



Borough of Tamworth

Marmion House,  
Lichfield Street, Tamworth,  
Staffordshire B79 7BZ.

Enquiries: 01827 709 709  
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## PLANNING COMMITTEE

28 May 2021

Dear Councillor

A meeting of the Planning Committee will be held in the **Council Chamber, Marmion House, Lichfield Street, Tamworth, B79 7BZ on Tuesday, 8th June, 2021 at 6.00 pm.** Members of the Committee are requested to attend.

Yours faithfully

A handwritten signature in black ink, consisting of a stylized 'A' followed by a long horizontal line that tapers to a point on the right.

**Chief Executive**

### A G E N D A

#### NON CONFIDENTIAL

- 1 **Apologies for Absence**
- 2 **Minutes of the Previous Meeting (Pages 5 - 18)**
- 3 **Declarations of Interest**

*To receive any declarations of Members' interests (pecuniary and non-pecuniary) in any matters which are to be considered at this meeting.*

*When Members are declaring a pecuniary or non-pecuniary interest in respect of which they have dispensation, they should specify the nature of such interest. Members should leave the room if they have a pecuniary or non-pecuniary interest in respect of which they do not have a dispensation.*

#### **4 Applications for Consideration**

*Summary of Applications received:*

- a Application 0051/2021 24 Kepler, Lichfield Road Industrial Estate, TAMWORTH, B79 7XE (Pages 19 - 28)**
- b Application 0143/2021 BD Schenker, Centurion Way, TAMWORTH (Pages 29 - 46)**

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#### **Access arrangements**

*If you have any particular access requirements when attending the meeting, please contact Democratic Services on 01827 709267 or e-mail [democratic-services@tamworth.gov.uk](mailto:democratic-services@tamworth.gov.uk). We can then endeavour to ensure that any particular requirements you may have are catered for.*

#### **Filming of Meetings**

*The public part of this meeting may be filmed and broadcast. Please refer to the Council's Protocol on Filming, Videoing, Photography and Audio Recording at Council meetings which can be found [here](#) for further information.*

*The Protocol requires that no members of the public are to be deliberately filmed. Where possible, an area in the meeting room will be set aside for videoing, this is normally from the front of the public gallery. This aims to allow filming to be carried out whilst minimising the risk of the public being accidentally filmed.*

*If a member of the public is particularly concerned about accidental filming, please consider the location of any cameras when selecting a seat.*

#### **FAQs**

*For further information about the Council's Committee arrangements please see the FAQ page [here](#)*

To Councillors: J Chesworth, M Bailey, D Box, P Brindley, S Goodall, M J Greatorex,  
J Harper, T Jay, D Maycock, K Norchi, S Pritchard, R Rogers and  
J Wade

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## **MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON 30th MARCH 2021**

**PRESENT:** Councillor M Bailey (Chair), Councillors P Brindley, J Chesworth, C Cooke, R Kingstone, K Norchi, M Oates, P Standen and M Summers

The following officers were in attendance: Manjit Dhillon (Planning Solicitor), Anna Miller (Assistant Director – Growth & Regeneration), Eleanor Overton (Head of Planning), Andrew Brough (Planning Officer), Tracey Pointon (Legal Admin & Democratic Services Manager), Jodie Small (Legal, Democratic and Corporate Support Assistant) and Adam Deakin (Technical Infrastructure Engineer)

Apologies received from: Councillor(s) P Thurgood, M J Greatorex, T Jay and S Pritchard

### **22 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 2<sup>nd</sup> March 2021 were approved and signed as a correct record.

*(Moved by Councillor P Standen and seconded by Councillor M Oates)*

### **23 DECLARATIONS OF INTEREST**

Councillor R Kingstone declared an interest in application 0014/2021 Dunstall Farm ph3 re-plan and will leave the meeting when this application is considered.

Councillor M Oates declared an interest in application 0477/2020 Albert Road and will leave the meeting when this application is considered.

### **24 APPLICATIONS FOR CONSIDERATION**

#### **24.1 Dosthill Primary School Variation**

**Application number** 0012/2021

**Development** Variation of condition 2 of planning permission 0409/2019: revised drawings and documents

submitted relating to the repositioning of the haul road

**Location** Dosthill Primary School, High Street, Dosthill, Tamworth B77 1LQ

**RESOLVED** Approved subject to the conditions outlined below in accordance with the requirements outlined in this report.

### **Conditions**

1. The development hereby permitted shall be begun before the expiration of three years from 24.06.2020 the date of the original permission (Ref: 0409/2019). Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.
2. The development hereby approved shall only be carried out in accordance with the application form, the supporting letters/reports and drawing numbers:

SK191129.01 P01  
DPS-STL-XX-00-DR-A-X-9000 Rev. P08  
DPS-STL-00-ZZ-DR-A-X-0910 Rev. P04  
DPS-STL-XX-XX-DR-A-XXXX-X002 Rev. P03  
DPS-STL-XX-XX-DR-A-XXXX-X003 Rev. P03  
DPS-STL-XX-00-DR-A-XXXX-0920 Rev. P02  
Site Location plan (Drawing No. 1901 Rev. C02)  
DPS-CAL-00-XX-DR-C-200 Rev. P04  
Proposed Haul Road Site Plan (Drawing No. 200 Rev. P08)  
Proposed haul road crossover (Drawing No. 201 Rev. P08)  
DPS-CAL-00-XX-DR-C-202-P04\_S4\_Proposed Haul Road  
DPS-CAL-00-XX-DR-C-203-P04\_S4\_Proposed Haul Road  
DPS-CAL-00-XX-DR-C-204-P01\_S4\_Proposed Haul Road

Unless otherwise agreed in writing by the Local Planning Authority.  
Reason: To define the approval.

3. The development shall be constructed/finished in accordance with the materials as set out in the 'Dosthill Primary School - External Materials Schedule August 2020' Reason: In the visual interest of the building(s) and the surrounding area.
4. The development shall adhere to the requirements and details as set out within the Construction Management Plan Report No. 'Dosthill B2203-MID-00-DRH-0001, Rev00 12-08-2020, Articulated Lorry Drawing No. 207 Rev P04 and the storage compound and vehicle parking facilities as shown on Drw Nos. DPS-STL-XX-XX-DR-AXXXX-X002 Rev P03 and X003

Rev P03. Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area and in the interests of residential amenity in accordance with NPPF 2019 and to comply with policies EN5 and SU2 of the adopted Tamworth Local Plan 2006-2031.

5. No development, including demolition, shall commence until the contractor vehicle parking and contractors' compound areas have been provided in accordance with the Section One Drawing (No. DPS -STL-XX-XX-DR-A-XXXX-X002 Rev. P03) and the Section Two Drawing (No. DPS-STL-XX-XX-DR-AXXX-X003 Rev. P03), for the relevant phase. Reason: To ensure that construction traffic does not lead to on-street parking problems in the area in accordance with NPPF 2019 and to comply with policies EN5 and SU2 of the adopted Tamworth Local Plan 2006-2031.
6. The development shall be constructed in accordance with the 'Proposed drainage and external layout' Drawing No. DPS CAL 00XX DR C100 Rev p04 and 010 P02. The scheme shall be implemented in accordance with the approved details before the development is first brought into use. Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution and to comply with policy SU4 of the adopted Tamworth Local Plan 2006-2031.
7. During the periods of demolition and construction, all Heavy Goods Vehicle construction traffic shall use the routeing detailed on the Construction Vehicle Movements Drawing (No. DPS-STL-00-ZZ-DR-AX-0910 Rev. P04) at all times, unless otherwise agreed in writing by the Local Planning Authority. Reason: To ensure that construction traffic does not use unsatisfactory roads in accordance with NPPF 2019 and to comply with policies EN5 and SU2 of the adopted Tamworth Local Plan 2006-2031.
8. The measures to prevent the deposition of deleterious material onto the highway set out on pages 8, 9 and 10 of the revised Construction Management Statement (dated 12/08/2020) shall be adhered to throughout the demolition and construction periods. Reason: To reduce the possibility of deleterious material (mud, stones, etc.) being deposited in the highway and becoming a hazard for road users in accordance with NPPF 2019 and to comply with policies EN5 and SU2 of the adopted Tamworth Local Plan 2006-2031.
9. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on the Proposed haul road crossover drawing (No. DPS-CAL-00-XX-DR-C-201 Rev. P08) have been implemented in full. Within one month of the completion of the construction phase, the footway and full height kerb shall be reinstated in accordance with details first submitted to and agreed in writing by the Local Planning Authority. Reason: To ensure that vehicles entering and leaving the site

may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with paragraph 108 of the NPPF 2019 and to comply with policies EN5 and SU2 of the adopted Tamworth Local Plan 2006-2031.

10. The development shall adhere to the requirements and details as set out within the report ref '0409/2019 – Dosthill Primary Academy Dilapidation Survey for Access Road'. Reason: To protect the visual amenity of the area, and to comply with policies EN4 and EN5 of the adopted Tamworth Local Plan 2006-2031.
11. Within 2 months of the demolition of the three existing timber classroom blocks, the playing field should be reinstated to useable playing field; this includes the removal of the haul road, the site compound area, the spoil area and the temporary fencing. The land on which the temporary haul road was situated will be returned to the state it was in prior to the commencement of works, as evidenced in the report and photographic evidence submitted in condition 10. If any required planting, seeding or turfing which within a period of 5 years from the completion of the development dies, is removed, or becomes seriously damaged or diseased, this shall be replaced in the next planting season with other of a similar size and species, unless the Local Planning Authority gives written consent to any variation. Reason: To comply with policies EN3 and SU7 of the adopted Tamworth Local Plan 2006-2031.
12. Prior to occupation of the new classroom block, the five concrete structures as indicated on plan SK191129.01 P01 are to be removed. Reason: To comply with policies EN3 and SU7 of the adopted Tamworth Local Plan 2006-2031.
13. Prior to occupation of the new classroom block, a Community Use Agreement for the school playing field and ancillary facilities will be submitted to, and approved in writing by the Local Planning Authority. Reason: To comply with policies EN3, SU6 and SU7 of the adopted Tamworth Local Plan 2006-2031.

### **Informative Notes:**

#### **1. Tree Protection Order (TPO)**

It should be noted that there are Tree Preservation Orders on the site, TPO No.1 2018 and TPO No. 9 2019 which should be maintained in perpetuity unless formal written consent from the Local Planning Authority is gained.

#### **2. Highways**

The conditions requiring off-site highway works shall require a Highway Works Agreement with Staffordshire County Council (SCC). The Applicant is requested to contact SCC in order to secure the Agreement. The link below is to the Highway Works Information Pack and an application form for the Agreement. Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street,



STAFFORD, Staffordshire ST16 2DH (or email to [nmu@staffordshire.gov.uk](mailto:nmu@staffordshire.gov.uk)). The Applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales.  
<https://www.staffordshire.gov.uk/transport/staffshighways/Highwayscontrol/highwaysworkagreements.aspx>

### 3. Waste Storage

If the new classroom block requires new bins, that waste is securely contained in suitable and sufficient containers which cannot be vandalised, kicked over or interfered with and transferred to a suitable licenced person for transport and disposal. Provision must also be made to remove recycling material from their Waste.

*(Moved by Councillor P Standen and seconded by Councillor M Summers)*

#### 24.2 Woodhouse Lane Variation

<b>Application number</b>	0105/2021
<b>Development</b>	Variation of conditions relating to approved planning permission ref. 0323/2019 - condition 2 (approved plans) and condition 6 (onsite parking provision)
<b>Location</b>	4 and 6 Woodhouse Lane, Amington, TAMWORTH, B77 3AE
<b>RESOLVED</b>	Approved subject to the conditions outlined below in accordance with the requirements outlined in this report.

#### Conditions / Reasons

1. The development hereby approved shall only be carried out in accordance with the application form, the supporting letter and drawing numbers D11 Revision E, D21, D22, D24, D25, D20, D23, THL-0778-3, THL-0778-2 and D14 Revision A unless otherwise agreed in writing by the Local Planning Authority. Reason: For the avoidance of doubt and to define the approval.
2. The development shall be carried out in strict accordance with the details approved in the (Site and Traffic Management Plan – Issue 1) and associated timetable of works. REASON: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area.

3. The development shall be carried out in strict accordance with the details approved in the Sustainable Drainage Assessment, Operation and Maintenance Plan (March 2020). REASON: To reduce the risk of surface water flooding and pollution to the development and properties downstream for the lifetime of the development in accordance with Policy SU4 of the Tamworth Local Plan 2006-2031.
4. The development shall be carried out in strict accordance with the details approved in the 71175 Materials Schedule (15/04/2020). Reason: To ensure a satisfactory external appearance to the development in accordance with policy EN5: Design of New Development set out in the Tamworth Local Plan 2006-2031.
5. The development hereby permitted shall not be occupied until such time as the car parking spaces have been laid out and implemented in accordance with the Site Layout Plan (Drawing No. D11 Revision E) thereafter the onsite parking provision shall be so maintained in perpetuity. REASON: To ensure that adequate off-street parking provision is made to reduce the possibility of the proposed development leading to on-street parking problems locally and to enable vehicles to enter and leave the site in a forward direction in the interests of highway safety and in accordance with Paragraph 108 of the National Planning Policy Framework February 2019.
6. No dwelling shall be occupied until the parking spaces approved by the Local Planning Authority have been provided and marked out. Reason: To ensure that adequate provision is made for the parking of vehicles clear of the highway in the interests of highway safety and in accordance policy SU2 and Appendix C of the Tamworth Local Plan 2006-2031.
7. Any vehicular access gates, barriers, bollards, chains or other such obstructions that are erected to the car park should be kept fully open at all times when the site is open to staff, residents or visitors. REASON: To enable a vehicle to stand clear of the highway in order to protect the free and safe passage of traffic including pedestrians in the public highway in accordance with Paragraph 32 of the National Planning Policy Framework 2012.
8. No construction site machinery or plant shall be operated, no process shall be carried out and no construction related deliveries taken at or dispatched from the site except between the hours of 08:00 -17:00hrs Monday to Saturday and not at any time on Sundays, Bank or Public Holidays. Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with local planning policy and in accordance with the provisions of Circular 11/95.
9. The development shall be carried out in strict accordance with the details approved in the Dust Suppression Plan (29/04/2020). Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with local planning policy

- 10.** All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation. Reason: In the interests of the setting and visual appearance of the development, and in compliance with policies EN4: Protecting and Enhancing Biodiversity and EN5: Design of New development as set out in the Tamworth Local Plan 2006-2031.

This permission does not grant any other approval other than under Section 57 of the Town and Country Planning Act 1990.

*(Moved by Councillor P Standen and seconded by Councillor C Cooke)*

#### 24.3 **Former John Lewis redevelopment**

<b>Application number</b>	0501/2020
<b>Development</b>	Subdivision of the existing retail unit to create two units and to allow the sale of food from both units, alterations to the external appearance of the building and the existing car park, provision of a new service yard, and the erection of a restaurant and drive thru facility and associated landscaping works)
<b>Location</b>	Former John Lewis Store, Ventura Park
<b>RESOLVED</b>	Approved subject to the conditions outlined below in accordance with the requirements outlined in this report

#### **Conditions/Reasons:**

1. The development shall be started within three years of the date of this permission. Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby approved shall only be carried out in accordance with the application form, the supporting letter and drawing numbers: The development hereby permitted shall only be carried out in accordance with the application form, the supporting letter and drawings:

3241/200 – Location Plan

3241/204 Revision B – Proposed Site Plan

3241/205 Revision B – Proposed Floor Plan  
3241/206 Revision C – Proposed Elevations  
3241/207 – Proposed Coffee Drive Thru\* Plans and Elevations  
0398/20/B/1 – Landscape Planting Plan

Reason: For the avoidance of doubt and in the interests of achieving sustainable development. To define the permission.

3. No development shall begin until the final detailed surface water drainage design has been submitted to and approved by the Local Planning Authority in consultation with the Lead Local Flood Authority. The design must demonstrate:
  - Surface water drainage system(s) designed in accordance with the Non-technical standards for sustainable drainage systems (DEFRA, March 2015).
  - SuDS design to provide sufficient water quality treatment, in accordance with the CIRIA SuDS Manual Simple Index Approach and SuDS treatment design criteria.
  - Mitigation indices are to exceed pollution indices for all sources of runoff and sufficient treatment measures should be in place.
  - Limiting the discharge rate generated by all rainfall events up to 100 year plus climate change in accordance with the guidance in the SCC SUDS Handbook. Provision of surface water runoff attenuation storage to achieve the limited discharge.
  - Detailed design (plans, network details and full hydraulic calculations) in support of any surface water drainage scheme, including details on any attenuation system, SuDS features and the outfall arrangements.
  - Calculations should demonstrate the performance of the designed system and attenuation storage for a range of return periods and storm durations, to include as a minimum the 1:1 year, 1:30 year, 1:100 year and the 1:100-year plus 40% climate change return periods.
  - Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.
  - Finished floor levels to be set higher than ground levels to mitigate the risk from exceedance flows.

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/ phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants

4. No development shall begin until drainage plans for the disposal of foul water flows have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the development is provided with a satisfactory means of drainage and to minimise the risk of pollution.

5. No phase of the development shall take place, including any demolition works, until a Construction Vehicle Management Plan (CVMP) has been submitted to and approved in writing by the Local Planning Authority. The approved statement shall be adhered to throughout the construction period. The statement shall include:
  - Arrangements for the parking of site operatives and visitors.
  - Loading and unloading of plant and materials.
  - Storage of plant and materials used in constructing the development
  - Construction and delivery hours
  - Measures to remove mud or debris carried onto the highway

Reason: To protect pedestrian and highway safety in accordance with Policy SU2 of the Local Plan

6. The development hereby permitted shall not be brought into use until the parking, turning and servicing areas have been provided in accordance with the details as shown on submitted Drg. 'Proposed Site Plan drawing 3241/204 Rev. B' and the parking bays shall be clearly delineated. The parking, turning and servicing areas shall remain free from obstruction and shall be retained for their intended use thereafter. Reason: To protect pedestrian and highway safety in accordance with Policy SU2 of the Local Plan.
7. The development hereby permitted shall not be brought into use until covered and secure cycle storage for staff and customers are provided in accordance with details first to be submitted to and approved in writing by the Local Planning Authority. These facilities shall subsequently be maintained retained thereafter. Reason: To encourage alternative, more sustainable modes of transport in accordance with Policy SU2 of the Local Plan.
8. Notwithstanding the information provided prior to their incorporation in to the building(s) hereby approved, details and/or samples of the facing materials to be used shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be constructed using the approved facing materials. Reason: In the visual interest of the building(s) and the surrounding area.
9. The approved details of soft landscaping shall be carried out in the first planting and seeding seasons following the first occupation of the buildings or the completion of the development, whichever is the sooner; any plants which within a period of five years (ten years in the case of trees) from the completion of the phase die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species and thereafter retained for at least the same period, unless the Local Planning Authority gives written consent to any

variation. Reasons: In the interests of the setting and visual appearance of the development in compliance with policies EN4 and EN5 as set out in the Tamworth Local Plan 2006-2031 and provisions of the NPPF.

- 10.** Notwithstanding the provisions 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 coffee shop, restaurant and drive thru hereby approved shall be used only for the specified purpose and for no other purpose whatsoever. Reason: Only the approved use has been considered in establishing whether the proposal would have acceptable impacts in this location, and other uses would require further detailed consideration by the Local Planning Authority.
- 11.** The two retail units hereby approved shall not be subdivided into smaller retail units. Reason: In the interests of preserving the vitality and viability of the Town Centre as there may be more sequentially preferable sites available for smaller units.
- 12.** The coffee shop and restaurant shall remain ancillary to the drive thru element of the proposal and no more than 30% of the total floor area of the building shall be used as a dine-in seating area. Reason: to ensure that there is adequate on-site parking provision, in the interests of highway safety

### **Informatives**

While the site is in an area benefiting from flood defences the impact that a breach or overtopping of the defences should be considered in the design of the development.

We would strongly advise including a finished floor level freeboard and incorporating a flood proof design to the new buildings to make the site resilient should these events happen.

*(Moved by Councillor R Kingstone and seconded by Councillor J Chesworth)*

#### **24.4 Albert Road**

Due to his declared interest in this application, Councillor M Oates left the meeting

<b>Application number</b>	0477/2020
<b>Development</b>	New disability accessible treatment room with covered link (re-submission of 0238/2020)
<b>Location</b>	58 Albert Road, TAMWORTH, B79 7JN
<b>RESOLVED</b>	Approved with delegated authority granted to the Assistant Director Growth and Regeneration to agree the planning conditions and their specific wording

*(Moved by Councillor R Kingstone and seconded by Councillor P Brindley)*

#### 24.5 **Dunstall Farm ph3 re-plan**

Due to his declared interest in this application, Councillor R Kingstone left the meeting

Councillor M Oates returned to the meeting

<b>Application number</b>	0014/2021
<b>Development</b>	Reserved Matters application for the re-plan of approved planning permission ref. 0433/2019 for Phase 3 layout comprising application for appearance, landscaping, layout and scale for 232 dwellings (a reduction of nine dwellings from previously approved layout).
<b>Location</b>	Land at Dunstall Farm, Dunstall Lane / Ventura Park Road / Meadow Road, Tamworth, Staffordshire, B78 3AX
<b>RESOLVED</b>	Approved subject to the conditions outlined below in accordance with the requirements outlined in this report

#### **Conditions and Reasons**

1. The development hereby approved shall only be carried out in accordance with the following drawings and documents including the recommendations and specifications contained therein insofar as they do not prejudice the discharge of conditions attached to the original outline permission 0308/2016 or those below.

##### **Architectural Plans**

PL001A – Location Plan

PL010C – Site Layout Plan (Phase 3)

PL011 – Site Layout (highlighting amendments)

PL020 – Materials and Boundary Plan (Phase 3)

PL030 – Tenure Plan (Phase 3)

PL400 – Street Scene (Phase 3)

Design and Access Statement Rev D

Edp4421\_r004 Rev A Badger Survey

P17-0864\_303 Rev I – Tree and Hedgerow Retention Plan

P17-0864\_301 Rev H – Tree and Hedgerow Retention Plan

P17-0864\_013D Illustrative Masterplan

P17-0864\_014C Phasing Plan

**Elevation/Floor Plans**

BWA12-PL301 - Kenley Mid  
BWA12-PL302 – Kenley End  
BWA12-PL303 – Palmerston End  
BWA12-PL304 – Ennerdale  
BWA12-PL306 – Moresby  
BWA12-PL309 – Chester  
BWA12-PL310 – Alderney  
BWA12-PL311 – Hale  
BWA12-PL313 – Ambersham-Maldon  
BWA12-PL317 – Lamberton  
BWA12-PL320 – T58 &59  
BWA12-PL322 - T65  
BWA12-PL323 – T67 End  
BWA12-PL324 – T67 Mid  
BWA12-PL325 – T69  
BWA12-PL326 – T74  
BWA12-PL329 – Ellerton  
BWA12-PL330 – Kennford  
BWA12-PL351 – Single Garage  
BWA12-PL352 – Double Garage  
BWA12-PL353 – Sub Station  
BWA25-PL301 – Roseberry  
BWA25-PL302 – Roseberry Variant  
BWA25-PL303 – Roseberry Mid  
BWA25-PL304 – Kingsville  
BWA25-PL350 – Bin Store  
BWA25-PL351A – Cycle Store  
BWA25-PL352A – Cycle Store 2

**Technical Detail**

3100B – General Arrangement Layout  
3101B – General Arrangement Layout  
3102B – Drainage Layout  
3103B – Drainage Layout  
3104B – Kerbing Layout  
3105B – Kerbing Layout  
3107B – Section 38 Layout  
3108B – Section 38 Layout  
3113B – Refuse Tracking Layout  
3114B – Refuse Tracking Layout  
3115A – Pedestrian Visibility  
3116A – Pedestrian Visibility  
3117A – Private Vehicular Visibility  
3118A – Private Vehicular Visibility  
3119 – Pedestrian Visibility  
3400A – Highway Construction Details  
BWA25 PL004K – Phase 3 Garden Compliance

Reason: To define this permission.



2. Before first occupation of each dwelling hereby permitted, appropriate visibility splays in connection with the access serving that dwelling, shall be provided with nothing within those splays higher than 600 mm above the level of the adjacent footway, in accordance with the current standards of the Highway Authority and shall thereafter be so maintained. Reason: In the interests of Highway Safety in accordance with Policies EN5 and SU2 of the Tamworth Local Plan 2006-2031.
3. Before first occupation of each dwelling hereby permitted, the access serving that dwelling to the rear of the public highway shall be surfaced in a bound and porous material for a minimum distance of five metres back from the highway boundary and shall thereafter be so maintained. Reason: In the interests of Highway Safety in accordance with Policies EN5 and SU2 of the Tamworth Local Plan 2006-2031.
4. Before the first occupation of each dwelling hereby permitted, a surface water drainage interceptor, connected to a surface water outfall shall be installed across the access of the respective dwelling, immediately to the rear of the highway boundary unless otherwise agreed in writing by the Local Planning Authority. Reason: In the interests of Highway Safety in accordance with Policies EN5 and SU2 of the Tamworth Local Plan 2006-2031.
5. Secure, covered and safe cycle parking facilities for each dwelling shall be provided prior to the first occupation of that dwelling in accordance with a scheme that has first been submitted to and approved in writing by, the Local Planning Authority. The approved facilities shall be retained in perpetuity. Reason: In the interests of Highway Safety in accordance with Policies EN5 and SU2 of the Tamworth Local Plan 2006-2031.
6. Before first occupation of each dwelling hereby permitted, the parking and turning facilities for the benefit of that dwelling, as shown on the Site Plan – the Site Plan Phase 3 Drawing shall be implemented. Thereafter the onsite parking and turning provision shall be so maintained in perpetuity. Reason: In the interests of Highway Safety in accordance with Policies EN5 and SU2 of the Tamworth Local Plan 2006-2031.
7. Notwithstanding the submitted details, the flood compensation/storage area shall be constructed in accordance with the Brookbanks Flood Risk Assessment dated 01/02/2017. Reason: To reduce the risk of flooding to the proposed development and future occupants.
8. Notwithstanding the submitted details, the finished floor levels shall be set at 600 mm above the 10 year plus 30% climate change event. Reason: To reduce the risk of flooding to the proposed development and future occupants.
9. All planting, seeding or turfing comprised in the approved details of landscaping and boundary treatment approved shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner; and any

trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation. Reason: In the interests of the setting and visual appearance of the development, and in accordance with Policy EN5 Tamworth Local Plan 2006-2031.

- 10.** Notwithstanding the provisions of Classes A, B and D of Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order). Reason: To ensure adequate amenity space for the proposed dwellings in accordance with Policies EN5 and SU2 of the adopted Tamworth Local Plan 2006-2031.
- 11.** The garages indicated on the approved plans shall be retained for the parking of motor vehicles and cycles. They shall at no time be converted to living accommodation without the prior express permission of the Local Planning Authority. Reason: In the interests of Highway Safety in accordance with Policies EN5 and SU2 of the Tamworth Local Plan 2006-2031.
- 12.** Notwithstanding the provisions of Class A of Schedule 2 Part 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order), no walls, fences or other means of enclosure shall be erected forward of the principal elevations and side elevations of the dwelling, or boundary walls or fences to those dwelling, except as authorised under the submitted application, without the prior grant of planning permission on an application made in that regard to the Local Planning Authority. Reason: In order to maintain the character of street, public space and adjacent footpath as secured under the plans hereby approved in accordance with Policy EN5 Tamworth Local Plan 2006-2031

*(Moved by Councillor M Summers and seconded by Councillor J Chesworth)*

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Chair

**PLANNING COMMITTEE**

**8<sup>th</sup> June 2021**

**APPLICATION FOR CONSIDERATION**

**REPORT OF ASSISTANT DIRECTOR - GROWTH & REGENERATION**



**Application Number:** 0051/2021

**Development:** Demolition of Existing Warehouse Building & Erection of New Warehouse with Associated Service Yard and Car Parking

**Location:** 24 Kepler, Lichfield Road Industrial Estate, TAMWORTH, B79 7XE

## 1. Introduction

- 1.1. The site lies within the Lichfield Road Employment Area, one of the adopted Local Plan Strategic Employment Areas and is allocated for employment (B1 (b, c), B2 and B8) use under policy EC7. The site covers an area of approximately 0.38 hectares of brownfield land, on which an industrial unit is proposed to be demolished and replaced.
- 1.2. The proposal is for the demolition of the existing warehouse and the redevelopment of a new warehouse, (Use Classes E (Industrial Processes) B2 (General Industry) and B8 (Storage and Distribution) of approximately 1115m<sup>2</sup> gross external area and measuring 29 x 54.5m.
- 1.3. The site is located on the eastern side of Mariner, which comprises existing industrial and business units which are located within Strategic Employment Area E1. The site is bound by the West Coast railway line to the east, industrial and commercial units to the north and south, and to the west by further units that front onto Mariner.
- 1.4. The development will have access to Kepler from Mariner, the spine road through the industrial estate. Parking provision within the site includes 18 standard spaces, 1 disabled space and 3 secure and sheltered cycle storage spaces.
- 1.5. The application is supported by the following reports:
  - Planning Statement
  - Design and Access Statement
  - Flood Risk Assessment
  - Transport Assessment
  - Ecological and Biodiversity Assessment
  - Tree Survey

## 2. Policies

### 2.1 Local Plan Policies

Adopted Tamworth Local Plan 2006-2031

- SS1 - The Spatial Strategy for Tamworth
- SS2 – Presumption in Favour of Sustainable Development
- EC7 - Strategic Employment Areas
- EN4 - Protecting and Enhancing Biodiversity
- EN5 - Design of New Development
- SU1 - Sustainable Transport Network
- SU2 – Delivering Sustainable Transport
- SU4 – Flood Risk and Water Management
- IM1 – Infrastructure and Developer Contributions
- Appendix C – Car Parking Standard

### 2.2 National Policies

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)

## 3. Relevant Site History

T11478	CONSTRUCTION OF ESTATE ROAD, SEWERS ETC.
T15222	EIGHT SINGLE STOREY LIGHT INDUSTRIAL UNITS
T15720	16 INDUSTRIAL UNITS AND 1 WAREHOUSE
T15858	SINGLE STOREY WAREHOUSE UNIT WITH INTEGRAL OFFICES, CAR PARKING AND MANOEUVRING AREAS
0518/2005	Erection of 2.4m high fence around land plus alteration to existing road access
T00131	Road and sewer details in connection with proposed industrial development

### **3. Consultation Responses**

3.1 The consultation responses comments are précised if conditions are proposed these are included within the conditions at the end of the report unless stated otherwise. Whilst every effort has been made to accurately summarise the responses received, full copies of the representations received are available to view at [www.tamworth.gov.uk](http://www.tamworth.gov.uk).

3.2 Staffordshire County Council Highways  
No objections subject to conditions

3.3 LLFA  
No objections subject to conditions

3.4 Severn Trent Water  
No objection subject to conditions

4.4 County Ecology  
No objection subject to conditions

4.5 Tamworth Borough Council – Tree Officer  
No objections

4.6 Tamworth Borough Council – Environmental Health  
No objections

4.7 Tamworth Borough Council – Policy  
No objection

4.8 Cadent Gas  
No objection

4.9 Staffordshire Fire and Rescue  
Notes/ Conditions

4.10 Staffordshire Police  
Notes/ Conditions

### **4. Additional Representations**

4.1 As part of the consultation process adjacent residents were notified and a press notice and site notices were erected. Whilst every effort has been made to accurately summarise the responses received, full copies of the representations received are available to view at [www.tamworth.gov.uk](http://www.tamworth.gov.uk). One objection has been received making the following points in respect of the application:

- Grass border to be maintained.
- Potholes repaired

## **5. Equality and Human Rights Implications**

- 5.1 Due regard, where relevant, has been taken to the Tamworth Borough Council's equality duty as contained within the Equalities Act 2010. The authority has had due regard to the public sector equality duty (PSED). Under section 149 of the Equality Act 2010, a public authority must in the exercised of its functions, have due regard to the interests and needs of those sharing the protected characteristics under the Act, such as age, gender, disability and race. This proposal has no impact on such protected characteristics.
- 5.2 There may be implications under Article 8 and Article 1 of the First Protocol of the Human Rights Act, regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these issues have been taken into account in the determination of this application.

## **6. Planning Considerations**

- 6.1 The main issues for consideration in determining the acceptability of the proposed development are considered to be;
- Principle of development
  - Highway safety
  - Siting and Visual Amenity
  - Flood risk and Drainage
  - Trees and Ecology
  - Other considerations;
- 6.2 Principle of development
- 6.2.1 The starting point in determining the acceptability of development proposals is the Local Plan (LP), where the policies are consistent with the NPPF, and any other material considerations in accordance with planning law (which includes the guidance contained within the NPPF and the Local Plan and the evidence that supports it). The Tamworth Local Plan 2006-2031 (LP) was adopted in February 2016 and is based on the most up-to-date evidence. Substantial weight can be attributed to the policies within the LP and the evidence which underpins it, unless there are material considerations indicate otherwise.
- 6.2.2 These policies are articulated initially in the Spatial Strategy SS1 stating that the Councils special strategy is to provide development in the most accessible and sustainable locations including employment areas.
- 6.2.3 In principle, the demolition of the existing warehouse to facilitate the provision of a new warehouse is considered acceptable. The proposal is located within the existing Lichfield Road Employment Area, which is one of the strategic employment areas within Tamworth. The proposal would facilitate the demolition of an existing warehouse, to provide a new, larger warehouse. Policy EC7 Strategic Employment Areas states that 'the expansion of any existing business within these use classes (B1 (B,C), B2 and B8) will be supported, provided it promotes and supports the role and performance of the employment area in meeting the strategic economic objectives of the plan and wider objectives of sub-regional economic partnerships.' As the proposal is for the expansion of an existing warehouse unit, it therefore accords with policy EC7.
- 6.3 Highway Safety
- 6.3.1 Policy SU1 Sustainable Transport Network, which contains transport measures to improve the local transport infrastructure. Policy SU2 Delivering Sustainable Transport reinforces the need for the site to be accessible by walking, cycling and public transport with a high quality of design expected for new roads.
- 6.3.2 Appendix C of the Local Plan details that B8 warehouses should provide 1 parking space per 80sqm of development. Turning areas would also need to be demonstrated on a plan, as well as for HGVs.

6.3.3 Staffordshire County Council Highways have concluded that the development can be permitted with conditions. The site is well located for access using sustainable modes, with excellent pedestrian and cycle connections to the local area, and bus services to a range of destinations.

In terms of parking provision, the proposed levels of parking are consistent with adopted SCC guidance for both land use variants and includes disabled and HGV parking. It is demonstrated that development traffic impacts are acceptable on the surrounding highway network, with significant reserve capacity for the Use Classes that have been applied for by this application.

6.3.4 A condition has been included to ensure that secure and sheltered cycle storage is provided. As such the inclusion of a pre-commencement condition to seek the provision of secure storage is not necessary for the proposed development to be deemed acceptable. This condition requested by Highways does not meet the tests and as such an informative to the applicant will be included, however as mentioned the development would be deemed acceptable without the inclusion of this condition.

6.3.5 The proposed development has been deemed acceptable by County Highways, it would not harm pedestrian or highway safety and the Use Classes that have been applied for are in-line with the off street parking provision set out by Appendix C of the Local Plan. The proposed development is compliant with Policies EN5 and SU2 of the Local Plan, as such the proposed development is deemed to be acceptable.

6.3.6 The conditions sought by Staffordshire County Council Highways, include:

- Provision of parking/turning areas to be provided prior to occupation
- Provision of cycle storage
- Construction Management Plan

#### 6.4 Design and Impact upon Visual Amenity

6.4.1 The Council's Local Plan Policy EN5 requires a positive and considered approach to design, with new developments expected to be of a scale, layout, form and massing which conserves or enhances the setting of the development. In terms of visual amenity, the proposed scheme is not considered to have a significant or detrimental impact. The proposed warehouse is a replacement of an existing warehouse (albeit larger). The proposed warehouse would not appear incongruous or out of scale with the site, or surrounding development and the proposal would not have a significant impact upon the character or appearance of the area in suitable materials. The proposal is therefore considered to accord with policy EN5.

#### 6.5 Trees and Ecology

6.5.1 Policy EN4 Protecting and Enhancing Biodiversity relates to the proposal. Paragraph 2 of the policy states that 'development should not result in a net loss of biodiversity by ensuring that where harm to biodiversity is unavoidable and it has been demonstrated that no alternative sites are suitable, development is adequately mitigated or as a last resort, compensated for: otherwise planning permission should be refused.' Paragraph 170(d) of the National Planning Policy Framework (NPPF) 2019 goes further in that it requires impacts on biodiversity from developments to be minimised and provide a net gain for biodiversity.

6.5.2 The proposal site lies adjacent to a watercourse and part of the site to be developed currently has semi-mature trees and dense ground cover on it. Both the watercourse and tree/scrub land will have a biodiversity value, which could be affected significantly by the development. The proposed plans show all but 3 trees will be retained within the boundary of the site. An Ecological Survey was carried out to show how any biodiversity losses are at least avoided, reduced and/or mitigated.

6.5.3 Currently the site comprises approximately 0.4 ha, of which around .02 ha is built and hardstanding and the remainder is mainly woodland. The submitted Ecological Impact Assessment (EclA) concludes that these habitats are 'nationally and locally common', however these habitats still have an ecological function. The current proposals would shift the balance on site to predominantly built development and hardstanding. This represents a net loss to biodiversity of 2 habitat units, contrary to NPPF 170 and 175, which will not be adequately mitigated onsite. A solution to this would be for the applicant to indicate how off-site compensation will be achieved, preferably through habitat

improvements elsewhere in Tamworth and therefore further information is required to provide information on how no net loss (and preferably net gain) to biodiversity will be achieved.

6.5.4 If minded to approve, conditions are recommended:

- 1 No vegetation clearance to take place between May 1st and end September.
- 2 Details to be submitted for approval of type and location of two bird boxes and two bat boxes to be installed on site.
- 3 No lighting to be installed on the western side of the site. If such lighting is required then a lighting plan must be submitted for approval, accompanied by a contour diagram that demonstrates minimal effects on habitats (watercourse and trees.)

6.5.5 Having considered the Ecological response I am satisfied that conditions listed would address the issues raised.

6.5.6 Tamworth Borough Council's tree officer does not object to the proposed development, although the developer will need to undertake some replanting to the area of a minimum of 5 trees. She also advises on the need to condition a Tree Protection plan and method statement for the retained trees.

## 6.6 Flood Risk and Drainage

6.6.1 The site is located in Flood Zone 2 and Flood Zone 3. Therefore, a Flood Risk Assessment was submitted and a series of addendums provided to confirm whether flooding would be an issue for the proposed development. With regards to flood risk and drainage, subject to detailed conditions, there is a neutral impact and the proposed development is compliant with Policy SU4 of the Local Plan, the proposed development would not increase flood risk within the site or the surrounding areas.

6.6.2 **The Environment Agency** were reconsulted on the addendum (WIE17715-101-R-6-1-3-FRA\_Addendum) to the formerly submitted FRA (Flood Risk Assessment). In summary they state that the Coton defences defend the development site from the risk of flooding from the River Tame for a 100yr Climate Change event. The primary risk to this site is from the drainage channel that runs along the western boundary of the site. Historically, flooding has occurred when there has been heavy rainfall over this area, rather than when the Tame is high. Due to the industrial nature of the area, quite a lot of debris and litter ends up in the channel. It therefore is important that the channel is properly maintained.

The surface water flood mapping for this area suggests that the site will not flood from the channel for the 30yr or 100yr events but blockages could cause flooding of the site and that is primarily what has caused incidents in this area in the past.

They are therefore reassured that the site will be protected against flooding from reservoirs and Main Rivers.

6.6.3 **Staffordshire County Council Lead Local Flood Authority (LLFA)** have commented extensively during the course of the application and requested further information. They now recommend approval subject to conditions which have been formulated in conjunction with the agents following discussions and submission of further technical details which are considered to be acceptable in accordance with drainage policies.

1. Before the development hereby permitted is first brought into use a Flood Evacuation Plan shall be submitted to and approved by the Local Planning Authority.  
Reason: To ensure that adequate precautions are in place to safe guard the occupants should a flood event occur.
2. Before the development hereby permitted is first brought into use a Management and Maintenance Plan for surface water drainage system shall be submitted to and approved by the Local Planning Authority. Thereafter the system shall be maintained in accordance with the approved plan.  
Reason: To ensure the surface water system is maintained and managed for the lifetime of the development.
3. Before the commencement of the development hereby granted a schedule of improvement works to the ordinary water course abutting the west of the site shall be submitted to and approved by the Local Planning Authority. The improvement works so approved shall be implemented in full prior to the development progressing beyond oversite. The submitted



details shall include a schedule of activities together with an accompanying plan and photographs detailing the proposed removal of excessive undergrowth, fallen tree members, or other obstructions and general litter.

This requirement shall apply to the east bank of the water course up to its centre line, for the length of the abutting development boundary.

Thereafter the liability for maintenance of the water course shall revert to that under common law Riparian Rights.

Reason: To ensure that the water course is in a reasonable state of repair at the commencement of the development.

4. Before the commencement of the development hereby granted progresses beyond oversite, full details of the means of surface water disposal shall be submitted to and approved by the Local Planning Authority. Details so approved shall be implemented in full before the development hereby permitted is first brought into use.

The design must demonstrate:

- Surface water drainage system(s) designed in accordance with the Non-technical standards for sustainable drainage systems (DEFRA, March 2015).

- SuDS design to provide sufficient water quality treatment, in accordance with the CIRIA SuDS Manual Simple Index Approach and SuDS treatment design criteria.

Mitigation indices are to exceed pollution indices for all sources of runoff. Car parking areas to feature permeable paving.

- Limiting the discharge rate generated by all rainfall events up to 100 year plus climate change in accordance with the guidance in the SCC SUDS Handbook. Provision of surface water runoff attenuation storage to achieve the limited discharge.

- 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, to include as a minimum the 100-year plus 40% climate change and the 30-year return periods. Submerged outfall to be assumed for the downstream boundary condition in the calculations, to represent high levels in the receiving watercourse. Confirmation of a flap valve on the outlet.

- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.

- Details of the flood resilient design to be provided, based on the assumption that the building may flood to low levels.

Reason: To ensure that the site is adequately drained, to avoid pollution, and prevent increased risk of flooding.

## 6.7 Other Matters

- 6.7.1 **Cadent Gas (National Grid)** advise on affected Apparatus that has been identified as being in the vicinity of proposed works is:

- Low or Medium pressure (below 2 bar) gas pipes and associated equipment. (As a result it is highly likely that there are gas services and associated apparatus in the vicinity)
- Electricity Transmission overhead lines
- Above ground electricity sites and installations

A series of guidance notes are given in respect of health and safety and will be appended to the permission if approved.

- 6.7.2 **Staffordshire Fire and Rescue** and **Staffordshire Police** have responded with guidance notes for safety purposes and will be appended to the permission if approved.

- 6.7.3 **Tamworth Borough Council Environmental Protection** have no comments relating to the proposed development and there are no issues in relation to noise.

- 6.7.4 Neighbouring occupier has raised concerns about maintenance of the verges and repairing potholes on the site. These are general ongoing maintenance issues which have been brought to the attention of the agent.

## 7 Conclusion

- 7.1 The site is on an existing strategic employment site that provides employment development in a sustainable location of the adopted Tamworth Local Plan 2006 – 2031 and government guidance indicates the need for sustainable economic growth.
- 7.2 The off street parking provision has been deemed acceptable by Highways and would not result in an increase of on street parking. Highway and pedestrian safety as such would not be harmed as a result of the proposed development.
- 7.3 The design is in keeping with surrounding industrial units and there would be no significant impact on the street scene, therefore in accordance with policy EN5 of the Local Plan.
- 7.4 With regards to flood risk and drainage, subject to detailed conditions, there is a neutral impact and the proposed development is compliant with Policy SU4 of the Local Plan, the proposed development would not increase flood risk within the site or the surrounding areas.
- 7.5 The proposal would ensure the protection of ecological features. Therefore the proposed development would not result in a net loss in biodiversity and is deemed to be acceptable.
- 7.6 Overall the scheme for a replacement larger building would have positive benefits and limited harm in accordance with policies and the proposal is therefore recommended for approval.

## 8 Recommendation

- |                                   |
|-----------------------------------|
| 1. Approval Subject to Conditions |
|-----------------------------------|

### Conditions / Reasons

1. The development shall be started within three years of the date of this permission. Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby approved shall only be carried out in accordance with the application form, the supporting letter and drawing numbers:

RLTAM BBA Z0 XX DR A 1002	Existing Site Plan
RLTAM BBA Z0 XX DR A 1005	Proposed Site Layout
RLTAM BBA ZZ XX GF A 2002	Ground Floor GA plan
RLTAM BBA ZZ XX DR A 3001	Elevations Plan
RLTAM BBA ZZ XX DR A 3001	Elevations Sheet 2
RLTAM BBA Z0 XX DR A 4001	Sections
RLTAM BBA Z0 01 DR A 2003	Mezzanine
RLTAM BBA Z0 XX VS A 0002	3D

Unless otherwise agreed in writing by the Local Planning Authority. Reason: To define the approval.

### **CONDITIONS to be complied with PRIOR to the commencement of development hereby approved**

3. Before the commencement of the development hereby granted a schedule of improvement works to the ordinary water course abutting the west of the site shall be submitted to and approved by the Local Planning Authority. The improvement works so approved shall be implemented in full prior to the development progressing beyond oversite.  
The submitted details shall include a schedule of activities together with an accompanying plan and photographs detailing the proposed removal of excessive undergrowth, fallen tree members, or other obstructions and general litter.

This requirement shall apply to the east bank of the water course up to its centre line, for the length of the abutting development boundary.

Thereafter the liability for maintenance of the water course shall revert to that under common law Riparian Rights.

Reason: To ensure that the water course is in a reasonable state of repair at the commencement of the development.

4. Before the commencement of the development hereby granted progresses beyond oversight, full details of the means of surface water disposal shall be submitted to and approved by the Local Planning Authority. Details so approved shall be implemented in full before the development hereby permitted is first brought into use.

The design must demonstrate:

- Surface water drainage system(s) designed in accordance with the Non-technical standards for sustainable drainage systems (DEFRA, March 2015).

- SuDS design to provide sufficient water quality treatment, in accordance with the CIRIA SuDS Manual Simple Index Approach and SuDS treatment design criteria.

Mitigation indices are to exceed pollution indices for all sources of runoff. Car parking areas to feature permeable paving.

- Limiting the discharge rate generated by all rainfall events up to 100 year plus climate change in accordance with the guidance in the SCC SUDS Handbook. Provision of surface water runoff attenuation storage to achieve the limited discharge.

- 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, to include as a minimum the 100-year plus 40% climate change and the 30-year return periods. Submerged outfall to be assumed for the downstream boundary condition in the calculations, to represent high levels in the receiving watercourse. Confirmation of a flap valve on the outlet.

- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.

- Details of the flood resilient design to be provided, based on the assumption that the building may flood to low levels.

Reason: To ensure that the site is adequately drained, to avoid pollution, and prevent increased risk of flooding.

5. A Tree Protection plan and method statement for the retained trees shall be submitted to and approved by the LPA before development commences.

Reasons: In the interests of the setting and visual appearance of the development, and in compliance with policies EN4: Protecting and Enhancing Biodiversity and EN5: Design of New development as set out in the Tamworth Local Plan 2006-2031 and provisions of the NPPF.

**Prior to use CONDITIONS to be complied with:**

6. The development hereby permitted shall not be brought into use until the parking, turning and servicing areas have been provided in accordance with submitted Drg. No RLTAM BBA Z0 XX DR A 1002, the subject of this consent, with the parking bays clearly delineated, which shall thereafter be retained at all times for their designated purposes. Reason: To protect pedestrian and highway safety in accordance with Policy SU2 of the Local Plan.

7. The development hereby permitted shall not be brought into use until the proposed cycle parking facilities as indicated on submitted Drg. No's. RLTAM BBA Z0 XX DR A 1002 have been installed. Reason: To protect pedestrian and highway safety in accordance with Policy SU2 of the Local Plan.

8. Before the development hereby permitted is first brought into use a Flood Evacuation Plan shall be submitted to and approved by the Local Planning Authority. Reason: To ensure that adequate precautions are in place to safeguard the occupants should a flood event occur.

9. Before the development hereby permitted is first brought into use a Management and Maintenance Plan for surface water drainage system shall be submitted to and approved by the Local Planning Authority. Thereafter the system shall be maintained in accordance with the approved plan. Reason: To ensure the surface water system is maintained and managed for the lifetime of the development.

**All other CONDITIONS to be complied with:**

10. The submitted Construction Management Plan hereby approved shall be adhered to for the duration of the construction phase. Reason: To protect pedestrian and highway safety in accordance with Policy SU2 of the Local Plan.
11. Any planting which within a period of 5 years of implementation dies, is removed, or becomes seriously damaged or diseased shall be replaced during the next planting season with others of a similar size or species, unless the Local Planning Authority gives written consent to a variation. Should replacement planting be necessary, the Local Planning Authority shall be notified in writing not less than 7 days prior to the replacement planting taking place. Notification shall include details of the problem with the implemented scheme and the specification and timing of the replacement planting. Reasons: In the interests of the setting and visual appearance of the development, and in compliance with policies EN4: Protecting and Enhancing Biodiversity and EN5: Design of New development as set out in the Tamworth Local Plan 2006-2031 and provisions of the NPPF.
12. The new unit hereby approved shall be used solely for the following Use Classes: Class E (Light Industrial), B2 (General Industry) and B8 (Storage and Distribution) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, as amended by the Use Classes (amendment) Order 2020 or any provision equivalent to that Class in any statutory instrument revoking and re-enacting those Orders with or without modification). Reason: To protect highway safety and the vitality of Tamworth Town Centre in accordance with Policies EN5 and EC2 of the Local Plan respectively.
13. No vegetation clearance shall take place between May 1st and 30th September.  
Reason: To protect the health and wellbeing of biodiversity within the site in accordance with Policy EN4 of the Local Plan.
14. Details shall be submitted for approval of the type and location of two bird boxes and two bat boxes to be installed on site.  
Reason: To protect the health and wellbeing of biodiversity within the site in accordance with Policy EN4 of the Local Plan.
15. No lighting to be installed on the western side of the site. If such lighting is required then a lighting plan must be submitted for approval, accompanied by a contour diagram that demonstrates minimal effects on habitats (watercourse and trees.)  
Reason: To protect the health and wellbeing of biodiversity within the site in accordance with Policy EN4 of the Local Plan.

Notes:

Cadent Gas (National Grid)  
Staffordshire Fire and Rescue  
Staffordshire Police

**PLANNING COMMITTEE**

**8<sup>th</sup> June 2021**

**APPLICATION FOR CONSIDERATION**

**REPORT OF ASSISTANT DIRECTOR - GROWTH & REGENERATION**



<b>Application Number:</b>	<b>0143/2021</b>
<b>Development:</b>	<b>Construction of Aluminium framed building (warehouse)</b>
<b>Location:</b>	<b>BD Schenker, Centurion Way, TAMWORTH, Wilnecote, B77 5PN</b>

## 1. Introduction

- 1.1. The site is located within a small industrial estate on the south eastern outskirts of Tamworth approximately 4km from the town centre and surrounded on two sides by industrial buildings of a similar nature and size. The area to the south forms part of the Kettlebrook Nature Reserve with the M42 flanking the site to the east. The M42 with Junction 10 is approximately 200 metres to the north.
- 1.2. The site lies within the Centurion Park Employment Area, one of the adopted Local Plan Strategic Employment Areas and is allocated for employment (B1 (b, c), B2 and B8) use under policy EC7.
- 1.3. The application is for an aluminium portal framed building used for warehousing and will be located close to the existing building. The site is approximately 28420m2 with the new building occupying 2050m2. It is be located on a section of the site which was used for external storage with the building providing dry area for this to occur along with additional storage space.
- 1.4. There are no new environmental risks in the erection of the new building as the area of land to which it is situated is currently used for temporary external storage and goods dispatch.
- 1.5. Parking provision within the site includes 95 standard spaces.
- 1.6. The application is supported by the following reports:
  - Planning Statement
  - Transport Assessment

## 2. Relevant Policies

- 2.1 Adopted Tamworth Local Plan 2006-2031
  - SS1 - The Spatial Strategy for Tamworth
  - SS2 – Presumption in Favour of Sustainable Development
  - EC7 - Strategic Employment Areas
  - EN4 - Protecting and Enhancing Biodiversity
  - EN5 - Design of New Development
  - SU4 - Flood Risk and Water Management
  - SU5 - Pollution, Ground Conditions and Minerals and Soils
  - IM1 – Infrastructure and Developer Contributions
  - Appendix C – Car Parking Standard

National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)  
Tamworth Borough Council's Community Infrastructure Levy (CIL)

## 3. Relevant Site History

T16077	Mixed retail park including filling station and fast food centre
T17425	Business, general industry, storage/distribution, new car dealership, motorist centre, petrol station, restaurant, hotel and associated access roads and parking
T17660	Business, general industry, storage/distribution, new car dealership, motorist centre, petrol station, restaurant, hotel and associated access roads and parking: construction of roads and sewers and associated infrastructure
T18211	Approval of reserved matters: landscape soft works to the northern and western boundaries

T18808	Extension to road "f" and relocate road "e"
T20263	Cladding fascia to office block
T20961	Development for classes b1, b2 and b8 of town and country planning (use classes) order 1987
T20962	Development for classes b1, b2 and b8 of town and country planning (use classes) order 1987
T21857	Reserved matters: warehouse
T23028	Extension to warehouse and additional offices, yards and parking
T23082	Extension to warehouse and additional offices, yards and parking
T23752	Construction of warehouse and ancillary offices
T24051	Amendment to approved elevation of warehouse building currently under construction
0655/2004	Advertisement Consent
0434/2010	To create 2 new openings 2700w x 3000h. Install shutter doors and 2 no. external loading pods nominally 3500mmw x 3000mmhg x 5000mm h

#### **4. Consultation Responses**

- 4.1 The consultation responses comments are précised if conditions are proposed these are included within the conditions at the end of the report unless stated otherwise. Whilst every effort has been made to accurately summarise the responses received, full copies of the representations received are available to view at [www.tamworth.gov.uk](http://www.tamworth.gov.uk).
- 4.2 Staffordshire County Council Highways  
No objections
- 4.3 Staffordshire County Council Lead Local Flood Authority - LLFA  
No objections
- 4.6 Tamworth Borough Council – Environmental Health  
No objections
- 4.7 Tamworth Borough Council – Policy  
No objection

#### **5. Additional Representations**

- 5.1 As part of the consultation process adjacent occupiers were notified and a press notice and site notices were erected. No responses received.

#### **6. Equality and Human Rights Implications**

- 6.1 Due regard, where relevant, has been taken to the Tamworth Borough Council's equality duty as contained within the Equalities Act 2010. The authority has had due regard to the public sector equality duty (PSED). Under section 149 of the Equality Act 2010, a public authority must in the exercised of its functions, have due regard to the interests and needs of those sharing the protected characteristics under the Act, such as age, gender, disability and race. This proposal has no impact on such protected characteristics.
- 6.2 There may be implications under Article 8 and Article 1 of the First Protocol of the Human Rights Act, regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these issues have been taken into account in the determination of this application.

#### **7. Planning Considerations**

The key issues to be considered at this stage are:

1. Principle
2. Design and appearance
3. Amenity
4. Highway Safety
5. Flood Risk

## 7.1 Principle

- 7.1.1 The Local Plan (LP) was adopted in February 2016. Centurion Park is an existing Strategic Employment Area and so policy EC7 (Strategic Employment Areas) of the plan applies. EC7 states that planning permission should be granted for B1 (b,c), B2 and B8 uses on strategic employment sites and that the expansion of any existing business within these use classes will be supported, provided it promotes and supports the role and performance of the employment area in meeting the strategic economic objectives of the plan.
- 7.1.2 As well as the Local Plan there is national policy contained within the National Planning Policy Framework (NPPF) and its practice guidance (NPPG). The NPPF states that *“significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development”*. There is a requirement within the NPPF to ensure the effective use and re-use of land is undertaken, to approve new development as the market requires and as new development is proposed.
- 7.1.3 Therefore the proposed development is acceptable in principle, subject to siting, design and other planning issues.

## 7.2 Design and Appearance

- 7.2.1 Policy EN5 – Design and New Development, states that developments should be of a scale, layout form and massing which conserves or enhances the setting of development and utilize materials and overall detailed design which conserves or enhances the context of the development. Proposals should respect and where appropriate reflect existing local architectural and historic characteristics but without ruling out innovative or contemporary design which is still sympathetic to the valued characteristics of an area.
- 7.2.2 The proposal will not have a significant impact on the character and appearance of this locality as the design is a simple aluminium portal framed building in an industrial style that compares well with the other structures which currently occupy the site. It is located to the side of the main entrance and will have no impact on the overall appearance of the front facade.
- 7.2.3 It will match the colour and style of the existing building but at a lower height than the existing buildings. The existing building has been clad using a horizontally orientated, profiled, steel sheeting material coloured goosewing grey. This will allow the structure to blend in to its surroundings and harmonise with the surrounding landscape.
- 7.2.4 Therefore the proposals comply with policy EN5 of the adopted Tamworth Local Plan.

## 7.3 Amenity

- 7.3.1 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. Such impacts may include loss of light, privacy or security or unacceptable noise, pollution, flooding or sense of enclosure.
- 7.3.2 The location was chosen to be the most suitable area for the building to be constructed as this portion of the site was already in use for storage and the new building will allow this to be done more efficiently and in a dry environment. The proposal will not have a significant impact on the amenities of occupiers of neighbouring buildings due to its position amongst other industrial units and position close to main roads and M42 motorway. Environmental Protection have no objections to the proposals.

## 7.4 Highway safety

- 7.4.1 Policy SU2 and EN5 require development proposals to have particular regard to highway safety, service requirements and the capacity of the local road network and the adopted parking standards set out in Appendix C of the Local Plan.



7.4.2 Access to the site is from Centurion Way. There are two vehicular accesses to the site, one for staff and visitors to the north-east of the site and one for collections and deliveries to the south-east of the site. No changes are proposed to the existing vehicular access arrangements to the site. The proposal will not have a significant impact on highway safety as access on the site will not be affected by the proposed development as the new building is to be installed in a section of the existing external storage; the parking arrangement of 95 parking spaces on site will not be altered as a result of the new development, and the existing employee/visitor entrance will be retained and be unobstructed will also remain in full operation throughout the construction period. No additional vehicular movements are expected as a result of the development.

7.4.3 Staffordshire County Council have no objections and do not require any conditions. As the development does not result in a significant change of land use and is not expected to generate significant numbers of new trips on the highway network, it is not considered that the proposed development would have a significant impact on the surrounding highway network.

## 7.5 Flood Risk

7.5.1 Staffordshire County Council Lead Local Flood Authority have no objections and do not require any conditions. The proposed building will be connected into the existing surface water drainage system. The site is close to an area that benefits from flood defences.

## 8. Community Infrastructure Levy

Tamworth Borough Council adopted its Community Infrastructure Levy (CIL) Charging Schedule on the 17th July 2018 which came into force for applications determined after 1st August 2018. The proposed development would fall within the "all other development" category of the CIL Charging Schedule which attracts a charge of £0 (nil).

## 9. Conclusion

The proposal is for an aluminium framed warehouse building on a large section of the external storage yard which was previously used for external storage. The building is considered to be of an appropriate design for the locality in suitable materials. The development raises no issues in respect of highway safety or flood risk and does not impact upon the amenities of neighbouring occupiers. The proposal therefore complies with policies EC7 and EN5 of the Tamworth Local Plan 2006-2031.

## 10. Recommendation

Approval Subject to Conditions

## 11. Conditions / Reasons

1. The development shall be started within three years from the date of this decision. Reason: In compliance with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall only be carried out in accordance with the application form, the supporting letter and drawings: DRG01; DRG02; DRG03; DRG04; DR05 unless otherwise agreed in writing by the Local Planning Authority. Reason: To define the permission.

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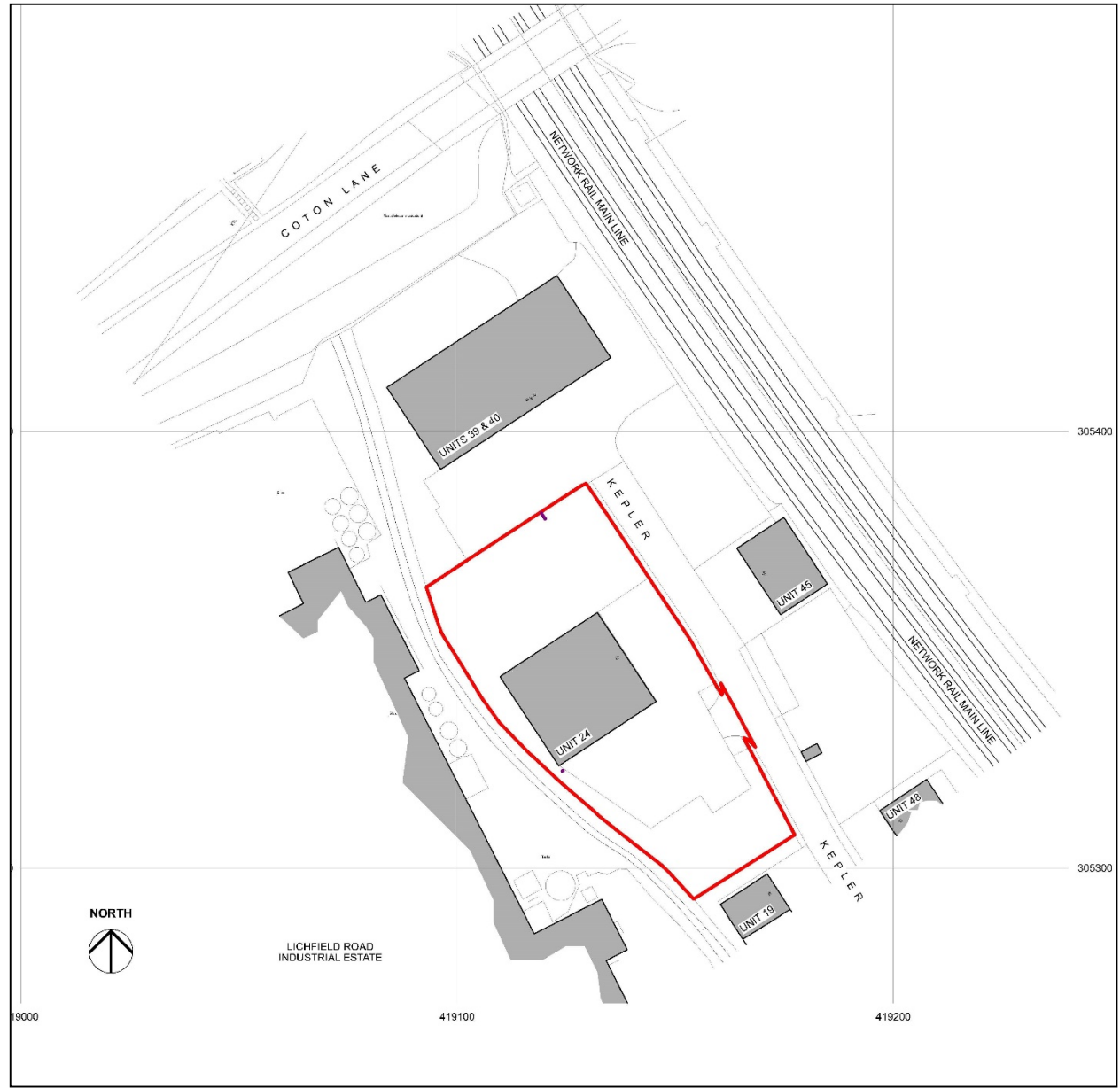
# Application for consideration

0051/2021 – 24 Kepler

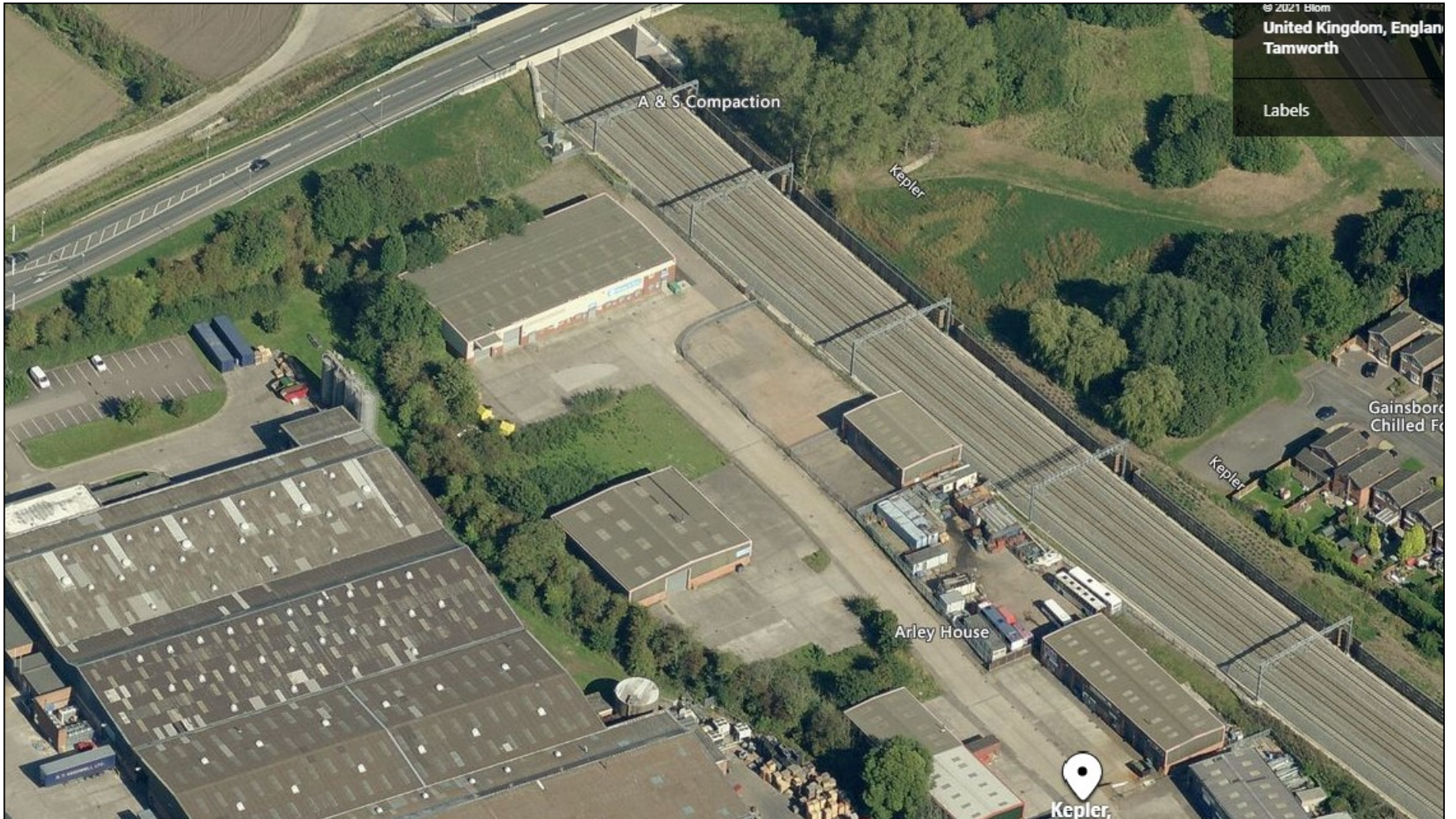
Demolition of existing warehouse building & erection of new warehouse with associated service yard and car parking

**Officer Recommendation:  
Approve with conditions**

# 0051/2021 – 24 Kepler



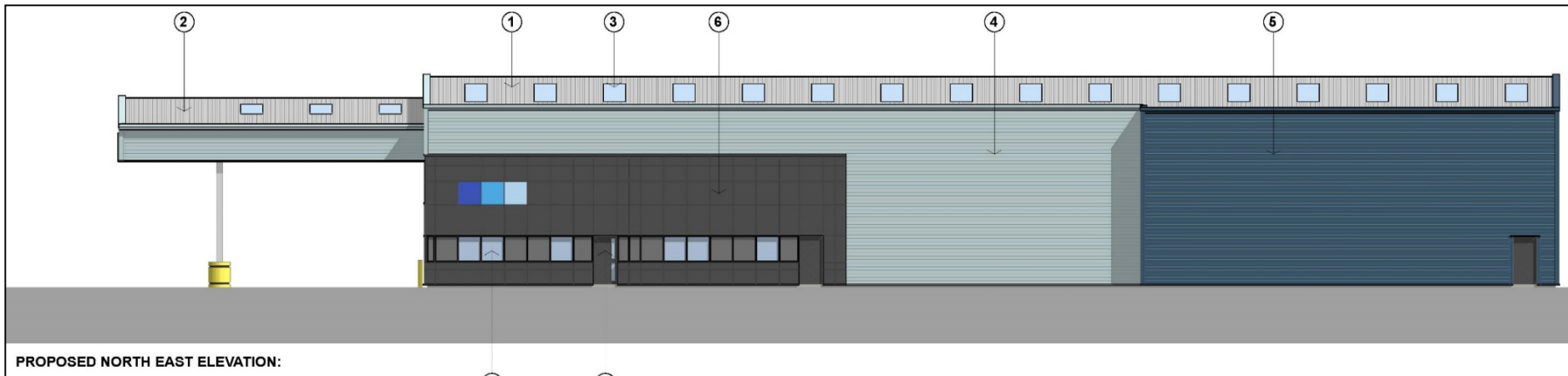
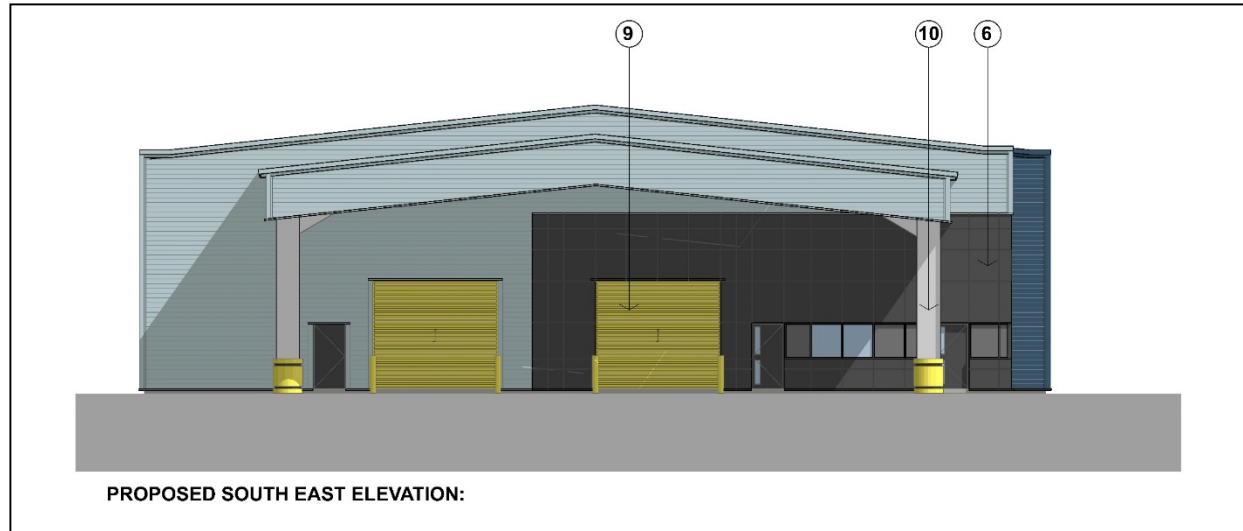
# 0051/2021 – 24 Kepler



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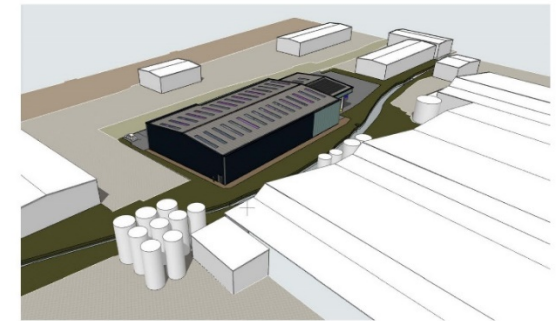
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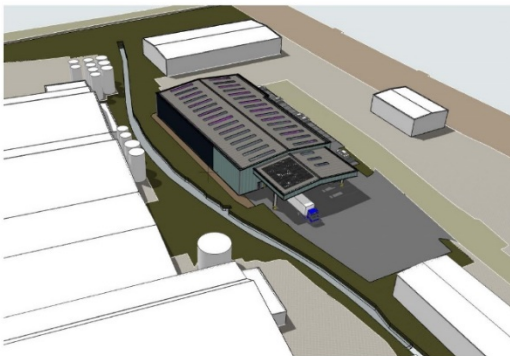
VIEW FROM SOUTH EAST:



VIEW FROM NORTH EAST:



VIEW FROM NORTH:



VIEW FROM SOUTH:





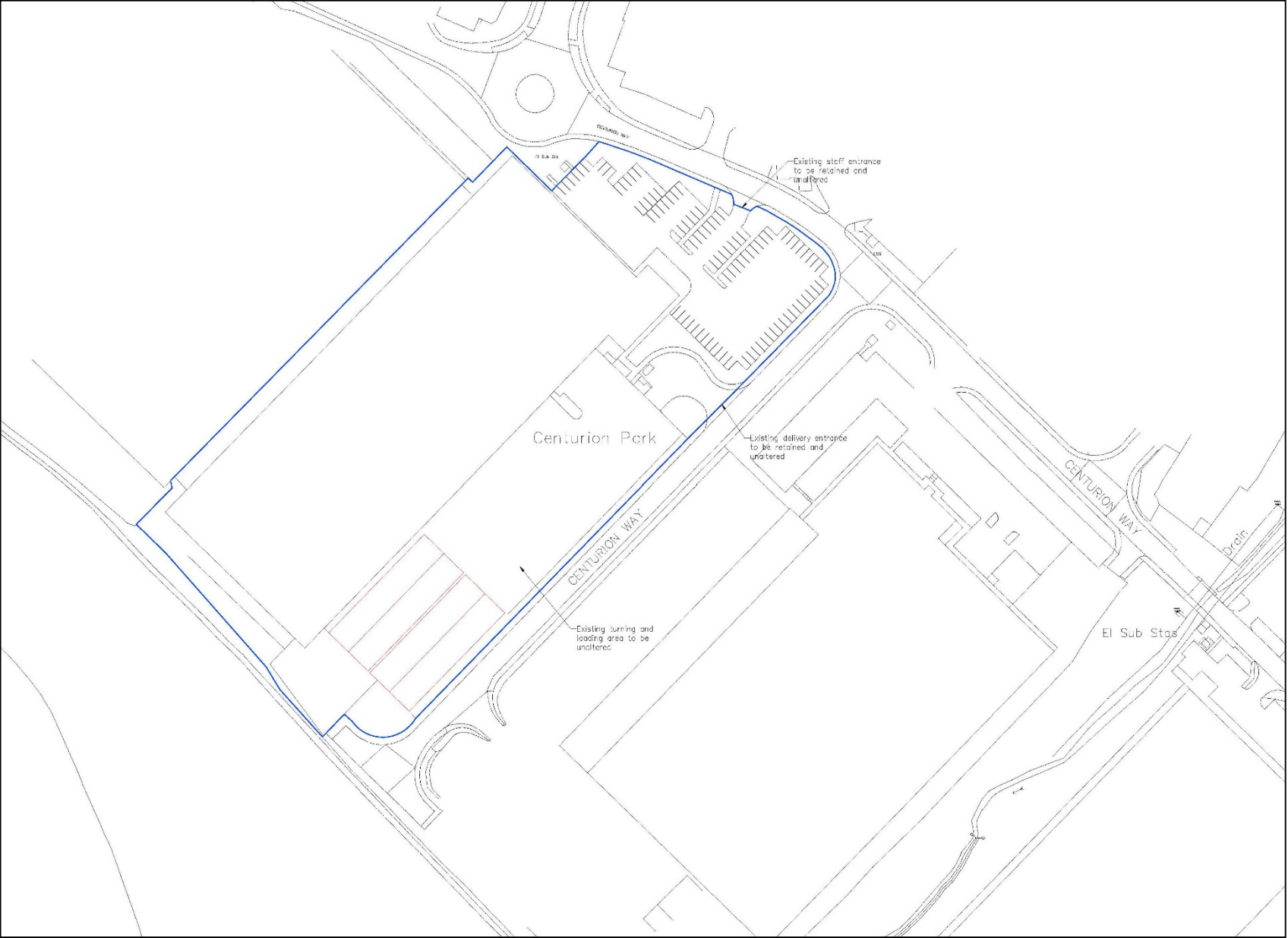
Application for consideration:

0143/2021 – BD Schenker, Centurion Way

Construction of Aluminium framed building  
(warehouse)

**Officer Recommendation:  
Approve with conditions**

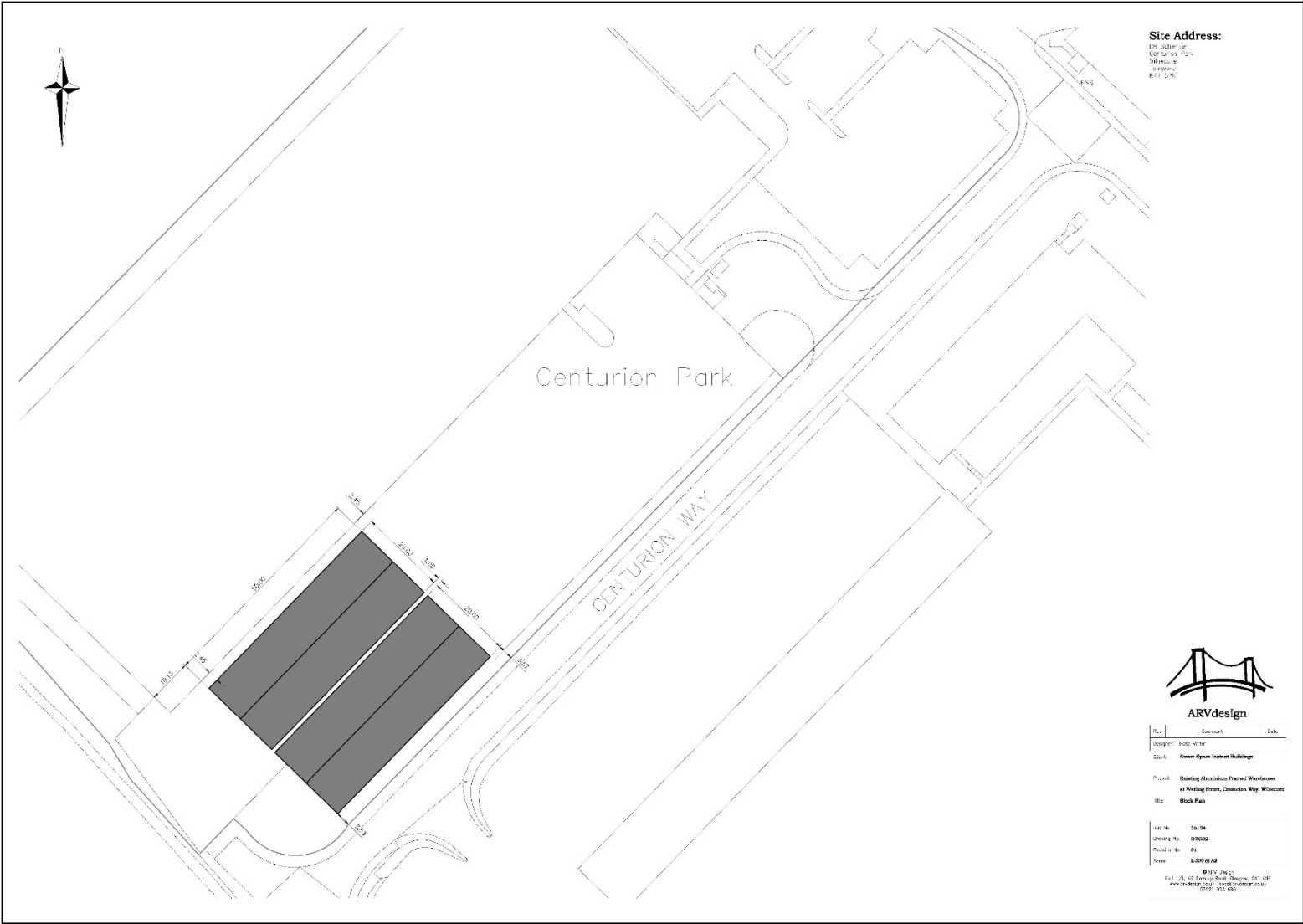
# 0143/2021 - BD Schenker, Centurion Way



# 0143/2021 - BD Schenker, Centurion Way

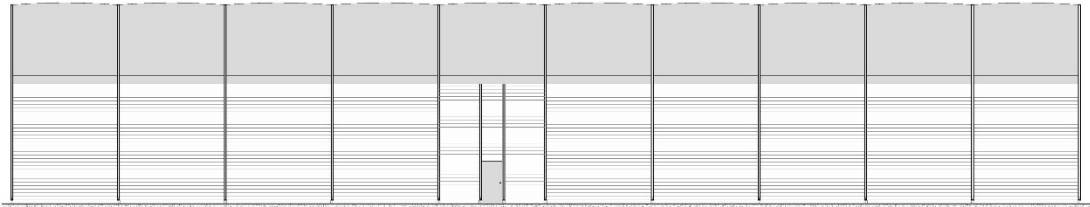


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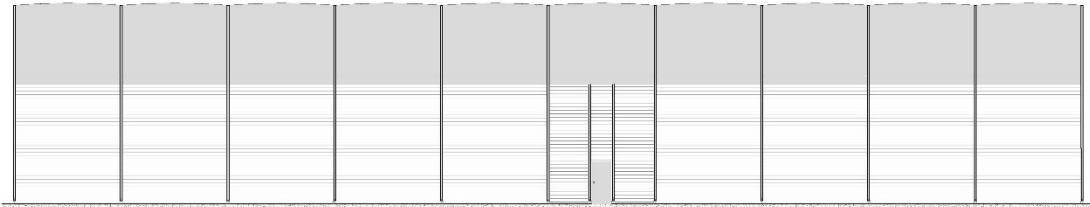


# 0143/2021 - BD Schenker, Centurion Way

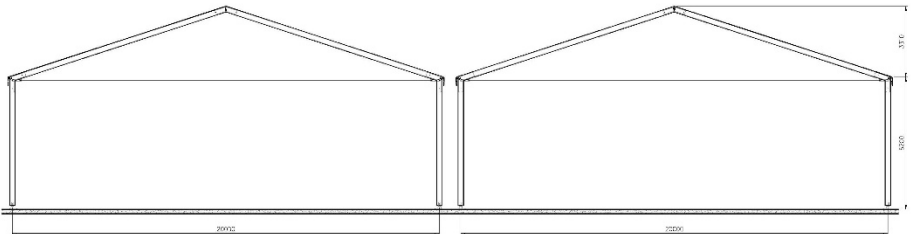
Page 45



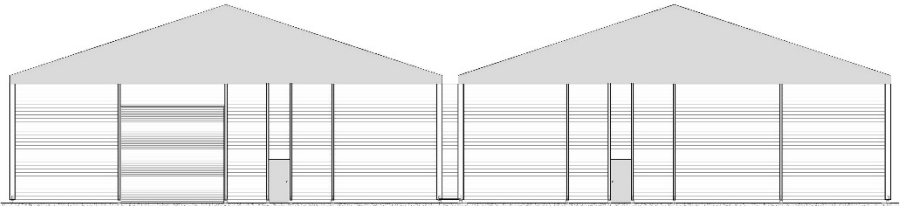
West Elevation



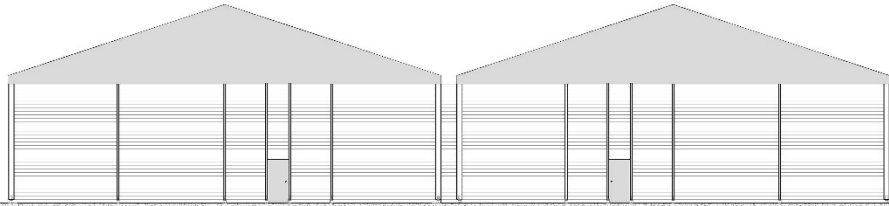
East Elevation



Section



North Elevation



South Elevation



ARVdesign
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Project: [Redacted]
Drawn: [Redacted]
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Checker: [Redacted]
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# 0143/2021 - BD Schenker, Centurion Way

