

Planning Committee – 22 May 2025

Addendum to Item 7

Section 106 Heads of Terms to replace those set out at 7.7.4 of the Committee Report

Main Definitions

The Black Barn Buildings means the the Black Barn and its associated structures being the Community and Education Hub, Cart Shed and Old Barn in addition to the accessible courtyard as shown on Drawing No BB/32/-03.

Function means the use of the Black Barn Buildings for a pre-booked wedding, celebration, conference or private party which does not fall with the above detailed use classes, which involves the hire of it on a commercial basis and which caters for a maximum of 160 attendees. (It shall be made clear to any person hiring the Black Barn Buildings for a Function that such hire will not incorporate any additional land to that shown hatched..... on the Plan)

“Temporary Open Air Use Land” means the land shown hatchedon Plan x which may be used in accordance with Schedule 2, Part 4, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification)

BNG Monitoring Fee

Pay a BNG Monitoring Fee of £5,546.30 (index linked) prior to commencement of the development.

Black Barn Use and Management

Black Barn Buildings Management Plan and Monitoring

- Not to commence the development until a management plan (“the Black Barn Buildings Management Plan”) has been submitted to and approved in writing by the Council which sets out a strategy for how the Black Barn Buildings will deliver the following public benefits: At least 80% of its use to be dedicated to educational and community uses (eg.....) with the remaining 20% to be commercial (“the Black Barn Buildings Use Objectives”).

The Black Barn Buildings Management Plan will include:

- details of the differing hire rates (£ per hour OR the discount rates) to be offered to persons/organisations seeking to use it for educational and community purposes and to those persons/companies who propose to use it for commercial purposes
- how this part of the site will be marketed so as to encourage its use for educational and community uses including to schools and other community organisations
- other incentives to be offered to eligible users in order to deliver the Black Barn Use Objectives

Following its approval, the Black Barn Buildings shall be operated in strict accordance with the approved Black Barn Management Plan.

Annual Black Barn Management Monitoring Report

To submit an annual monitoring report to the Council setting out:

- the performance of the Black Barn Buildings against the Black Barn Buildings Use Objectives over the preceding year;

If the annual monitoring report discloses a failure to meet the Black Barn Buildings Use Objectives during the preceding year, then to deliver with the annual monitoring report for approval by the Council:

- an action plan for the following year, which sets out revisions to the Black Barn Buildings Management Plan to be implemented which shall be intended to deliver over the next 12 months the Black Barn Buildings Use Objectives (including but not limited to increased % financial discounts proposed to be offered to persons/organisations using it for educational/community purposes)

Following approval of the revised Black Barn Buildings Management Plan, to implement it in full.

The above process to be repeated (if necessary) annually until the Black Barn Buildings Use Objectives have been achieved. Thereafter the Black Barn Buildings to be operated in accordance with that revised Black Barn Buildings Management Plan which has been demonstrated to deliver the Black Barn Buildings Use Objectives for the life of the development

Overarching use of the Black Barn Buildings

The Black Barn Buildings shall only be permitted to be used for purposes which fall within Use Class F.2(b) of the Town and Country Planning (Use Classes) Order 1987 (as amended) or in any provision equivalent to that Class in any statutory instrument revoking and re enacting that Order except for ten days per calendar year (subject to the prior notification requirements set out below) when it may be used for the following additional purposes:

- For a pre-booked wedding, celebration, conference or private party which does not fall with the above detailed use classes, which involves the hire of the Black Barn Buildings on a commercial basis and which caters for a maximum of 160 attendees ("a Function")

Functions:

Not to permit more than 160 persons to attend the Black Barn Buildings in connection with any Function (including any persons who organise/host/facilitate and any suppliers who attend or part take in the Function). FOR THE AVOIDANCE OF DOUBT were there to be 2 Functions held at the same time, the total number of attendees of both Functions would not be permitted to exceed 160 persons

Not to permit more than 10 Functions to take place each calendar year

Not to permit a Function to occupy or use land other than the land which is the subject of the Planning Permission (shown **hatched ...** on the plan) other than the Temporary Open Air Use Land which may be permitted for the parking of vehicles by persons attending a Function (in accordance with the Temporary Open Air Use Land obligations set out below)

Function Notification Requirements

Not to hold or permit the holding of a Function unless the Council has been given 10 Working Days prior written notice of it. Such written notice shall include the following details:

- a) the type of function (eg wedding reception),
- b) the date of the event and its proposed duration, and
- c) the number of permitted guests,
- d) which of the Black Barn Buildings were utilised for the Function, and
- e) whether the Overflow Parking Facility will be utilised

To submit an annual report to the Council each year detailing the use of the Site for Functions during the preceding 12 months and which shall include the following information;

- a) dates and times (duration) of all Functions, b) the numbers of persons who attended, and
- c) confirmation whether the Temporary Open Air Use Land was utilised and what for

Overflow parking and use of open land

(Subject to the submission and agreement of a plan):

Notwithstanding Schedule 2, Part 4, Class B of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that order with or without modification) ("the GPDO") not to use the land shown **hatched** for any other purpose than for agriculture at any time unless otherwise first approved in writing by the Council

Any open air use of land permitted in accordance with Schedule 2, Part 4, Class B of the GPDO shall be restricted to the area shown **hatched** on the plan ("the Temporary Open Air Use Land")

Not to use or permit the use of the Temporary Open Air Use Land other than in strict accordance with Schedule 2, Part 4, Class B of the GPDO unless otherwise first approved in writing by the Council

To notify the Council in writing of any use of the Temporary Open Air Use Land within 5 days of that use occurring

2. The Temporary Open Air Use Land shall be kept locked and/or restricted from vehicle access at all times other than for 28 days per calendar year when it may be lawfully as detailed above.

S106 Monitoring Fee

Pay a S106 Monitoring Fee of £315.00 (index linked) prior to commencement of the development.