shall be carried out in accordance with the recommendations set out in the Badger report (reference 090622, dated August 2022) and the Badger update survey (dated January 2023) by Pearce Environment) to include the provision of two artificial badger setts prior to the removal of any existing sett.
- 10 The development shall be carried out in accordance with the recommendations made within section 5 of the Preliminary bat roost assessment and phase 2 bat survey report (reference 190922.PRA.BSR, dated December 2022, by Pearce Environment).

- 11 The development shall be carried out in accordance with the reasonable avoidance measures recommended within section 4.2 of the Preliminary Ecological Appraisal Report (reference 280622, dated December 2022, by Pearce Environment).
- 12 Notwithstanding any description or details of external materials in the application documents, no above-ground construction works shall be commenced with regard to the visitor welcome centre and W.C. block unless and until precise details or samples of the materials to be used in the construction of the external walls and roofs, as well as the windows, doors, and louvres have been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
- 13 Notwithstanding any description or details of external materials in the application documents, no above-ground construction works shall be commenced with regard to the extension to the WWII building unless and until precise details or samples of the materials to be used in the construction of the external walls and roofs have been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
- 14 Notwithstanding any description or detail within the application documents, the 'bolt down plastic kerbing' to the access drives shall have a dark green, dark grey, or black coloured finish and shall be retained as such thereafter.
- 15 Notwithstanding any description or detail within the application documents, any new or reclaimed facing brickwork to be used in the reconstruction of the corner of the grade II* listed walled garden shall be in accordance with a detailed specification and/or sample which shall first have been submitted to and approved in writing by the Local Planning Authority.
- 16 Notwithstanding any description or detail within the application documents, an NHL 2 lime mortar shall be used in the above ground reconstruction of the corner of the grade II* listed walled garden, and an NHL 5 lime mortar shall be used in the below ground brickwork.
- 17 Notwithstanding any description or detail within the application documents, any external coating to be applied to the brickwork of the WWII building shall be in lime, in accordance with full details and specification which shall first be submitted to, and approved in writing by, the Local Planning Authority.
- 18 Notwithstanding any description or detail within the application documents, all replacement windows and doors to the WWII building shall be installed in accordance with a detailed window and door condition report carried out by a suitably experienced and qualified joiner and full joinery details which shall first have been submitted to, and approved in writing by, the Local Planning Authority before the removal of any existing window or door. The joinery details shall include section drawings at 1:1 scale, elevation drawings at 1:10 scale, material, colour, finish, recesses, cill and header details, any transoms and or mullions, glazing and any glazing bars.

- 19 The solar photovoltaic panels indicated on drawing 2202-3-310 P2 shall be installed in accordance with details (to include their design, appearance, siting) which shall first have been submitted to and approved in writing by the local planning authority.
- 20 Before the proposed access route and car park are first brought into use the proposed timber railing, bollards, and vehicle height barrier (the vehicle control systems) shall be installed in accordance with details which shall first be submitted to, and approved in writing by the local planning authority.
- 21 All external lighting shall be installed in accordance with details which shall first be submitted to, and approved in writing by, the local planning authority, and which are broadly in accordance with the 'Considerations for effective lighting design' document by Elementa, dated November 2022.
- 22 The development hereby permitted shall not be brought into use until the drainage scheme has been provided in accordance with the following documents:
- Shugborough Estate Re-Orientation - Flood Risk Assessment and Drainage Strategy (893-30-CIV-XX-XX-R-C-30003, by Civic Engineers, dated 23rd January 2023)
 - Proposed Below Ground Drainage Layout Sitewide (893-30-CIV-XX-XX-D-C-30000 P06)
 - Proposed Below Ground Drainage Layout Sheet 1 (893-30-CIV-XX-XX-D-C-30001 P02)
 - Proposed Below Ground Drainage Layout Sheet 2 (893-30-CIV-XX-XX-D-C-30002 P06)
 - Proposed Below Ground Drainage Layout Sheet 3 (893-30-CIV-XX-XX-D-C-30003 P06)
 - Proposed Below Ground Drainage Layout Sheet 4 (893-30-CIV-XX-XX-D-C-30004 P06)
 - Proposed Below Ground Drainage Layout Sheet 5 (893-30-CIV-XX-XX-D-C-30005 P06)
- 23 The drainage system approved in pursuance of condition 22 of this permission shall be managed and maintained in accordance with a plan (to include details of a named body responsible for its implementation) which shall be submitted to, and approved in writing by, the local planning authority before the development is first brought into use.
- 24 Before the welcome centre is first brought into use a minimum of eight bird nesting boxes shall be provided in accordance with the recommendations made within paragraph 5.3.19 of the Preliminary bat roost assessment and phase 2 bat survey report (reference 190922.PRA.BSR, dated December 2022, by Pearce Environment). The bird boxes shall thereafter be retained.

- 25 Before the welcome centre is first brought into use a minimum of four bat boxes and two raised tiles shall be provided in accordance with the recommendations made within paragraphs 5.3.8 and 5.3.9 of the Preliminary bat roost assessment and phase 2 bat survey report (reference 190922.PRA.BSR, dated December 2022, by Pearce Environment). The bat boxes and raised tiles shall thereafter be retained.
- 26 Before the development is first brought into use a comprehensive tree planting scheme shall be submitted to, and approved in writing by, the local planning authority. The tree planting scheme shall include details of species, planting stock size, location of planting, a planting methodology, a methodology for the lifting and transplanting of any existing hedges, and a timetable for carrying out planting. The tree planting shall thereafter be carried out in accordance with the approved scheme unless the local planning authority gives written consent to any variation.
- 27 Notwithstanding any detail/description within the application documents, the proposed Lichfield Drive access junction with the A513 shall not be brought into use unless and until the road layout, road marking, and signage has been provided in accordance with details which shall first be submitted to, and approved in writing by, the local planning authority.
- 28 The development hereby permitted shall not be brought into use unless and until a travel plan has been submitted to, and approved in writing by, the Local Planning Authority. The Travel Plan shall set out proposals (including a timetable) to promote travel by sustainable modes. The Travel Plan shall be implemented in accordance with the timetable set out in that plan. Reports demonstrating progress in promoting sustainable transport measures shall be submitted to the Local Planning Authority annually (on the anniversary of the date of the planning consent) for approval for a period of five years from first use of the development.
- 29 Between 29th March and 2nd April 2024 inclusive (Easter Bank Holiday weekend) the number of vehicles (the 'baseline position') turning right from the A513 into the Shugborough Estate at the junction shown on drawing 893-30-CIV-XX-XX-D-Z-90500 P01 shall be monitored and recorded in accordance with a methodology which shall first be submitted to, and approved in writing by, the Local Planning Authority. The baseline position shall be provided to the local planning authority in writing on or before 30 April 2024. The number of vehicles turning right from the A513 into the Shugborough Estate at the junction shown on plan 893-30-CIV-XX-XX-D-Z-90500 P01 shall thereafter be monitored and recorded in accordance with the approved methodology over each Easter Bank Holiday weekend (Thursday to Monday inclusive) for a period of 5 years following the development first being brought into use and the results of the recording and monitoring shall be provided to the Local Planning Authority in writing within 28 days of the monitoring and recording taking place.

- 30 If, in any year within the 5 years following the development first being brought into use, the number of vehicles turning right from the A513 into the Shugborough Estate at the junction shown on plan 893-30-CIV-XX-XX-D-Z-90500 P01 exceeds 110% of the baseline position recorded in pursuance of condition 29 of this permission, a Traffic Management Scheme shall be installed, to include road signage (including advance directional signage) and road markings restricting motorised vehicles entering the Shugborough Estate from the A513 within 12 months of the monitoring a recording period within which the baseline position was exceeded.
- 31 Within 12 months of the new car park first being brought into use the existing visitor car park shall be returned to grass parkland, and thereafter retained as a such.

The reasons for the Council's decision to approve the development subject to the above conditions are:

- 1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 To define the permission.
- 3 In order to afford proper archaeological investigation recording and protection. (Policy N9 of The Plan for Stafford Borough).
- 4 To safeguard the amenities of the area (Policy N1e of The Plan for Stafford Borough).
- 5 In order to ensure that the development results in a net gain in biodiversity. (Paragraph 180 of the National Planning Policy Framework).
- 6 To enable the Local Planning Authority to consider the scheme of development and the landscaping proposals in relation to the existing trees and hedges. (Policy N4 of The Plan for Stafford Borough).
- 7 To enable the Local Planning Authority to consider the scheme of development and the landscaping proposals in relation to the existing trees and hedges. (Policy N4 of The Plan for Stafford Borough).
- 8 In order to ensure that adequate provision is made to safeguard human health. (Paragraph 189 of the National Planning Policy Framework and policy N1e of The Plan for Stafford Borough).
- 9 In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Paragraph 180 of the National Planning Policy Framework).
- 10 In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Paragraph 180 of the National Planning Policy Framework).

- 11 In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost. (Paragraph 180 of the National Planning Policy Framework).
- 12 To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
- 13 In order to safeguard the architectural and historic character of this Listed Building. (Policy N9 of The Plan for Stafford Borough).
- 14 In order to sustain and enhance the significance of the grade I listed Shugborough registered park and garden. (Policy N9 of The Plan for Stafford Borough).
- 15 In order to safeguard the architectural and historic character of this Grade II* Listed Building. (Policy N9 of The Plan for Stafford Borough).
- 16 In order to safeguard the architectural and historic character of this Grade II* Listed Building. (Policy N9 of The Plan for Stafford Borough).
- 17 In order to safeguard the architectural and historic character of this Listed Building. (Policy N9 of The Plan for Stafford Borough).
- 18 In order to retain the historic fabric of the building. (Policy N9 of The Plan for Stafford Borough).
- 19 In order to safeguard the architectural and historic character of this Listed Building. (Policy N9 of The Plan for Stafford Borough).
- 20 In order to sustain and enhance the significance of the grade I listed Shugborough registered park and garden. (Policy N9 of The Plan for Stafford Borough).
- 21 In order to ensure that the development does not result in damage or harm to legally protected species or their habitat/roost and in order to sustain and enhance the significance of the grade I listed Shugborough registered park and garden. (Paragraph 180 of the National Planning Policy Framework and Policy N9 of The Plan for Stafford Borough).
- 22 To prevent the increased risk of flooding both on and off site (Policy N2 of the Plan for Stafford Borough).
- 23 To prevent the increased risk of flooding both on and off site (Policy N2 of the Plan for Stafford Borough).
- 24 In order to ensure that the development results in a net gain in biodiversity. (Paragraph 180 of the National Planning Policy Framework).
- 25 In order to ensure that the development results in a net gain in biodiversity. (Paragraph 180 of the National Planning Policy Framework).

- 26 To ensure the satisfactory appearance of the development; to protect, conserve and enhance the landscape; and to protect the significance of the setting of the grade I listed Shugborough Hall. (Policies N1, N8, and N9 of The Plan for Stafford Borough).
- 27 In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
- 28 In order to encourage the use of sustainable transport modes and reduce the impact of traffic from new development on the road network. (Policy T1 (b, d, and g) of The Plan for Stafford Borough).
- 29 In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
- 30 In the interests of the safety and convenience of users of the highway. (Policy T1c of The Plan for Stafford Borough).
- 31 In order to safeguard and enhance the character of this part of the grade I listed Shugborough registered park and garden. (Policy N9 of The Plan for Stafford Borough).

informative(s)

- 1 In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015, as amended, and the National Planning Policy Framework 2023, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.
- 2 The applicant's attention is drawn to the comments of the local highway authority. All comments can be viewed online through the planning public access pages of the Council's website (www.staffordbc.gov.uk).
- 3 The applicant's attention is drawn to the comments of the County Rights of Way Officer. All comments can be viewed online through the planning public access pages of the Council's website (www.staffordbc.gov.uk).
- 4 The applicant's attention is drawn to the comments of Network Rail. All comments can be viewed online through the planning public access pages of the Council's website (www.staffordbc.gov.uk).
- 5 The applicant's attention is drawn to the comments of Staffordshire Police. All comments can be viewed online through the planning public access pages of the Council's website (www.staffordbc.gov.uk).

- 6 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; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.
- 7 The applicant's attention is drawn to the protected status of nesting birds and the requirement that they are not disrupted during the nesting season (March to August).

Recommendation 23/37342/LBC

Approve subject to the following conditions:

- 1 This Listed Building Consent is granted subject to the condition that the works to which it relates must be begun not later than the expiration of three years beginning with the date on which the consent is granted.
- 2 This Listed Building Consent relates to the originally submitted details and specification and to the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-

12045-0001-P02 - GA Proposed work
 2202-3-020 P WW2 Building - Existing GF Plan
 2202-3-021 P WWII Building - Existing Roof Plan
 2202-3-051 P WW2 Building - Existing Sections
 2202-3-061 P WWII Building - Existing Elevations
 2202-3-120 P2 WWII Building - Proposed GF Plan
 2202-3-121 P2 WWII Building - Proposed Roof Plan
 2202-3-220 P2 WW2 Building - Proposed Sections
 2202-3-310 P2 WWII Building - Proposed Elevations
 2202-3-501 P WWII Building - Proposed Details
 2202-3-512 P WWII Building - Junction details
 893-330-CIV-XX-XX-S-S-0053 P02 Proposed structure for curved wall repositioning - plan
 893-330-CIV-XX-XX-S-S-0054 P02 Structure for curved wall repositioning details
 NT1 Site location plan (1-2500)
 TUT-SUG_HTA-L_DR-0916 06 WWII Building
 Walled Garden SW Corner - Elevations Existing (1-100 A3)
 Walled Garden SW Corner - Elevations Proposed (1-100 A3)
 Walled Garden SW Corner - Plan Existing (1-100 A3)
 Walled Garden SW Corner - Plan Proposed (1-100 A3)

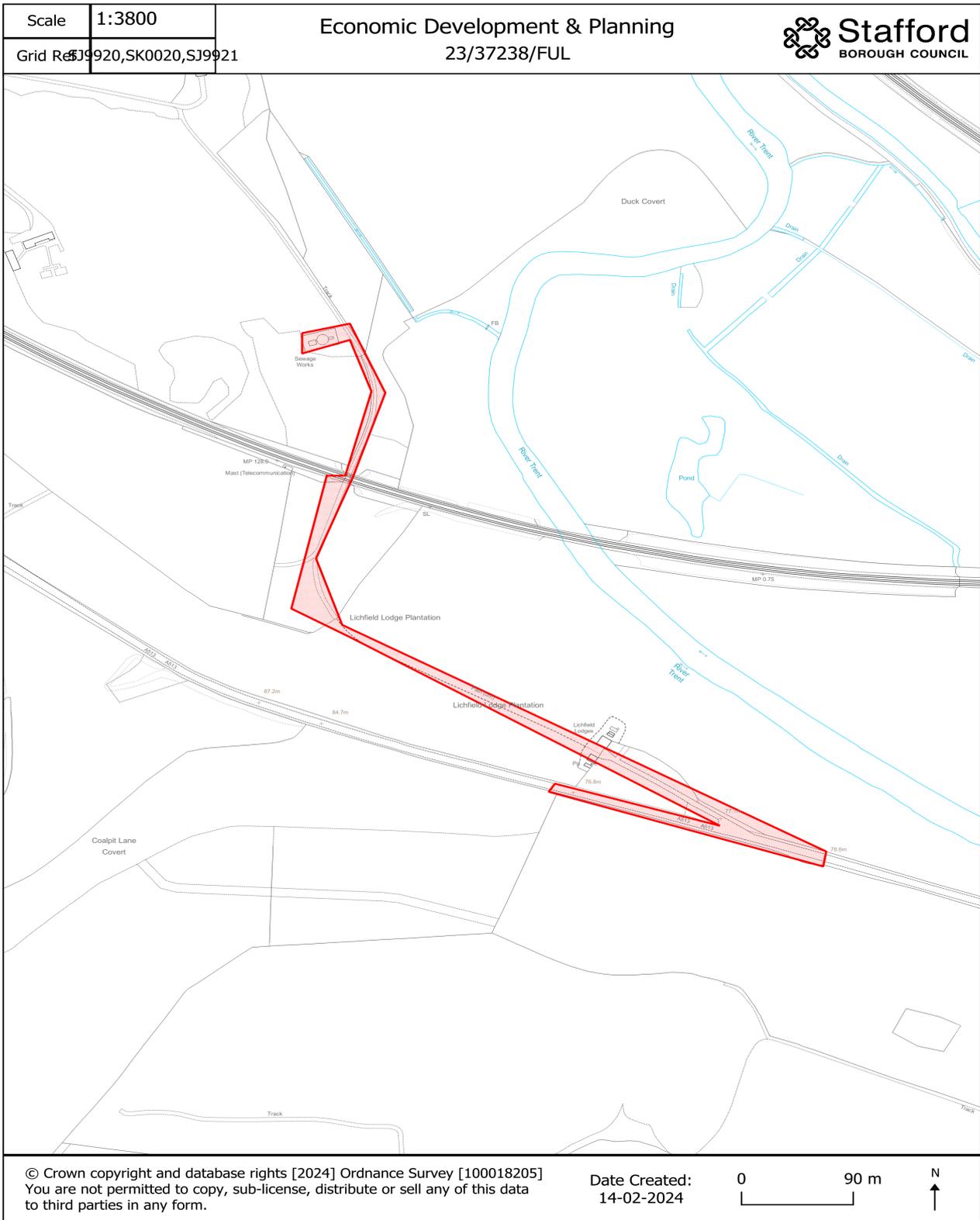
- 3 Notwithstanding any description or details of external materials in the application documents, no above-ground construction works shall be commenced with regard to the extension to the WWII building unless and until precise details or samples of the materials to be used in the construction of the external walls and roofs have been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.
- 4 Notwithstanding any description or detail within the application documents, any new or reclaimed facing brickwork to be used in the reconstruction of the corner of the grade II* listed walled garden shall be in accordance with a detailed specification and/or sample which shall first have been submitted to and approved in writing by the Local Planning Authority.
- 5 Notwithstanding any description or detail within the application documents, an NHL 2 lime mortar shall be used in the above ground reconstruction of the corner of the grade II* listed walled garden, and an NHL 5 lime mortar shall be used in the below ground brickwork.
- 6 Notwithstanding any description or detail within the application documents, any external coating to be applied to the brickwork of the WWII building shall be in lime, in accordance with full details and specification which shall first be submitted to, and approved in writing by, the Local Planning Authority.
- 7 Notwithstanding any description or detail within the application documents, all replacement windows and doors to the WWII building shall be installed in accordance with a detailed window and door condition report carried out by a suitably experienced and qualified joiner and full joinery details which shall first have been submitted to, and approved in writing by, the Local Planning Authority before the removal of any existing window or door. The joinery details shall include section drawings at 1:1 scale, elevation drawings at 1:10 scale, material, colour, finish, recesses, cill and header details, any transoms and or mullions, glazing and any glazing bars.
- 8 The solar photovoltaic panels indicated on drawing 2202-3-310 P2 shall be installed in accordance with details (to include their design, appearance, siting) which shall first have been submitted to and approved in writing by the local planning authority.

The reasons for the Council's decision to approve the development subject to the above conditions are:

- 1 The time limit condition is imposed in order to comply with the requirements of Section 18 of the Planning (Listed Building and Conservation Areas) Act 1990.
- 2 To define the Listed Building Consent.
- 3 In order to safeguard the architectural and historic character of this Listed Building. (Policy N9 of The Plan for Stafford Borough).

- 4 In order to safeguard the architectural and historic character of this Grade II* Listed Building. (Policy N9 of The Plan for Stafford Borough).
- 5 In order to safeguard the architectural and historic character of this Grade II* Listed Building. (Policy N9 of The Plan for Stafford Borough).
- 6 In order to safeguard the architectural and historic character of this Listed Building. (Policy N9 of The Plan for Stafford Borough).
- 7 In order to retain the historic fabric of the building. (Policy N9 of The Plan for Stafford Borough).
- 8 In order to safeguard the architectural and historic character of this Listed Building. (Policy N9 of The Plan for Stafford Borough).

23/37238/FUL and 23/37342/LBC
Shugborough Park
Lichfield Road
Shugborough



Application:	23/37621/FUL
Case Officer:	Steven Hoang
Date Registered:	1 June 2023
Target Decision Date:	31 August 2023
Extended To:	30 November 2023
Address:	Land North of Lower Hanyards Farm, Hanyards Lane, Tixall
Ward:	Milwich
Proposal:	Installation of a 49.5MW Solar Energy Scheme consisting of non-reflective photovoltaic (PV) solar panels and associated infrastructure including sub-station, containers for transformers and inverters, CCTV, access tracks, landscape and ecological enhancements and means of access.
Applicant:	Mr Brian Henton
Recommendation:	Approve subject to conditions.

REASON FOR REFERRAL TO COMMITTEE

This application is for a large-scale major development which is exempt from the council's scheme of delegation, and has also been called-in by Councillor Beatty (Ward Member for Milwich) for the following reason(s):

"Proposed solar farm for members to consider: location, impact on the local topography, size, visual impact in the landscape; planning concerns of the local community, traffic movements. Whether (i) the proposed use of the agricultural land has been shown to be necessary and confirm that poorer quality land has been used in preference to higher quality land; and (ii) that the proposal allows for continued agricultural use and encourages biodiversity improvements around arrays".

SITE CONTEXT AND SURROUNDINGS

The application site (the site) is agricultural land extending approximately 62 hectares in area, with areas of woodland coppice to the west, north and east with small coppices to the south, the site is currently used for grazing and arable. The site is mainly contained on the northern side of Hanyards Lane and lies immediately to the north of Lower Hanyards Farm. Upper Hanyards Farm lies further to the east of the site. Characteristics within the site include two access tracks from Hanyards Lane which lead northwards to the centre of the field and also a single hedgerow which runs approximately 640m north to south. An existing National Grid Electricity Distribution (NGED) overhead cable intersects the southeastern part of the site, there is an existing electrical substation on site, this provides connection between an existing 71m high (measured to the blade) Wind Turbine located centrally within site and the grid. The Wind Turbine is known to have been erected during 2014.

The site gently slopes upwards to the north whilst there is a steeper rise in ground levels towards Upper Hanyards Farm to the east, “examination of the landform topography indicates that the site sits in a shallow bowl, generally falling away downslope to the south, southeast” (3DVS Landscape and Visual Impact Report). The site is partly bounded by ancient woodland immediately to the north, Staffordshire County Showground lies slightly further north from the woods. The west of the site is bounded by a dense woodland, creating a buffer between the Staffordshire University Centre and other developments further westwards. There is another dense area of woodland which lies further northeast from the site. Further agricultural fields lie immediately to the south of Hanyards Lane.

The site includes a large section of Hanyards Lane (the site access), which is a private road running off a junction at Tixall Road approximately 800m to the southwest of the site. Further away is the Western Road (A518), the site is located approximately 400m southeast of the A518. There is an existing PrOW (Public Right of Way) (Tixall.1628) which intersects Hanyards Lane, to the east of the site, as well as a Bridleway/PRoW that runs along Upper Hanyards Farm.

The Site is outside any defined settlement boundary or developmental limits of any designated industrial estate as shown on the Inset Plans to The Plan for Stafford Borough 2011-2031. The site is not designated within a conservation area and does not contain designated heritage assets, however Lower Hanyards Farm and Upper Hanyards Farm are both late 18th century Farmsteads which are non-designated heritage assets, the site is also part of the Staffordshire Historic Environment Record (HER). The site is designated by the Environment Agency as being within Flood Zone 1, an area of low flood risk.

The boundary of Ingestre Conservation Area lies approximately 400m to the east of the site, Tixall Conservation Area is of a further distance from the site (approximately 1.8km), but towards the southeast. Shugborough Hall Historic House and Garden are located further beyond the Tixall Conservation Area within the Cannock Chase AONB. The site does not fall within a SSSI (Site of Special Scientific Interest) or Local Nature Reserve (LNR), the nearest SSSI is Baswick Meadows and Kingston Pool Convert LNR, both sites are some distance towards the southwest of the site (beyond 2km).

During the period the application has been under consideration (October 2023), the Government announced the cancellation of the High-Speed Rail Link (HS2) which was originally proposed to pass through Stafford, immediately to the east of the site. Upper Hanyards Farm was intended to be demolished and a new public footpath/bridle way was expected to be re-routed further to the east, these works are no longer expected to commence.

EIA

Request for an EIA screening opinion was submitted to Stafford Borough Council on 20th Jan 2023. Following the appraisal, a decision letter 23/37024/ESS was issued stating that “on the basis of the information submitted the council concludes that the proposal is not likely to have significant environmental effects and is not EIA development”.

PROPOSAL

Planning permission is sought for a period of up to 40 years for the installation of a ground mounted photovoltaic (PV) solar farm development, expected to generate up to 49.5MW of electricity, together with associated works consisting of the following;

- Erection of frames, stanchions and tables to fix the solar panels
- Perimeter fencing (Deer fencing)
- NGED Substation
- Containers for housing spare transformers and inverters
- Pole mounted CCTV
- Extension of existing access routes
- Ecological enhancements and landscaping, including meadow planting and mitigation

The solar panels are designed on tables, typically consisting of 24no. individual panels (two rows of twelve panels finished with an anti-reflective coating to minimise glare. The tables will be fixed to the ground by galvanised steel stanchions, driven into the ground at a depth of 1.2m-1.5m. The panels are static (non-moving) and will be tilted at an angle of between 20-25 degrees facing south to maximise solar gain, thus the height of the lower edge of the tables are raised approximately 0.8m from ground level and rise to a maximum height of approximately 2.9m.

The proposed perimeter fencing surrounds the site boundary from the northern side of Hanyards Lane, a 2.2m high 'deer fence' with wire mesh supported on timber posts.

The NGED substation is proposed to be located adjacent to an existing access. The substation will be mostly enveloped by 2.4m high Palisade fencing along with associated electrical apparatus such as transformers, circuit breakers etc. Container housing will also be located immediately to the north of the proposed NGED substation, further containers are also located further to the north, west and east of the NGED substation.

An existing hedgerow is to be removed from the site. However, ecological enhancements are proposed to enrich existing hedges, such as wild meadow planting, tree and hedge planting. Also farm diversification has been proposed including continued production of animal feed and grazing.

OFFICER ASSESSMENT

Planning policy framework and material considerations

The Climate Change Act 2008 (as amended) sets a legally binding target to reduce net greenhouse gas emissions from their 1990 level by 100% by 2050, this is known as the 'net zero target'. During 2023 the Government made a commitment to reduce emissions by 78% compared with 1990 levels by 2035.

Section 70 of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan unless material considerations indicate otherwise.

The Development Plan is influenced at national government level by:

- National Planning Policy Framework (NPPF) 2023
- Planning Practice Guidance (PPG) 2021
- National Design Guide (NDG) 2019

The Development Plan consists of parts 1 and 2 of The Plan for Stafford Borough 2011-2031 (the PSB) adopted in 2014 and 2017 respectively. Other material considerations include the Borough's Supplementary Planning Document on Design (2018) (the SPD). Other guidance relevant to the proposal include the following:

- BRE Planning guidance for the development of large scale ground mounted solar PV systems
- BRE Agricultural Good Practice Guidance for Solar Farms
- BRE National Solar Centre Biodiversity Guidance for Solar Developments
- House of Commons Library: Planning and Solar Farms (July 2023)

The key planning considerations are:

- Principle of Development
- Impact on Character and Surroundings
- Impact on Heritage Assets
- Residential Amenity
- Highway Safety
- Biodiversity and Trees
- Flooding and Drainage

Principle of Development

The government in its Energy White Paper (December 2020) has set the aim of a fully decarbonised, reliable and low-cost power system by 2035. The government noted that a net-zero consistent electricity system is most likely to be composed predominantly of wind and solar power, although these renewable sources would need to be supplemented with other technologies such as nuclear, gas with carbon capture usage and storage and batteries.

According to the House of Commons Library: Planning and solar farms (July 2023), “The British Energy Security Strategy (April 2022) provided further detail on the government’s proposals for reducing its reliance on imported fossil fuels and

accelerating its deployment of domestic sources of energy. One of its aims set out in the Strategy was to “ramp up” the deployment of both rooftop and ground-mounted solar systems. The government said it intended to achieve a fivefold increase in solar power by 2035 (from a capacity of 14GW to 70GW)”.

Paragraph 157 of the NPPF explains that “The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure”.

The PSB contains overarching policies and principles, all of which are set under the umbrella of the purpose of the planning system being able to contribute to the achievement of sustainable development as set within Strategic Principle 1 (SP1) and section 2 of the NPPF. Spatial Principle 6 (SP6) (v) of the PSB gives support to rural sustainability through protecting and enhancing the environmental assets and character of the Borough whilst sustaining the social and economic fabric of its communities that can be achieved by promoting use of sources for renewable energy. Furthermore, policy E2 (ix) of the PSB explains that support will be given to rural sustainability by encouraging provision for renewable energy generation in rural areas outside of settlements identified in Spatial principle SP3 and outside the Green Belt, in accordance with policy N3 of the PSB. However, policy E2 seeks protection of the best and most versatile agricultural land (BMVAL) by using areas of poorer quality land in preference to higher quality land for new development as stipulated under clause (xi).

Land use

The NPPF defines BMVAL as being in grades 1, 2 and 3a. Poorer agricultural land is defined within grades 3b, 4 or 5. The site consists of a mixture of 3a Grade (35.55%), Grade 3b (56.03%), Grade 4 (8.31%) and a small amount of non-agricultural land (0.11%) according to the submitted Agricultural Land Certificate (ALC). According to the applicant, the land proposed to be used for the solar farm is not of sufficient quality to be used for human food production and is used for grazing and cultivating animal feed and other grade 3 land in the district is capable of producing food crops and is therefore judged to be of a slightly better quality.

The application is accompanied by a 'Continued Agricultural use Support Statement' which explains that animal feeding will be carried out on site, negating the need for feed to be brought in externally. According to the Planning Statement (para 3.5.2) "the design of the scheme allows land underneath and in between the solar arrays to be grazed by sheep, thus continuing an agricultural connection". BRE guidance states that "hardy livestock breeds are better suited to such autumn and winter grazing, when the forage is less nutritious and the principal aim is to prevent vegetation from overshadowing the leading (lower) edges of the PV modules (typically about 800-900mm high)". The lowest edges of the panels are 0.83m above ground which will potentially allow animal grazing according to BRE guidance. It is also acknowledged the proposed operation of the solar farm is intended to last no longer than 40 years and after that period the land is expected to be returned to full agricultural use. In light of this, the proposal is judged to be generally consistent with the aims and objectives of policy E2(xi) of the PSB.

Policy N3 of the PSB explains the development of schemes for the generation of renewable energy will be supported where there is no harm on residential amenity, limited adverse impacts on townscape, landscape and heritage assets, no harmful environmental impacts such as emissions, noise, water environment and has been accompanied by decommissioning conditions to allow the site to be restored following cessation of energy production. The application is supported with a 'Decommissioning Statement', however the use condition(s) should be imposed to require the development to be appropriately decommissioned in the future. Impacts on residential amenity, townscape, landscape, heritage and environmental impacts are examined in further sections of this report.

Policy N3 of the PSB also states that "in areas where other renewable energy schemes are in operation, the cumulative effect of additional developments will be an important factor that will be taken into consideration. Large scale renewable energy proposals should deliver economic, social and environmental benefits that are directly related to the proposed development". An additional Planning Statement outlining economic, social and environmental benefits was submitted during the determination of the application, it is noted there are potential job opportunities to be created locally to support socio-economic development, as well as the environmental benefits of renewable energy, farm diversity and biodiversity. Officers approached the applicant to consider securing employment and training opportunities locally by way of planning obligations, however it is understood that Borough's planning framework cannot demand employment, skills and training contributions to be secured locally within the borough, this can only be secured voluntarily by the applicant.

For the reasons outlined above, it is considered that the principle of the development accords with the overarching policies and principles of the PSB and the Framework, subject to the impact of the proposed development upon the character of the site and surrounding area, heritage assets, residential amenity, highway safety and natural environmental factors (biodiversity, flooding and drainage) being acceptable.

National Planning Policy Framework: Sections 2, 11, 14

The Plan for Stafford Borough

SP1 Presumption in Favour of Sustainable development

SP6 Achieving Rural Sustainability

E2 Sustainable Rural Development

N3 Low Carbon Sources and Renewable Energy

BRE Agricultural Good Practice Guidance for Solar Farms

Impact on Character and Surroundings

Section 12 of the NPPF seeks to achieve well-designed and beautiful places. The principles of the NPPF are also supported by the National Design Guide (NDG). Policies N1 and N8 of the PSB seek to secure enhancements in design quality by meeting principles concerning 'use', 'form', 'space' and 'movement', as well as expectations for new developments to reinforce and respect the character of the settlement and the landscape setting, through the design and layout that includes use of sustainable building materials and techniques that are sympathetic to the landscape.

Cancellation of HS2

It is acknowledged the Planning Statement (para 3.4.1) mentions "the routing of HS2 east of Stafford has annexed an area of farmland and created an opportunity for a renewable energy development with an economically viable connection to the electricity grid". An announcement was made by the Prime Minister, 'Rishi Sunak' during the consideration of the application confirming the Government's cancellation of the HS2 route connecting London with Manchester, instead the high-speed rail link will terminate at Birmingham.

The applicant submitted an 'Additional Planning Statement: Implications of Recent HS2 Announcement' shortly after the cancellation of HS2 was confirmed. The additional statement explains that the main drivers of the site selection process still remain, which include a viable grid connection, a site with natural screening where overall environmental impacts are low and where planning impacts can be satisfied and also land availability. The design strategy of the scheme has not significantly changed as a result of the HS2 cancellation, however in response to the cancellation, mitigation/screening is proposed to the eastern part of the site.

Officers acknowledge due to the cancellation of HS2, Upper Hanyards Farm will no longer be demolished and also the existing footpath/bridleway would no longer require re-routing further to the east of Upper Hanyards Farm. However, it should be noted the proposed HS2 woodland will no longer be created, thus reducing screening to the east/northeast of the proposed solar farm site. Nevertheless, the design of the scheme shall be assessed in light of the implications of the HS2 cancellation.

Figure 3: Originally Proposed HS2 Works

Immediate Surroundings

There is existing 'Deer fencing' beside the roadside along the north of Hanyards Lane. The proposed perimeter fencing is considered to reflect the rural and prevailing character of Hanyards Lane. However, due to the large-scale nature of the solar farm development, the proposal would significantly change the character of Hanyards Lane. Design Midlands (Landscape Officer) stated 'the solar farm forms a dominant view in the landscape and will be clearly seen from users on the southern boundary from Lower Hanyards Farm and along lengths of Hanyards Lane including the exit/stile where from PRow emerges from the south. Hanyard Lane is a private road which appears little used'.

The PRow emerging from the south of Hanyards Lane is elevated from the site, although there are some existing hedges which partially screen the site, there will be a clear distant view of the solar arrays. There will also be clear distant elevated views of the solar arrays from the bridleway/PRow to the east of the site which runs northwards past Upper Hanyards Farm, however the views would not be facing the direction of travel.

In the amendments submitted, the proposed NGED substation has been rotated and set slightly further from Hanyards Lane, allowing some screening when viewed from Hanyards Lane. It is noted that the NGED substation will be mostly surrounded by 'Palisade' fencing, whilst this type of fencing is not sympathetic to the rural character of Hanyards Lane, it is understood the design is required to comply with safety regulations. The proposed storage containers will be located along the existing and extended access routes, their height of 3m would marginally exceed the height of the solar arrays and thereby mostly screened by the solar panels. The extended access tracks would have a negligible visual impact. The proposed CCTV will use infra-red technology and does not require perimeter lighting, there is no lighting proposed under this application.

Views

The application is supported with a Landscape Visual Impact Assessment (LVIA) produced by '3DVS' which is supplemented by ZTV (Zone of Theoretical Visualisation) layers and wireline images. The LVIA includes the following viewpoints (VPs):

- VP1 (A518, Weston Bank)
- VP2 (Nr Trent Walk)
- VP3 (Nr Trent Walk)
- VP4 (Hanyards Lane)
- VP5 (PRow, off Hanyards Lane)
- VP6 (Canal Tow Path, Staffordshire and Worcestershire Canal)

- VP7 (Open Parkland Shugborough Hall)
- VP8 (Footpath, Satnall Hills)
- VP9 (Satnall Hall)
- VP10 (Tow Path, Trent and Mersey canal)
- VP11 (Ingestre Village and Conservation Area)
- VP12 (St Thomas Priory)
- VP13 (Springhill Monument)
- VP14 (Hadrians Arch. Shugborough Park)

VP1 is taken from Weston Road (A518) facing south towards the site. The LVIA considers the impact from VP1 to be 'low, negligible or no impact'. VP2 and VP3 are taken from different locations by Trent Walk facing towards the site. The LVIA considers the impact from VP2 and VP3 to be 'very little or no impact'.

VP4 is taken from close to the site, facing north towards Staffordshire Showground to the north. The LVIA considers the magnitude of change to be 'very large' and in terms of assessed significance of visual impact to be medium. It is noted the LVIA factors the cumulative impact of the HS2 development, however updated information provided in an 'Additional Planning Statement' concerning the implications of the cancellation of the HS2 project confirms the assessed significance of visual impact would continue to be medium.

VP5 is taken from the PRoW by Hanyards Lane, facing southwest towards the site, an elevated view towards a gently downwards slope. The LVIA considers the magnitude of change to be 'very large' and in terms of assessed significance of visual impact to be medium. It is noted the LVIA factors the cumulative impact of the HS2 development, however updated information provided in an 'Additional Planning Statement' concerning the implications of the cancellation of the HS2 project confirms the assessed magnitude of change to remain 'very large' and also the significance of visual impact would continue to be medium.

VP6 has been taken from Canal Tow Path, Tixall Wide facing northwest towards the site. The LVIA explains the purpose of this viewpoint is to assess views from within the AONB, particularly impacts on the setting of Tixall Gatehouse. The LVIA considers the magnitude of change and significance to be negligible/zero.

With regards to VP7 (Open Parkland, Shugborough Hall), VP9 (Shugborough Hall), VP10 (Tow Path, Trent and Mersey Canal) and VP14 (Hadrians Arch, Shugborough Park), the LVIA determined the magnitude of change to all be 'negligible' and the significance of visual impact to be 'low/no impact/zero'.

Further south, VP8 (Footpath, Satnall Hills) and VP13 (Springhill Monument) were assessed by the LVIA and were both considered to be 'negligible' in terms of their magnitude of change and also their significance of impact to be 'zero'

VP12 (St Thomas Priory) taken from southwest of the site was assessed by the LVIA, the magnitude of change is considered 'negligible' and significance of visual impact to be 'zero'.

Officers acknowledge no VPs have been provided from the west of the site where there is a greater urban concentration. Given the dense woodland adjacent to the site, as well as the surrounding topography, officers consider there is adequate screening provided by the woodland to prevent the development from being visible from the west of the site.

AONB

A further viewpoint map was submitted during the determination of the application to confirm the location of VP15 (Millenium Sundial, Brocton Heights). The LVIA assessed the magnitude of change to be 'low' as only part of the proposal would be seen as a thin strip between areas of woodland. The significance of visual impact is considered as 'slight'.

The AONB were reconsulted following further details being submitted as their initial comments was an objection due to insufficient information provided within the LVIA. The AONB appreciate the technicalities of the LVIA has now been clarified. The AONB suggest that the existing hedgerow should be retained and additional tree-planting mitigation to the southwest of Hanyards Lane. The applicant has submitted revised drawings to provide additional tree planting along Hanyards Lane in response to the AONB comments, alongside visualisations to demonstrate the mitigation being proposed.

Reversibility of development

BRE guidance explains that "solar PV installations which are developed on agricultural ground should be 'reversible', allowing the site to be easily restored to a more intensive agricultural use. Intrusive development, such as trenching and foundations, should therefore be minimised and the use of mass concrete should be avoided. Where possible Solar PV arrays should be installed using 'pile' driven or screw foundations, or pre-moulded concrete blocks (shoes), and capable of easy removal".

Slim profile galvanised steel stanchions will be used and driven into the ground to support the solar arrays, no concrete base is required. The proposed perimeter fencing and CCTV pole would also be driven into the ground without requiring a concrete base. However, the proposed storage containers will stand on a concrete slab and hardcore base. The proposed NGED substation, together with transformers, switchgear room, circuit breakers and safety fencing will also require concrete support.

The use of concrete is considered to be minimal for a development of this scale. The minimal use of concrete, together with continued agricultural use and ecological enhancements, as well as appropriate management of the land, would potentially allow the land to be restored back to full agricultural use after the expected 40 year operational phase of the development.

Concluding remarks

The proposal would have a significant impact on the character of Hanyards Lane and there would be a clear distant view of development from the public footpaths/bridle way, however most of the distant views will not be within the direction of travel. The proposal, in terms of longer distant views, is not considered to create a significant magnitude of change or a high visual impact. Whilst the retention of the existing hedgerow would be preferred, the ecological enhancements and mitigation measures, including additional tree planting in response to AONB comments are welcomed. The construction methodology comprising minimal use of concrete would support site restoration and decommissioning of the temporary solar farm development. The impacts on Hanyards Lane is not considered to be avoidable despite mitigation because of the large scale nature of the development, however the most significant impact would be mainly contained within this quiet private road and would be reversible in the future.

Policies and Guidance:-

National Planning Policy Framework: Section 12, 15

The Plan for Stafford Borough

SP1 Presumption in Favour of Sustainable Development

N1 Design

N7 Cannock Chase AONB

N8 Landscape Character

BRE Planning guidance for the development of large scale ground mounted solar PV systems

Impact on Heritage Assets

Paragraph 205 of the NPPF states ‘when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.’ Furthermore paragraph 208 of the NPPF states that ‘where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.’

Policy N9 of the PSB expects development proposals to sustain and, where appropriate enhance the significance of heritage assets and their setting by understanding the heritage interest, encouraging sustainable re-use and promoting high design quality. Furthermore policy N9 states “where harm to significance is unavoidable, appropriate mitigation measures will be put into place, including archaeological investigation (including a written report) or recording. This information should be deposited at the County Record Office and be available to the general public”.

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. In relation to listed buildings and structures on-site and nearby, Section 66 of the Act states that special regard shall be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Designated Heritage Assets

Ingestre Conservation Area is located approximately 400m to the east of the site. The Grade II listed Ingestre Hall and also Ingestre Wood forms part of the

Conservation Area. The Conservation Area wraps around Ingestre Wood, this allows the dense woods to act as a screen between the proposed development and listed buildings within the Conservation Area. It should also be noted the woods are situated on private land and are not publicly accessible, thus the proposed development would not be visible from public vantage points within Ingestre Conservation Area. The Conservation Officer advises that due to the scale of the proposed development, there would be some impacts to the setting of Ingestre Conservation Area, however it is considered there would be less than substantial harm to the setting of the above designated heritage asset.

Tixall Conservation Area is located approximately 1.8km to the southeast of the site. The Heritage Statement submitted in support of the application considers due to existing intervening boundaries of Hanyards Lane, the farmstead of Lower Hanyards Farm and the woodland Ford belts, the visibility of the proposed solar farm will be limited from a distance. The Conservation Officer has advised the proposal would have less than substantial harm to Tixall Conservation Area.

It is acknowledged the Conservation Officer has expressed some concern about the submitted Heritage Statement due to it not assessing potential impacts on the Shugborough Estate. The Conservation Officer requests that additional information is required in the Heritage Statement to assess the impacts on Shugborough Estate.

Officers acknowledge the Planning Inspectorate regarding appeal decision (Ref: APP/Y3425/A/12/2186912) allowed the erection of 2no. wind turbines with a 55m hub height and 71m tip height (one within application site and one outside). Paragraph 7 of the appeal decision stated:

“The registered historic parks and gardens at Shugborough and Sandon are some 4km from the proposed turbines and the buildings stand amongst mature trees in the surrounding parkland. Any impact would, therefore, be very limited. The impact on the unregistered historic designed landscapes and conservation area at Tixall would be similarly limited. In views of the Tixall Gatehouse from the road, the turbines would be behind the trees to the left of the building. At Ingestre, the conservation area is screened by Ingestre Wood and The Mount and Mill Lane leading to Ingestre is bound by mature trees. There would be little impact on St Mary’s Church or the wider conservation area. Great Haywood and Shugborough conservation area is a significant distance from the proposal and views from it would be screened by intervening woodlands. Due to screening there would be little impact on the Triumphal arch at Shugborough.”

The LVIA included an assessment of VP7 (Open Parkland, Shugborough Hall), VP9 (Shugborough Hall), VP10 (Tow Path, Trent and Mersey Canal) and VP14 (Hadrians Arch, Shugborough Park), which considered the magnitude of change to all the above VPs as ‘negligible’ and also the significance of visual impact to be ‘low/no impact/zero’. In light of the above appeal decision, and also the information provided in the LVIA, it would be difficult to sustain a refusal in the event of an appeal due to insufficient information regarding impacts on Shugborough Estate. The impacts on Shugborough Estate are considered acceptable for the above reasons.

Non-designated Heritage Assets

There are two historic farmsteads within the immediate surroundings, Upper Hanyards Farm located to the north of Hanyards Lane and Lower Hanyards Farm abutting the south of the site. Both farmsteads are of historic and architectural interest locally, they are non-designated heritage assets for their contribution to the character and appearance of the historic landscape and for their role in understanding the farming practices of the historic Tixall and Ingestre Estates during the 18th and 19th centuries.

The Council’s Conservation Officer considers the large scale development proposed would result in significant harm to the non-designated heritage assets, however, the Conservation Officer also considers the public benefits of the proposed solar farm would outweigh the harm to the setting of the non-designated heritage assets. Mitigation was advised by the Conservation Officer; relocation of the proposed substation to the southwest corner of the site, reinstating historic boundaries and re-alignment of panels and refining details of proposed deer fencing.

The applicant has provided amendments to provide some mitigation. Officers acknowledge the existing NGED overhead cables do not intersect the southwestern section of the site and thereby understand the difficulties with relocating the substation. However, the substation has been relocated slightly further from Lower Hanyards Farm and also rotated to allow further planting along the southern boundary of the site to screen the proposed substation. Whilst it is noted the removal of the existing hedgerow continues to be proposed, additional trees (screening) and biodiversity enhancements have been incorporated into the amendments, thus officers consider the loss of the hedgerow would be

compensated by additional landscaping features. It is also acknowledged the cancellation of HS2 has prevented the demolition of Upper Hanyards Farm, preserving this non-designated heritage assets.

Archaeology

The site forms part of a Historic Environment Character Zone: St Thomas Priory and Tixall Heath. Pre-application advice from the County Archaeologist was sought on 28.04.2023. It was advised that a geophysical survey should be carried out pre-determination to inform the Archaeological Desk-based Assessment (ADBA).

A geophysical survey was submitted during the determination of the application to inform the ADBA which identified the site to have archaeological potential. The County Archaeologist has advised there are no objections subject to a further stage of archaeological evaluation such as trial trenching, which should be undertaken by an archaeologist/historic environment professional with suitable experience to prepare an appropriate brief or approved Written Scheme of Investigation (WSI). It is considered that a further stage of archaeological evaluation can be secured by way of condition(s).

Overall, the public benefits associated with the proposal would out-weigh the harm to the non-designated heritage assets at Lower Hanyards Farm and Upper Hanyards Farm, and also would not harm the setting of surrounding designated heritage assets. Subject to conditions, the proposal would preserve archaeological remains and potential, in accordance with policy N9 of the PSB and section 16 of the NPPF.

Policies and Guidance:-

National Planning Policy Framework: Section 16

The Plan for Stafford Borough

SP1 Presumption in Favour of Sustainable Development

N1 Design

N8 Landscape Character

N9 Historic Environment

Residential Amenity

Policy N1 of the PSB and the Design Supplementary Planning Document (SPD) seek to ensure that new development should not detract from residents' amenity, such as overlooking, privacy, daylight/sunlight and noise impacts.

The proposed solar tables will be tilted at an angle facing southwards, with a height of below 1m rising to a maximum height of under 3m. The nearest property is situated to the south at Lower Hanyards Farm, on the other side of Hanyards Lane. The separation distance between the proposed tables/solar panels would not cause any material loss of residential amenity with regards to loss of daylight/sunlight,

overshadowing or loss of outlook. The height of the proposed NGED substation would not exceed 5m at the ridge (eaves height 3.69m). The substation will be mostly enveloped by 2.4m high Palisade fencing along with associated electrical apparatus such as transformers, circuit breakers etc. Container housing with a height of 3m will also be located immediately to the north of the proposed NGED substation, further containers are also located further to the north, west and east of the NGED substation. The siting (including separation distance) of the above structures and associated apparatus would also not compromise the amenity of neighbours with regards to loss of daylight/sunlight, overshadowing or loss of outlook.

It is noted concerns were expressed by neighbours with regards to loss of privacy due the proposed CCTV. The proposed block plan (Drawing no.P01 Rev.C) indicates one perimeter CCTV on pole to be located at the eastern corner of the site, adjacent to Hanyards Lane. The siting of the CCTV is not within close proximity to neighbouring properties and thereby is not considered to cause a material loss of privacy.

A Noise Impact Assessment has been accompanied in support of the application, consisting of a survey carried out during February 2023. There were three Noise Sensitive Receptors (NSR) (residential dwellings) identified within the vicinity of the site; Lower Hanyards Farm, Upper Hanyards Farm and Berry Barn- 5 Park Farm Barns. The Assessment concluded the noise associated with the proposed solar farm is predicted to have a negligible impact to the nearest NSR.

It is noted an objection was raised with regards to the cumulative impact of noise being generated by the existing wind turbine. Officers do not consider the existing noise from the wind turbine to be amplified due to the proposed solar farm development. The Council's Environmental Health Officer has examined the Noise Impact Assessment and is satisfied the residential amenity of neighbours would not be compromised in terms of noise impacts. The Environmental Health Officer also examined the submitted Glint and Glare Assessment and confirmed no objections to the findings which concluded the impact on dwellings to be of a low significance.

In light of the above, the proposal is not considered to cause a detrimental impact upon the residential amenities enjoyed by neighbouring properties.

Policies and Guidance:-

National Planning Policy Framework: Section 12

The Plan for Stafford Borough

N1 Design

Highway Safety

Paragraph 115 of the NPPF stipulates that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'. The proposed solar farm development would mainly rely on an existing

vehicular access along Hanyards Lane, which forms a priority junction with Tixall Road approximately 800m to the southwest of the site as shown on the submitted swept path analysis.

The application is supported by a Transport Statement, dated May 2023. It should be noted Hanyards Lane was to be used for the HS2 development and to generate approximately 16 HGV movements a day. However, due to the cancellation of the HS2 project being announced, the number of HGV movements would consequently be reduced. The Highways Authority advised that the existing number of HGV vehicles using Hanyards Lane and the Tixall Lane junction are associated with the farms where a regular milk tanker collects 3 times per week.

There is expected to be a total of 1,000 vehicle trips associated with the construction of the solar farm which will incorporate a range of vehicle sizes up to the maximum legal length articulated HGVs, and over a 6-month period. This equates to a maximum of 5 HGV vehicles a day for a standard 5-day week. Vehicle arrival and departure times will be spread out across the day to allow deliveries to be managed efficiently on site.

The Highways Authority have confirmed that the impacts on the safety and efficiency of the highway would be acceptable, however a Construction Environmental Management Plan (CEMP) is required prior to the construction phase. The CEMP shall control the number of HGVs entering the compound at one time to avoid stacking, as well as to control delivery times and appropriate intervals are scheduled, alongside other construction activities.

In terms of the operational phase of the proposed solar farm, the traffic impacts are not considered to be significant due to the nature of the sites proposed use. Details of decommissioning have been submitted, however given that the lifetime of the development may last up to 40 years, circumstances may significantly change and thereby details of decommissioning regarding deconstruction traffic shall be requested by way of condition closer towards the end of the operational phase.

In conclusion, the proposal would generate significantly less construction traffic/HGV movements than the cancelled HS2 development. The construction phase is anticipated to last for 6 months, a significantly shorter construction period than the cancelled HS2 development. Subject to a condition to require a CEMP, the proposal is considered acceptable on highway grounds.

Policies and Guidance:-

National Planning Policy Framework: Section 9

The Plan for Stafford Borough

T1 Transport

T2 Parking and Manoeuvring Facilities

Biodiversity and Trees

Policy N4 of the PSB requires developments to ensure the Borough's natural environment will be protected, enhanced and improved. The enhancement and protection of biodiversity is also echoed by policy N8 of the PSB. The site does not fall within a SSSI (Site of Special Scientific Interest) or Local Nature Reserve (LNR), the nearest SSSI is Baswick Meadows and Kingston Pool Convert LNR, both sites are some distance towards the southwest of the site. The AONB is located further from the site towards the southeast. Given the significant distances between the site and the above designated sites, there will be no material impacts caused by the development upon the mentioned site designations.

According to the 'BRE National Solar Centre Biodiversity Guidance for Solar Developments', "recent studies of agri-environment schemes indicate that appropriate land management can bring about significant increases in wildlife populations on agricultural land. In the same way, with appropriate land management, solar farms have the potential to support wildlife and contribute to national biodiversity targets. Indeed, solar farms may have several additional advantages in that they are secure sites with little disturbance from humans and machinery once construction is complete. Recent research suggests biodiversity gains on solar farms can be significant". The application is accompanied by an Ecological Impact Assessment undertaken by 'RDF Ecology' which includes surveys taken during May/June 2022. The Borough's Biodiversity Officer has advised the surveys found no significant issues concerning protected species.

The proposal seeks to remove an existing hedgerow along the centre of the site which is considered to be 'species poor' according to the above survey. However, enhancements are proposed to include new hedgerow planting and enhancing hedgerow, alongside new wildflower grassland (30ha) with managed and grazed grass-land, the proposal seeks to deliver a total biodiversity net gain of 121% for habitat and above 15% for hedgerow. The Borough's Biodiversity Officer has advised that details of proposed habitat creation should be included in a detailed Biodiversity Enhancement and Management Plan (BEMP), it is considered appropriate to request details of BEMP by way of condition.

There are a few trees on the site and numerous woodland areas on adjacent land. The applicant has submitted a detailed Arboricultural Impact Assessment (AIA), including a clear schedule of the trees on and adjacent to the site, an Arboricultural Implications Plan and also a Shading Assessment (plan based).

The Borough's Tree Officer has advised that the AIA has adequately evaluated the trees and has shown the potential conflicts between the trees, however the overall impact is relatively low. The arboricultural information has not been accompanied with an Arboricultural Method Statement (AMS) for installation, however these details can be requested by way of condition.

In light of the above, subject to conditions, the proposal would provide a significant biodiversity net gain as advised in the BRE guidance and retain the health of adjacent trees and woodland in accordance with policies N4 and N8 of the PSB.

Policies and Guidance:-

National Planning Policy Framework: Section 15

The Plan for Stafford Borough

SP1 Presumption in Favour of Sustainable Development

N4 The Natural Environment and Green Infrastructure

N8 Landscape Character

BRE National Solar Centre Biodiversity Guidance for Solar Developments

Flooding and Drainage

There are two springs which pass through the site, however the site is designated within the Environment Agency's Flood Zone 1, the zone of least flood risk. The application is supported by a Flood Risk Assessment (FRA) prepared by EWE Associates Ltd. It should be noted the FRA has been amended following consultation with the Local Lead Flood Authority (LLFA).

The proposal seeks to store runoff in linear filter drains 1m wide and 1m deep located across the site between the groups of solar panels. Furthermore, linear swales are proposed (0.6m deep with top width of 3m) within the site boundary adjacent to receiving watercourses. The LLFA have examined the proposed drainage strategy, but further details of drainage design, infiltration testing, management plan for surface water drainage elements and plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system are required. The LLFA have advised that these details shall be requested by way of condition prior to the commencement of development. Compliance conditions will also be imposed to prevent soil erosion under the proposed solar panels and to also require the surface water management plan is adhered to during construction phase.

Subject to conditions, it is therefore considered that the proposed development accords with policies SP1 and N2 of the PSB.

Policies and Guidance:-

National Planning Policy Framework: Section 14

The Plan for Stafford Borough

SP1 Presumption in Favour of Sustainable Development

N2 Climate Change

Other Matters

Designing Out Crime Officer

The council were informed there have been a rise in incidents involving theft from solar farms and therefore advice to use Palisade fencing and CCTV was suggested as the proposed 'deer fencing would not be as effective against organised criminals. Whilst 'Palisade' would be more difficult for criminals to access the site, the design of the fencing would not be sympathetic to the character of Hanyards Lane. CCTV is proposed at Hanyards Lane to help secure the site from theft.

Staffordshire Fire and Rescue Service

The Council were advised on safety precautions concerning battery storage, however the proposal does not include any battery storage to be used. Also advised the proposal to include two access roads. In response, the applicant stated that, *"unfortunately, there is only a single road giving access to the site, other roads fall outside the boundary and outside the land ownership of the applicant. Hanyards Lane is an adopted highway and this already serves Lower Hanyards Farm, Upper Hanyards Farm and HS2. It is not feasibly to provide an alternative route as this is impractical. However, three alternative access points are available from Hanyards Lane into the site"*.

Parish Council (Ingestre with Tixall)

The parish council question how can the solar farm development be monitored to remain under 50MW. The proposal does not show how the generation of electricity from the proposed solar farm can be measured. However if the electricity output from the development exceeds 50MW, this would be outside the scope of any planning permission granted and a Development Consent Order would be required from the Secretary of State. Nevertheless, the council should determine the application based on the details and information submitted.

The parish council also question the cumulative impact of future solar farms once a substation has been built. The cumulative impact of any future solar farm proposals in the area would be examined and each application must be assessed upon their individual merits.

Concluding remarks and the planning balance

The recent adoption of the National Policy Statements (NPSs) on 17 January 2024 to provide planning guidance for developers of nationally significant energy infrastructure projects, is also intended to speed-up the decision making for the Secretary of State to determine Nationally Significant Infrastructure Projects (NSIPs) for renewable energy schemes, including renewable electricity generation such as solar power.

Whilst the proposal is not a NSIP, the development of the 49.5MW Solar Energy Scheme would help to accelerate the governments intentions towards achieving a fivefold increase in solar power by 2035 (from a capacity of 14GW to 70GW), to create a fully decarbonised, reliable and low-cost power system by 2035 and also meeting its net zero target by 2050.

The proposed development would enable agricultural practices to continue while delivering renewable energy, enabling a viable use and public benefit to the borough. Although the proposed 40 year operation of the solar farm is a long period of time, and can be considered to be a semi-permanent development, the construction methodology alongside the ecological enhancements is expected to allow the full agricultural use to be restored.

There will be a significant visual impact on Hanyards Lane which is unavoidable due to the scale of the development but is reversible in the future. The impacts on views further from the site would not be harmful, the development would preserve designated heritage assets and create a low impact on the AONB. There is no loss to the residential amenities enjoyed by surrounding neighbours.

The renewable energy development supports the government's aim towards tackling climate change as well as meeting its net zero target, the proposal is strongly balanced in accordance with the development plan policies and national guidance.

Consultations

Biodiversity Officer:

No objections were received, however a detailed Biodiversity Enhancement Management Plan (BEMP) is recommended. The imposition of a planning condition to request details of a BEMP shall be used in the event of permission being granted.

County Archaeologist:

No objection subject to pre-commencement condition to require a written scheme of investigation.

Conservation Officer:

Concerns were expressed against lack of information and assessment of Shugborough Estate being provided in the submitted Heritage Statement. However, the impacts on nearby non-designated heritage assets are considered to be outweighed by public benefits

Historic England

No comment

Highway Authority:

No objections subject to pre-commencement condition to require Construction Environmental management Plan (CEMP).

Natural England:

No objections to designated sites or loss of BMV agricultural land. Recommended that landscape advice is sought from Cannock Chase AONB.

Design Midlands:

The council sought the expertise of a Landscape Officer on behalf of Design Midlands. In summary, the following points were identified:

- The cancellation of HS2 has a potential bearing on the site. The proposals whether to proceed with the demolition Upper Farm, splitting of the farm, associated woodland planting and diversion of the Public Right of Way (PRoW) all have an implication on this development. Progress of PRoW diversion now seem unlikely to proceed.
- Part of the site is in grade good quality grade 3 arable grassland, including 3a.
- This solar farm will have an impact on the open countryside.
- Key views provided with HS2 adequate and supporting wireframe drawings are helpful.
- LVIA views re PRoW without HS2 woodland at Upper Hanyards farm may be helpful.
- The solar farm appears to have minor visual impact apart from afar and there is some screening due to the woodlands, general terrain and there are few properties in close proximity.
- There will be glimpsed views from the periphery of the site.
- The major impact will be from Hanyards lane and the PRoW.
- Key views are limited to Hanyards Lane, where the PRoW emerges on Hanyards Lane, the current PRoW and farm at Upper Hanyards Farm and to the north beyond the site.
- Hanyards Lane is a private road but the solar farm will be clearly visible, despite mitigation
- Hedgerow infill and planting is proposed at key points on the site boundary and along Hanyards Lane and at key boundaries to the site.
- Associated infrastructure seems close to Hanyards Lane and farm.
- Biodiversity figures indicate an improvement [grass 121 %, hedgerows 18%].
- 640m of species poor hedgerow along the boundary between the arable and grass land is being removed rather than replaced and / or improved.

Designing Out Crime Officer

No objections. However, advice on security fencing was received.

Environment Agency:

No objections were confirmed subject to condition to require a remediation strategy in the event that contamination is identified.

Forestry Commission:

No objections

Local Lead Flood Authority:

No objection subject to conditions to require further drainage details.

Environmental Health Officer:

The Ground Risk and Glint/Glare reports, and Glint/Glare information are satisfactory. A Construction Environmental Management Plan (CEMP) is recommended.

Staffordshire Fire and Rescue Service:

Non-objecting comments received with advice concerning battery storage and access.

Staffordshire County Council Rights of Way Officer:

No objections.

Local Lead Flood Authority (LLFA):

Following additional information being submitted, previous objections have been removed, compliance conditions and also a pre-commencements condition has been advised to request further drainage design details.

National Landscape (formerly known as AONB):

There were initial objections concerning insufficient information. Further information was submitted and a holding objection has been received which considers retaining existing hedgerow and mitigation.

Newt Officer:

No objection

National Trust:

Neutral comment received (neither objection nor support)

Tree Officer:

No objections subject to pre-commencement condition to require Arboricultural Method Statement (AMS).

NATS safeguarding

No objections.

Parish Council (Ingestre with Tixall):

A letter was received expressing an objection regarding the following concerns (numbered as per letter):

- (1) The parish council have mentioned that the proposed solar farm will generate just under 50MW of electricity and therefore does not require consent from the Secretary of State, and is therefore a cheaper option to obtain approval from the borough council. The parish council question how can the solar farm development be monitored to remain under 50MW?
- (2) Loss of agricultural land from HS2 and further loss of agricultural land due to proposed solar farm. Also cumulative impact of future solar farms once a substation has been built.
- (3) Construction Traffic, increase in HGVs in the area severely affecting roads not suitable for articulated lorries.
- (4) Why alternative/non-agricultural sites within the borough? Also why solar panels have not been built on residential, commercial or other land?
- (5 and 6) Proposed housing of batteries. Visual impact of proposed substation.
- (7, 8, 9 and 10) Possible leakage of chemicals from solar panels, loss of hedgerows, and lifetime of development in event of financial difficulty with the operator and also technological advancements.
- (11 and 12) impact on AONB, health, pollution, living conditions and natural environment.
- (13) Potential increase in rural crime.

Neighbours:

Notification letters were sent to neighbours and a site notice was displayed nearby the site. A notice was also published in the local press. 13 letters of objection were received expressing the following concerns;

- Visual Impact/character of countryside/rural location
- Heritage impacts
- Loss of agricultural land/food production

- Impact on AONB
- Loss of privacy from proposed CCTV
- Lack of Viewpoints from west of the site
- Glint and Glare
- Traffic/Road safety
- Pollution and Noise (including cumulative impact in conjunction with existing wind turbine)
- Drainage and Flooding

Concerns were also expressed regarding details of adjacent trees not being correctly stated in the application form and also screening/mitigation measures from woodland/forest further from the site not being within the application site and therefore not within the control of the applicant. In response, the Boroughs Tree Officer has requested further details concerning trees. The applicant does not have control over the surrounding woodlands/forests, officers cannot fully ensure that the screening provided by the surrounding woodlands/forests would remain throughout the entire lifetime of the development which is expected up to 40 years, however the surrounding woodlands/forests have not been allocated for future development and it would be unreasonable to consider that the woodlands/forests do offer screening.

There were also concerns that HS2 created an opportunity for the scheme and farm diversification details being vague. Further to the receipt of these concerns, the cancellation of the HS2 project was announced, the scheme shall be assessed in these circumstances, also additional information has been submitted with regards to the cancellation of HS2 and farm diversification.

Neighbouring comments also mentioned that there are no long-term plans for the disposal of the solar panels. A Decommissioning Statement has been submitted with the application which explains that the panels are intended to be recycled, however it is considered necessary to request decommissioning details closer towards the expected cessation of the solar farm operation which may be up to 40 years, a planning condition can be imposed to request this.

Light pollution was raised as a concern, however it should be noted that no lighting is proposed.

Concerns regarding impact on aviation was mentioned. It should be noted NATS Safeguarding were consulted and confirmed there are no objections.

Site Notice(s):

Expiry dates 03 November 2023

Adverts:

Expiry dates 09 August 2023

Relevant Planning History

- 12/17009/FUL - Erection of 2 no. wind turbines 250kW, 55m hub height, 71 metre tip height and 32m rotor diameter and associated infrastructure. Refused by council on 01.08.2012. Appeal allowed (Ref: APP/Y3425/A/12/2186912) on 30.05.2013.
- 13/19171/FUL - Erection of 1 no. wind turbine 500kW, 40m hub height, blade diameter of 54m and a tip height of 67m. Transformer station at base of turbine and all ancillary works– Permitted 13.12.2013.
- 22/36417/S17- Development authorised by the High Speed Rail (West Midlands - Crewe) Act 2021 for earthworks relating to the construction of four ecological mitigation ponds, one associated bund and the location of permanent fencing and four permanent gates. Permitted 27.09.2022.
- 22/36645/FUL - Replacement of existing silage clamps at Upper Hanyards Farm with new silage clamps at Lower Hanyards Farm. The clamps will measure 41.15 x 36.57m and will be divided in to 3 individual bays measuring 10.69m, 12.2m and 13.73m wide. Permitted 17.03.2023.
- 23/37285/S17- Development authorised by the High Speed Rail (West Midlands - Crewe) Act 2021 - Building works required for the construction of one bat house, one gate, one permanent watercourse crossing and permanent fencing. Permitted 10.05.2023.

Recommendation

Approve subject to the following conditions:

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.
- 2 This permission relates to the originally submitted details and specification and to the following drawings/documents, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-

Drawings:

P01 Rev.C (Proposed Block Plan)

P02 Rev.B (Proposed access and solar panel details)

P03 Rev.C (proposed Location Plan)

P04 Rev.A (Proposed 132kw NGED substation, proposed container housing for transformers, switchgear and inverters, fencing, gates and CCTV)

P05 (Existing Block Plan)

P06 (Existing Location Plan)

P07 Rev.A (Existing trees and woodland, proposed woodland route protection, existing and proposed hedges, existing and proposed trees)

P08 (Existing Land Drain Protection, during construction and access for maintenance during the lifetime of the solar farm)

EWE/3015/01 Rev.C (Drainage Strategy Infiltration Option 1)

EWE/3015/02 Rev.O (Drainage Strategy Discharge to watercourses)

257-HAN-DRW-TSA Rev.01 (Shading Analysis)

257-HAN-DRW-AIP Rev.01 (Overview)

2302703 (Swept Path Analysis)

Viewpoint Map with Site Boundary

Viewpoint Map (AONB)

ZTV (Zone of Theoretical Visualisation) drawing Nos; P08 (AONB, Local Nature Reserves and SSSI); P09 (Scheduled Monuments and Listed Buildings); P10 (Registered Battlefields, Parks and Gardens); P11 (Conservation Areas); P12 (Sections 1 to 6) and

P13 (Sections 7 to 9).

Viewpoint 1 (Existing and proposed)

VP-1 A518. Weston Rd to Marker 1

Viewpoint 2 (Existing and proposed)

VP-2 Trent Walk to Marker 1 (Bearing 191 deg)

Viewpoint 3 (Existing and proposed)

VP-3 Trent Walk to Marker 1(Bearing 150 deg)

Viewpoint 4 (Existing and proposed)

VP-4 Hanyards lane to Marker 1

Viewpoint 5 (Existing and 3D representation)

VP-5. PROW. Upper Hanyards to Marker

VP-6 Tow Path, Tixall Wide to Marker 1

Viewpoint 7: Open Parkland. Shugborough Park.

VP-7 Shugborough Hall to Marker 1

VP-8 Satnall Hills to Marker 1

VP-9 Shugborough Hall to Marker 1 (Bearing 297 deg)

VP-10 PRoW, Canal Path. Trent and Mersey Canal to Marker 1

VP-11 Ingestre CA to Marker 1

VP-12 St Thomas Priory to Marker 1

Viewpoint 13: Wireframe and Landscape Profile: Springhill Monument to Marker 1

Viewpoint 14: Wireframe and Landscape Profile: Hadrians Arch to Marker 1

VP15 Sundial Brocton NHeights

Viewpoint 15. Sundial. Brocton Heights (photo and wireline)

Agricultural Land Classification Plan (Produced on 26 June 2023)

Documents:

Glint and Glare Assessment: Lower Hanyards Farm (Rev.3.0, Dated 25 April 2023)

Additional Planning Statement - Economic, Social and Environmental Benefits
(Dated 16 December 2023)

Additional Tree and Hedge Planting Views from PROW and Hanyards Lane (Dated
16 December 2023)

Additional Planning Statement - implications of recent HS2 Announcement (31
October 2023)

Archaeological Desk-Based Assessment (Dated May 2023)

Archaeological geophysical survey May - June and September 2023 (Report
No.23/086)

Ecological Impact Assessment (Dated May 2023)

Flood Risk Assessment (Final Report) (Rev.G dated January 2024)

Noise Impact Assessment (Dated 11 May 2023) Phase 1 Desk study Report (Dated
April 2023)

Planning Statement (Dated 26 May 2023)

Built Heritage Statement produced by RPS (Ref: JAC28844.02 v.3, dated October
2023)

Heritage Addendum Report produced by RPS (Ref: JAC28844, dated 29
November 2023)

Arboricultural Impact Assessment

BS5837: 2012 Tree Survey

Continued Agricultural use Support Statement (Dated 14 September 2023)

Landscape and Visual impact assessment Part 1 Rev.A (Dated 19 September 2023)

Landscape and Visual impact assessment Part 2 Rev.A (Dated 19 September 2023)

Transport Statement (Dated May 2023)

Agricultural land Classification Report (produced on 26 June 2023)

Geophysical Survey Report (Dated 9 November 2023)

- 3 Within 1 month of the date of first export of electricity, confirmation shall be given in writing to the local planning authority of the date of first export to the Grid. The development hereby permitted shall cease on or before the expiry of a 40-year period from the date of the first export of electricity and the local planning authority shall be notified of the cessation of electricity generation and storage in writing no later than 5 working days after the event.
- 4 Within 3 months of the date of the Local Planning Authority receiving written notification of the cessation of electricity generation and storage pursuant to condition 3 of this permission, a Decommissioning Scheme shall be submitted to the local planning authority for approval in writing. The Decommissioning Scheme shall include, but not be limited to, the provision for the dismantling and removal from the site of the solar PV panels, frames, foundations, inverter housings and all associated structures, storage facilities, hard-surfacing and fencing, together with a scheme for the restoration of the land to its former condition and timetable for implantation and completion. The decommissioning shall thereafter be carried out strictly in accordance with the approved scheme.
- 5 In the event of the development ceasing to generate electricity for supply to the electricity grid network for a period in excess of 12 months, a Decommissioning Scheme shall be submitted to the local planning authority for approval in writing, no later than 3 months from the end of the 12-month period. The Decommissioning Scheme shall include and be subject the same provisions referred to in Condition 4 of this permission.
- 6 No demolition or construction works, together with any associated deliveries to the site shall take place outside the hours of 08.00 to 18.00 Mondays to Fridays and 08.00 to 14.00 on Saturdays or at any time on Sundays or Public/Bank Holidays.
- 7 The development shall comply with the operational noise level limits set out in the submitted 'Noise Impact Assessment' prepared by 'Environmental Noise Solutions Limited' (dated 11 May 2023) at all times.

- 8 If, during installation / construction works, contamination not previously identified is found to be present at the site, then no further development (unless otherwise first agreed in writing by the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.
- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that order with or without modification), no fences, barriers, gates, bollards or other means of enclosure, however temporary, shall be erected within the site following the practical completion of the development.
- 10 No external lighting or illumination shall be installed within the site or on the boundary of the site unless details have first been submitted to and approved in writing, by application, by the Local Planning Authority.
- 11 The development shall be implemented and operated in accordance with the measures listed in the Flood Risk Assessment, Final Report Rev G, EWE Associates Ltd, January 2024 to prevent soil erosion under the proposed solar panels. The measures shall include:
- Vegetation shall be left to grow longer underneath panels extending approximately 0.45m into each aisle.
 - Grass along the leading edge of the panels shall be left long and even when this is 'top-cut' during the summer it will not be cut any shorter than 300mm.
 - Regular inspections shall be carried out of the ground conditions underneath panels and if any areas are identified where vegetation is thinning, this will be treated and pre-planted to prevent any erosion occurring.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

- 12 Construction phase surface water management plan (Appendix D of Flood Risk Assessment, Final Report Rev G, EWE Associates Ltd, January 2024) shall be followed to allow the management of surface water and water quality until the time that the proposals are complete.

This shall include:

- Linear swales shall be constructed prior to any works commencing on the site.
- A 6m wide buffer zone shall be maintained around the existing land drains on site to ensure protection during the construction phase.
- Vegetation required for erosion protection shall be established prior to the construction phase.

13 The development shall not be commenced unless and until a scheme in accordance with Staffordshire SuDS Handbook has been submitted to, and approved in writing by, the local planning authority. The scheme shall be in compliance with the principles outlined in Flood Risk Assessment, Final Report Rev G, EWE Associates Ltd, January 2024 and include the following mitigation measures:

- Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus 40% climate change return periods.
- Surface water drainage system(s) designed in accordance with the Non-technical standards for sustainable drainage systems (DEFRA, March 2015).
- Evidence of infiltration testing in accordance with BRE365 shall be provided to prove the viability of the proposed infiltration-based drainage strategy on site:
- Should infiltration rates be acceptable, the site shall employ an infiltration-based solution for surface water drainage containing the 1 in 100yr + 40% event within the drainage network as per Drainage Strategy Infiltration Option 1, EWE/3015/01, Rev C, EWE Associates Ltd, 04.01.24. Storage volumes to be calculated on the basis of the infiltration rates obtained in the BRE365 testing.
- If infiltration does not prove viable following BRE365 testing, the applicant shall develop a drainage strategy based on the principles outlined in Drainage Strategy Discharge to Watercourses, EWE/3015/02, Rev O, EWE Associates Ltd, 04.01.24 to a 1 in 100yr + 40% CC standard with the following parameters:
 - Maximum discharge rate of 16.4l/s for Catchment 1 discharging to the unnamed watercourse to the south of the site with a minimum storage volume of 333m³
 - Maximum discharge rate of 10l/s for Catchment 2 discharging to the unnamed watercourse to the west of the site with a minimum storage volume of 645m³
- Access and maintenance roads shall be constructed using permeable materials to mimic the natural ground conditions.
- Swales shall be incorporated for storage and conveyance.
- Provision of supporting information to demonstrate that sufficient water quality measures have been incorporated into the design. This should be in accordance with the CIRIA SuDS Manual Simple Index Approach and SuDS treatment design criteria.
- Runoff from the substation compound shall be managed using filter drains.

- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system shall be provided.
 - A 6m wide continuous buffer strip shall be maintained around all land drains on site for access, inspection, and maintenance. This is identified in orange on Proposed Block Plan P01, Rev C, T J Coates Ltd, 05.03.23
 - Provision of a detailed management plan for all surface water drainage elements including information about erosion protection including the name and contact details of the party or parties responsible for each action.
- 14 Prior to commencement of development, details of the colour finishes to be used in the construction of the solar arrays, all fencing, substation(s), transformers, inverters, circuit breakers, spares container store, surfacing materials and CCTV poles hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be implemented in accordance with the approved materials.
- 15 No development shall not be commenced, including demolition works, ground works, construction activities and deliveries to the site of any materials or equipment, unless and until an Arboricultural Method Statement covering all aspects of development that are within the root protection areas of retained trees, or that have the potential to result in damage to retained trees, has been submitted to and approved in writing by the Local Planning Authority. The measures within the approved Arboricultural Method Statement for the development shall be implemented and maintained until the completion of all construction related activity, unless alternative details are otherwise first submitted to and approved in writing by the Local Planning Authority.
- 16 (a) Prior to the commencement of the development 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-excavation 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 brought into use until the site investigation and post-excavation assessment has been completed in accordance with the written scheme of archaeological investigation approved under (a) above.
- 17 No development shall commence until such time as a soil management plan which provides measures to improve soil quality and ensure that there will be no loss of soil quality within the operational lifetime of the site, has been submitted to, and approved in writing by, the Local Planning Authority. The soil management plan should contain a methodology for soil stripping during site development. Topsoil and subsoil should be stripped, stored and replaced separately to minimise soil damage and to provide optimum conditions for site restoration. The soil

management plan shall be implemented as approved throughout the life of the development.

- 18 Prior to the commencement of any construction works, including demolition, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by the Local Planning Authority. The approved management plan shall include details relating to construction access hours of construction, routing of HGV's, delivery times and the location of the contractors' compounds, cabins, material storage areas and contractors parking and a scheme for the management and suppression of dust and mud from construction activities including the provision of a vehicle wheel wash. It shall also include a method of demolition and restoration of the site. All site operations shall then be undertaken strictly in accordance with the approved CEMP for the duration of the construction programme.
- 19 No development shall commence until a detailed Landscape Scheme and Landscape Management Plan has been submitted to and approved in writing by the Local Planning Authority which provides details of the following:
- (a) Demonstrates how the Landscape Scheme follows the principles contained within the submitted document titled 'Additional Tree and Hedge Planting Views from PROW and Hanyards Lane (Dated 16 December 2023)' and drawing no. P01 Rev.C.
 - (b) Details of soft landscaping to include the plant type, size, planting numbers and distances, and a programme detailing the timing of the landscaping works in relation to the phasing of construction together with express confirmation that any trees or plants which die, are removed, or become seriously damaged or diseased within a period of 5 years from the completion of the development, shall be replaced in the next planting season with plants of the same size and species.
 - (c) Details of a long-term landscape management plan which includes details for the watering of the new hedgerow plants and trees which will be managed and maintained when established and confirmation of the maintenance regime to ensure that all the identified landscaping on the site is continually managed for the lifetime of the development; to the objective of ensuring that the visual impact of the development is minimised from both close range views and those available from the wider surrounding landscape. Once approved the watering and maintenance of the landscaping scheme shall be carried out in accordance with the approved details.

Development shall only commence in strict accordance with the Landscape Scheme and Landscape Management Scheme, which shall subsequently be implemented only in accordance with the approved details for the lifetime of the use hereby approved.

The reasons for the Council's decision to approve the development subject to the above conditions are:

- 1 To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
- 2 To define the permission.
- 3 To ensure that the development has a timeframe for its operation and decommissioning.
- 4 To ensure restoration of the site following cessation of energy production in accordance with policy N3 of the Plan for Stafford Borough.
- 5 To ensure restoration of the site following cessation of energy production in accordance with policy N3 of the Plan for Stafford Borough.
- 6 To protect the amenities of residents in the locality (Policy N1 of The Plan for Stafford Borough).
- 7 To ensure that the development does not create excessive noise that may cause harm to the amenities of neighbouring residential properties or the wider environment (Policy N1 of The Plan for Stafford Borough).
- 8 To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site. This is in line with paragraph 170 of the National Planning Policy Framework.
9. To control future development in the interest of the character, appearance and quality of the development in accordance with policies N1 and N8 of the Plan for Stafford Borough.
- 10 To protect the appearance of the development and residential amenities of neighbouring properties in accordance with policies N1 and N8 of the Plan for Stafford Borough.
- 11 To ensure the long-term management and maintenance of the SuDS infrastructure (Policy N2 of The Plan for Stafford Borough).
- 12 To ensure lifetime maintenance of the system to prevent flooding issues (Policy N2 of The Plan for Stafford Borough).
- 13 To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site (Policy N2 of The Plan for Stafford Borough).
- 14 To ensure the satisfactory appearance of the development. (Policy N1 of The Plan for Stafford Borough).
- 15 To ensure professionally recognised Arboricultural practice is carried out within the site subject of this permission (Policy N4 of The Plan for Stafford Borough).
- 16 To comply with policy N9 of the Plan for Stafford Borough.

- 17 To ensure restoration of the site is supported in accordance with policies E2 and N3 of the Plan for Stafford Borough.
- 18 In the interests of the safety of users of the highway. (Policy T2 of The Plan for Stafford Borough).
- 19 To provide a net gain in biodiversity. Paragraph 180 of the National Planning Policy Framework.

Informatives

- 1 In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015, as amended, and the National Planning Policy Framework 2023, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.
- 2 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; intentionally or recklessly obstruct access to a resting or sheltering place. Planning permission for a development does not provide a defence against prosecution under this legislation. Should great crested newts be found at any stage of the development works, then all works should cease, and a professional and/or suitably qualified and experienced ecologist (or Natural England) should be contacted for advice on any special precautions before continuing, including the need for a licence.
- 3 Staffordshire County Council has received an application under Section 53 of the Wildlife and Countryside Act 1981 to add to the Definitive Map of Public Rights of Way in this vicinity, along the site access/southern boundary (Application reference 020562, for the addition of a bridleway, Tixall (SJ95742375 to SJ96682433)). You will need to make further enquiries regarding the status of this definitive map modification order with: legalrowallocations@staffordshire.gov.uk

The possibility of the existence of a currently unrecognised public right of way, makes it advisable that the applicant pursue further enquiries and seek legal advice regarding any visible route affecting the land, or the apparent exercise of a right of way by members of the public.
- 4 All wild birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981. This means that any tree/shrub works should not be undertaken in the nesting season (March to August), unless it can be demonstrated by the developer that breeding birds will not be affected. This can be done by requesting a method statement for protection / avoidance of nesting birds as a condition - this may include timing of work, pre-work checks, avoiding nesting areas etc.

