



# PLANNING COMMITTEE

4<sup>th</sup> June 2024

Wednesday, 5th June, 2024, 6.00 pm in Town Hall, Market Street, Tamworth

## SUPPLEMENT – ADDITIONAL DOCUMENTS

Further to the Agenda and Papers for the above meeting, previously circulated, please find attached the following further information, which was not available when the agenda was issued:

### Agenda No. Item

#### 5. Applications for Consideration (Pages 3 - 40)

*Committee Presentation 5<sup>th</sup> June 2024*

Yours faithfully

A handwritten signature in black ink, appearing to read 'S. C. V.'.

Chief Executive

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To Councillors: L Wood, C Adams, M Clarke, R Claymore, G Coates, D Foster,  
R Kingstone, K Norchi, P Pallett, L Smith, S Smith, M Summers and  
P Turner.

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# Welcome to Planning Committee

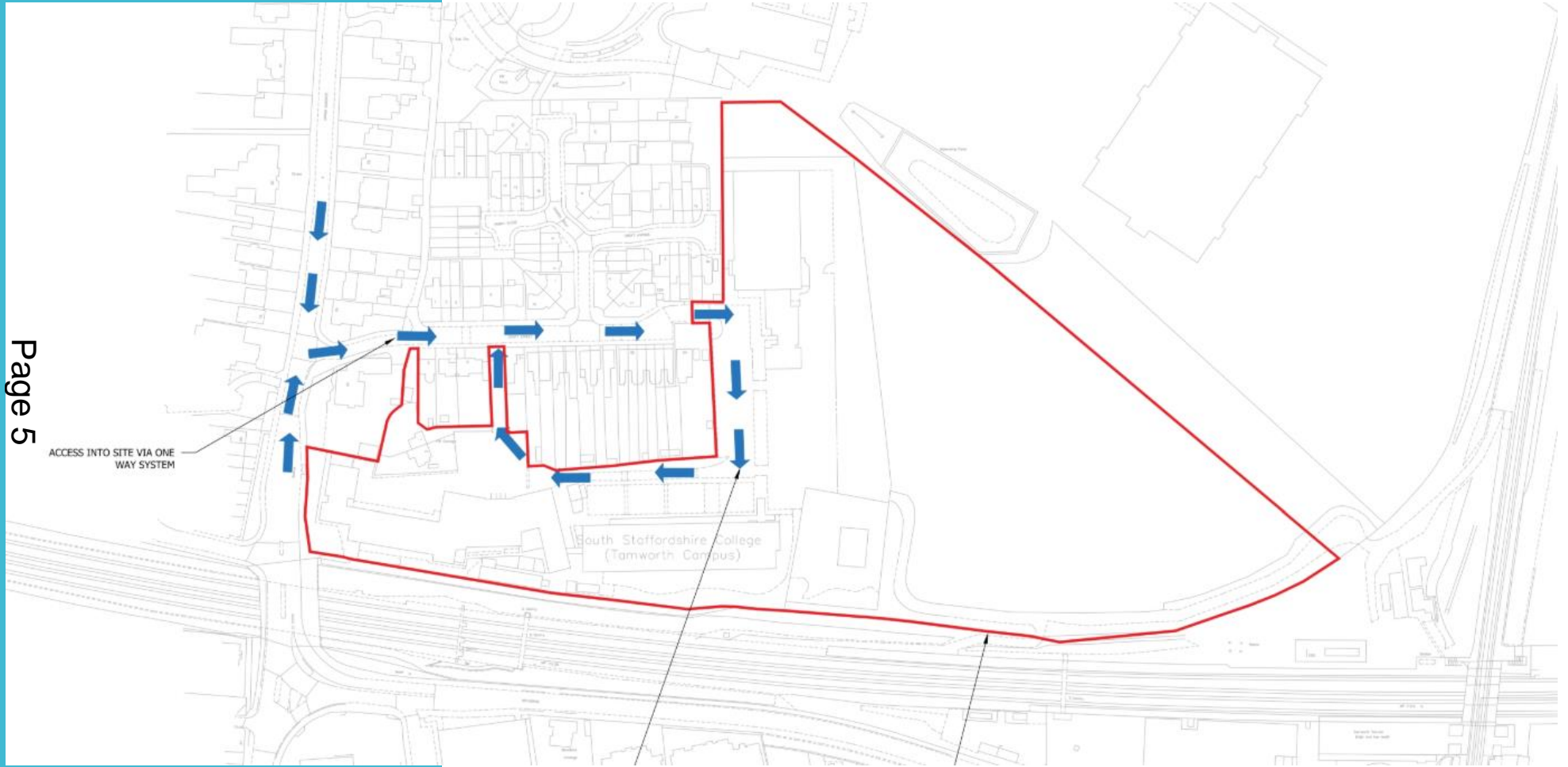
## 5 June 2024

0367/2023

# South Staffordshire College, Croft Street, Tamworth





Demolition of all existing buildings

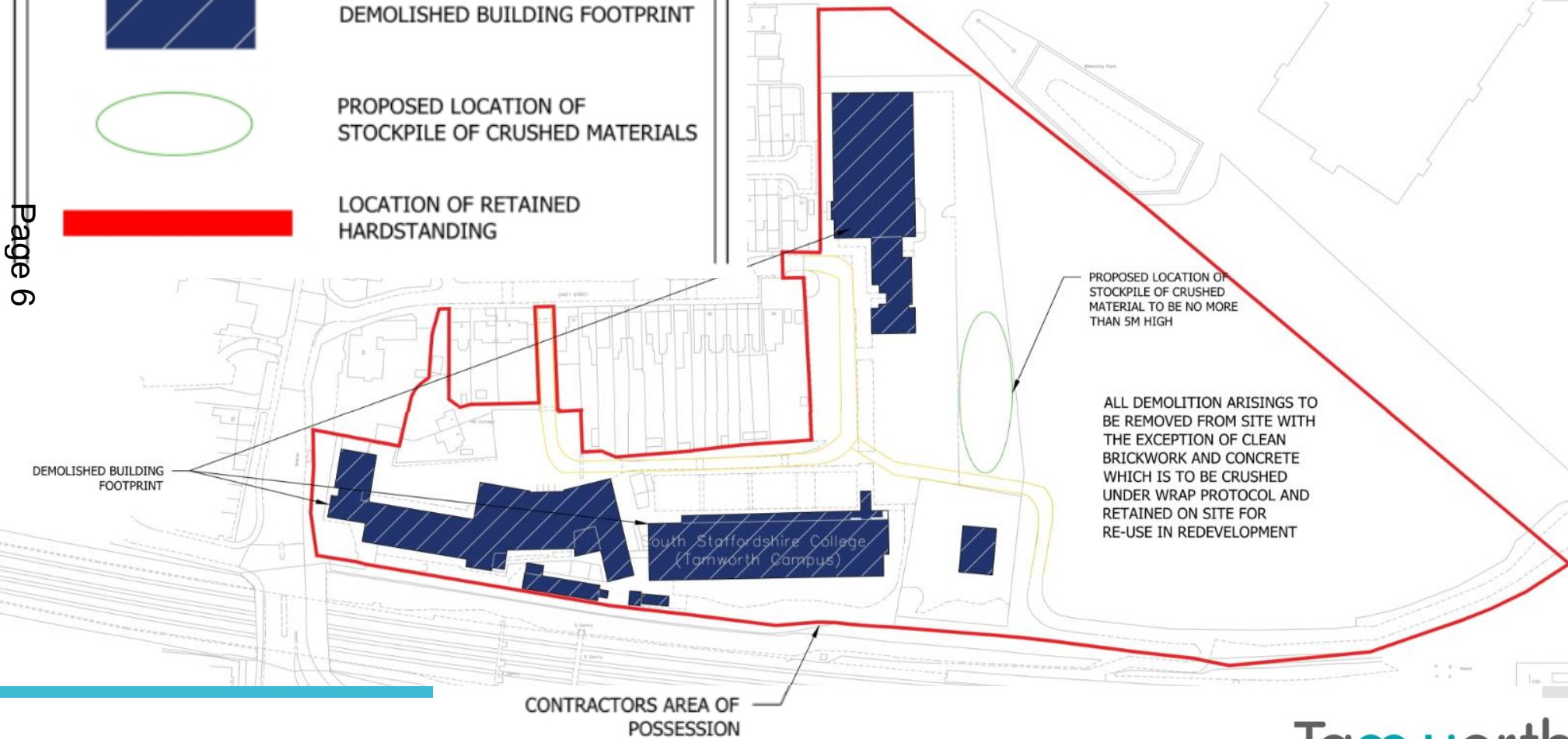
# Site Location



# Demolition Plan

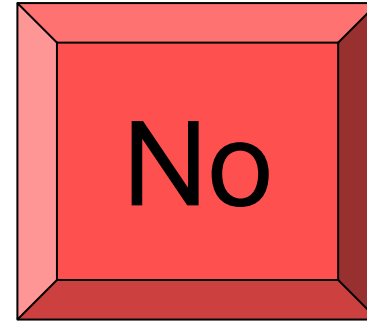
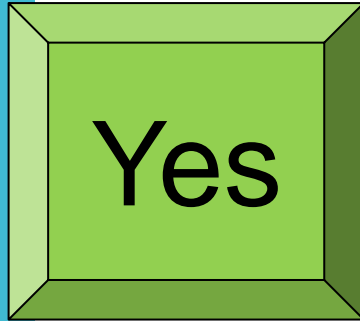
**LEGEND**

-  HOMES ENGLAND OWNERSHIP BOUNDARY
-  DEMOLISHED BUILDING FOOTPRINT
-  PROPOSED LOCATION OF STOCKPILE OF CRUSHED MATERIALS
-  LOCATION OF RETAINED HARDSTANDING



Are there any speakers?

Page 7



## Guidance

You have 3 minutes to address the Committee

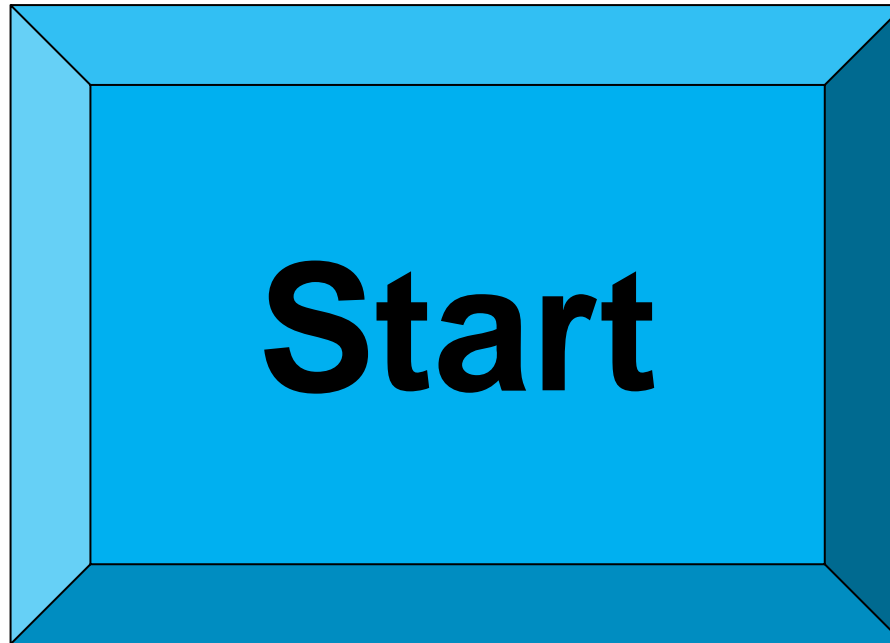
The time will begin when you start to speak

When the last slide goes red, please stop speaking

You will see warnings at 1 minute, 30 seconds and 10 seconds



# Are you ready?



3

Minutes Remaining

1

Minute Remaining

30

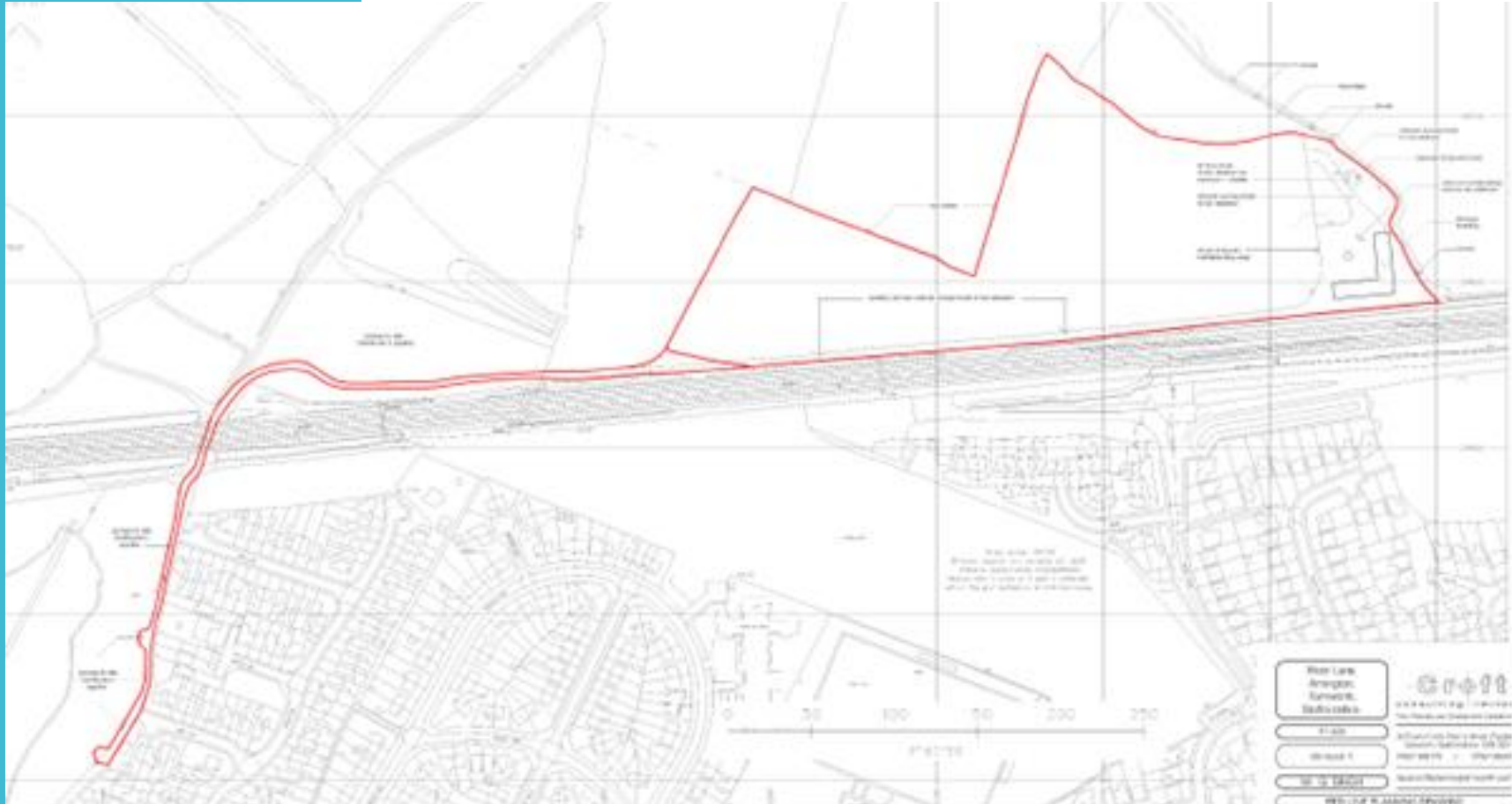
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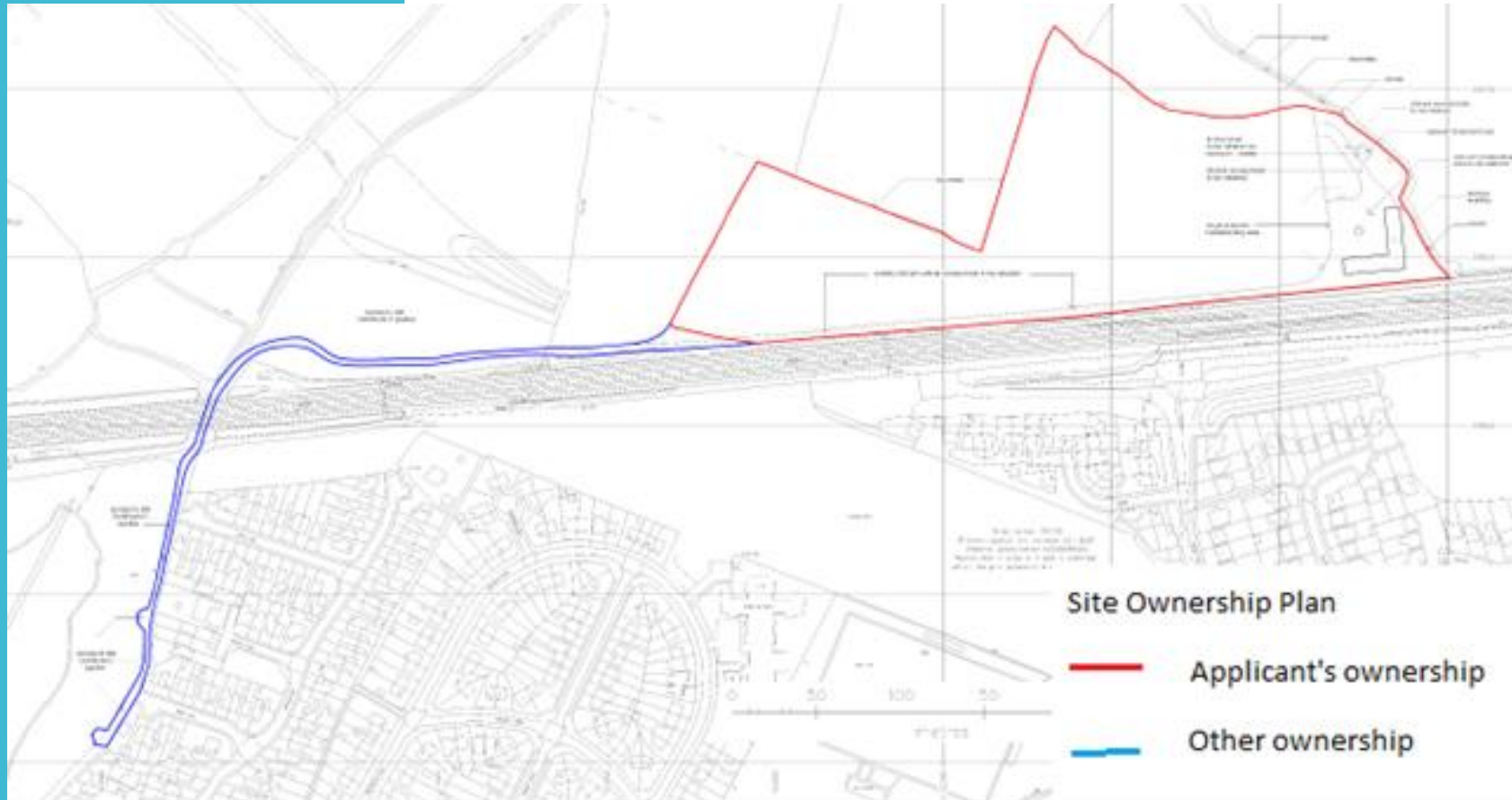
## Land off Moor Lane, Bolehall, Tamworth

Installation of a stoned access track, manoeuvring area to front of agricultural building and timber restroom (retrospective), installation of solar panels to rear roof slope.

# Site Location



# Site Access and Ownership





# Site Layout



### Consultees

- Network Rail – no objections
- Staffordshire County Council Ecology – no response
- Staffordshire County Council Highways – no objections subject to conditions
- Staffordshire County Council Public Rights of Way – no objections but highlighted legal access requirements
- Staffordshire Police – no objections
- Staffordshire Wildlife Trust – no response
- Tamworth Borough Council Environmental Protection – no objections
- Tamworth Borough Council Development Plans – no strategic objections

### Public Responses

- Letters of objection from 37 different sources
- Petition with 252 signatures received

Page 19  
Key Planning  
Issues

- Principle
- Character and Appearance
- Landscape Impacts
- Highway Safety
- Ecology
- Amenity

## Principle

## Character and Appearance

## Landscape Impacts

## Highway Safety

## Ecology

## Amenity

- Compatibility with Local Plan and National Planning Policy Framework
- Majority of site not allocated for any specific purpose in the Local Plan, small section of access to the site within Site of County Biological Importance
- Application part retrospective, part proposed
- Planning enforcement action in progress relating to the development
- Planning Application 0460/2022 agricultural building met the criteria in Part 6 Class A of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as Amended) therefore permitted development. Agricultural building not therefore part of this application
- Principle of proposed development acceptable subject to compliance with Local Plan policies

Principle

Character and Appearance  
(1)

Landscape Impacts

Highway Safety

Ecology

Amenity

- Appearance of a development is a material planning consideration
- Site previously used for agricultural purposes, abandoned for at least 15 years, prepared for market gardening purposes by applicant
- Application concerns an existing timber building and an existing track from the site entrance to the permitted building and its surroundings. The potential solar panels element of the application would most likely comply with permitted development requirements and has therefore not been considered in respect of character and appearance

Principle

Character and Appearance  
(2)

Landscape Impacts

Highway Safety

Ecology

Amenity

- Timber building – described as a rest room by the applicant, the building was designed to function with a mobile home, the removal of which is subject of enforcement action. The timber building, located around 30m north of the permitted agricultural storage building is of poor quality design, not in keeping with the appearance of the agricultural storage building.



Principle

Character and Appearance  
(3)

Landscape Impacts

Highway Safety

Ecology

Amenity

- The access track and hardstanding in the vicinity of the agricultural building has been constructed predominantly of planings type material which has been dropped and rolled onto the surface of the ground.
- The track width is typically in the order of 2.5m and is relatively uniform within the area belonging to the applicant.
- Where the track extends into other ownership, it has been made up sporadically, only in areas where vehicle use had damaged the unhardened surface, with demolition rubble used to fill depressions and to harden the surface.



Principle

Character and  
Appearance

Landscape Impacts

Highway Safety

Ecology

Amenity

- Tamworth Borough Council Local Plan Policy EN1 Landscape Character states that development and activities outside the urban area should be informed by landscape character assessments and contribute to the enhancement, restoration or regeneration of the landscape affected, as appropriate.
- The site is located within a lowland village farmlands character area which has been acknowledged as being at risk of rapid loss of character. Landscape restoration developments should use surviving character and landscape elements as a guide. Historic aerial photography indicates that the site had been unmanaged between the early 2000s and 2020 with a self-seeded scrub landscape without tracks
- The proposal has not been supported by a landscape assessment however on review of the proposals, the track in particular would have a negative impact upon this character and is therefore non-compliant with policy EN1 of the Tamworth Local Plan 2006-31 and the NPPF.



## Principle

## Character and Appearance

## Landscape Impacts

## Highway Safety

## Ecology

## Amenity

- Vehicular access is from the northern end of Moor Lane which becomes a Byway Open to All Traffic up to the railway line. For around 40m north of the railway line the access follows a Bridleway then an undesignated track along the northern edge of the railway line. continuing east to the site.
- Staffordshire County Council Highways (SCCH) concluded that the proposal is acceptable in highway safety terms, subject to conditions during construction of the solar panel installation and the timber building being used only for its intended purpose ancillary to the agricultural building.
- Staffordshire County Council Public Rights of Way concluded that it has no objections, however it stated that a private right of way is required under non planning legislation, to ensure legal access to the site
- The development would therefore comply with Policy SU2 of the Tamworth Local Plan and the NPPF in highways terms.

Principle

Character and  
Appearance

Landscape Impacts

Highway Safety

Ecology

Amenity

Page  
26

- Policy EN4 – Protecting and Enhancing Biodiversity  
Development requires that developments should not result in a net loss of biodiversity, ensuring that where harm to biodiversity is unavoidable and it has been demonstrated that no alternative sites are suit able, development is adequately mitigated or as a last resort, compensated for; otherwise planning permission should be refused.
- Ecology concerns were raised by members of the public during the consultation process
- In respect of this application they would be limited to the ecological aspects of the track and the timber building.
- Staffordshire County Council Ecology was consulted on these matters but did not respond.

## Principle

## Character and Appearance

## Landscape Impacts

## Highway Safety

## Ecology

## Amenity

- Policy EN5 – Design and New Development states that developments will be expected to minimise or mitigate environmental impacts for the benefit of existing and prospective occupants of neighbouring land.
- The nearest neighbours are south of the railway line on Selker Drive around 90m from the site with insignificant amenity impact from it
- The development is visible from the football fields at the Anker Valley Sports Complex, but users of the complex are not resident and would not be significantly impacted.
- There is therefore unlikely to be a direct impact upon neighbour amenity from the proposal due to the distance of the site from neighbours

Principle

Character and  
Appearance

Landscape Impacts

Highway Safety

Ecology

Amenity

Page  
28

- .
- Amenity of persons using the bridleway and access track north of the Byway Open to All Traffic is impacted by vehicle activity accessing the site. It should be noted that use of the BOAT by vehicle is legally acceptable, however vehicular use of the bridleway and non-designated track is subject to the existence of private rights of way which are not a material planning matter.
- The non-designated part of the access route is not a public footpath, nor is it on common land, but it is used by walkers to access the railway footbridge and the public footpath that crosses the bridge. The amenity issue in this context is the general interaction between vehicles and pedestrians brought about by the development.
- Although there are interactions between walkers and vehicle users accessing the site, from a neighbour amenity perspective, the proposal is considered to be in accordance with the amenity aspects of Policy EN5 Design of New Development of the Tamworth Local Plan 2006-2031.

## Conclusions

- The proposal for the installation of a stoned access track, manoeuvring area to front of agricultural building and timber restroom (retrospective), installation of solar panels to rear roof slope has been considered in respect of its principle, character and appearance, highway safety and ecology terms.
- It has been noted that the proposed installation of solar panels would most likely fall within the scope of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended and subject to provision of adequate information would therefore not be covered by this application.
- The remaining elements of the application, the track and hard standing and retention of the timber building have been found to be contrary to the design requirements of the Tamworth Local Plan.

**0061/2024**

Installation of a stoned access track, manoeuvring area to front of agricultural building and timber restroom (retrospective), installation of solar panels to rear roof slope.

**Recommendation: Refusal**

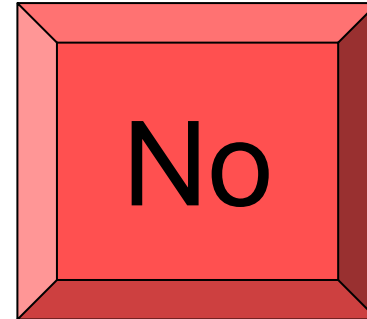
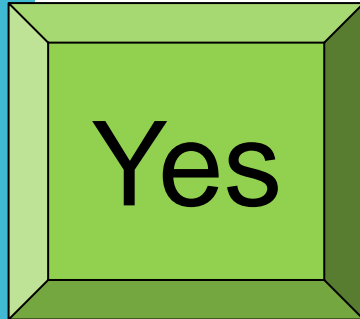
# Reasons for refusal

Page 31

- 1. The proposed retention of the structure described as a timber restroom is unacceptable due to its design which is (a) not in keeping with the design of the agricultural storage building (b) designed around the presence of a caravan which whilst it was still present on the 8th May 2024, the Applicant has stated will be removed and (c) is of poor design and materials that are harmful to the character and appearance of the site. The proposed retention of the timber restroom is therefore not in compliance with Policy EN5 Design of New Development of the Tamworth Local Plan 2006-2031.
- 2. The access track by virtue of the materials used in construction are deemed to be inappropriate for the setting and out of character with the site as a whole and therefore not in accordance with Policy EN5 Design of New Development of the Tamworth Local Plan 2006-2031.

**Are there any  
speakers?**

Page 32





## Guidance

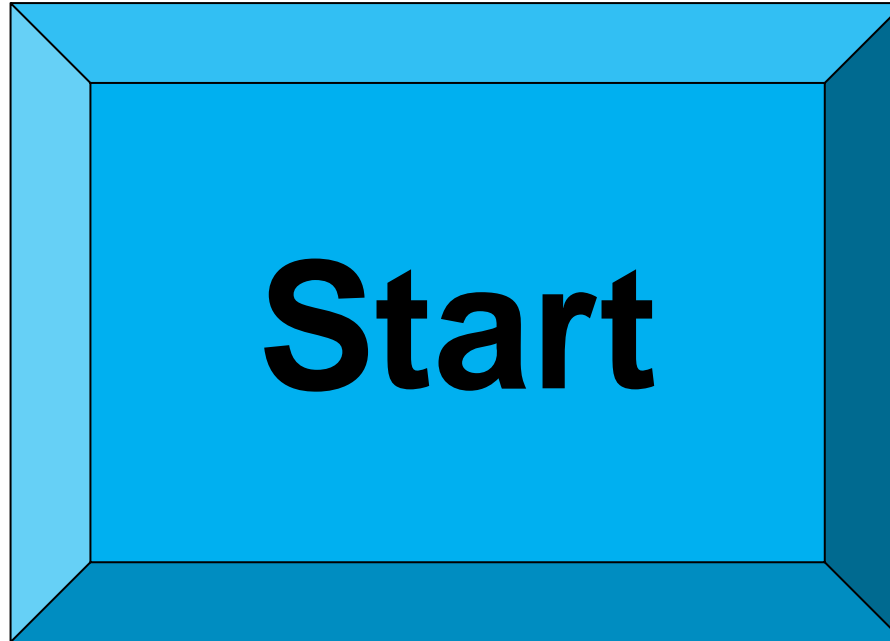
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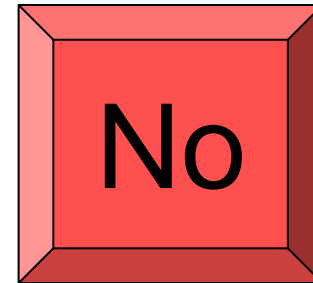
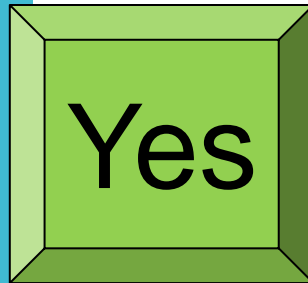
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Are there  
any other  
speakers?

Page 39



**Thank you for your  
attendance**

**Next meeting:  
2 July 2024**