



MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON 2nd NOVEMBER 2021

PRESENT: Councillor J Chesworth (Chair), Councillors M Bailey (Vice-Chair), P Brindley, S Goodall, M J Greatorex, J Harper, T Jay, D Maycock, K Norchi, S Pritchard and R Rogers

The following officers were in attendance: Pardip Sharma (Planning Solicitor), Sally Price (Senior Planning Officer), Richard Powell (Planning Policy and Delivery Team Leader), Debbie Hall (Planning Officer) and Tracey Pointon (Legal Admin & Democratic Services Manager)

37 APOLOGIES FOR ABSENCE

No apologies for absence were received

38 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 5th October 2021 were approved and signed as a correct record.

(Moved by Councillor S Goodall and seconded by Councillor P Brindley)

39 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

40 APPLICATIONS FOR CONSIDERATION

40.1 Application 0017/2021 16 Wigginton Road

Application Number: 0017/2021

Development: Proposed dwelling with integral garage and associated parking

Location: 16 Wigginton Road, Tamworth, B79 8RH

RESOLVED: Refused – Reason outlined below.

Reason for Refusal

The scale, bulk and massing of the proposed dwelling combined with its siting would create harm to the significance of the Grade 11* Listed building known as Spital Chapel of St James, and a designated heritage asset. The proposed development would also hinder appreciation of its significance by altering the significant relationship of the chapel to its surroundings and adversely affect its setting. The proposed works would therefore result in material harm to the Grade II* listed building and its setting contrary to policy EN6: Protecting the Historic Environment, as set out in the Tamworth Local Plan 2006-2031, the provisions of chapter 16, Conserving and enhancing the historic environment, of the National Planning Policy Framework (NPPF) 2021, and sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(Moved by Councillor J Chesworth and seconded by Councillor J Harper)

40.2 Application No. 0069/2020 Central England Co-Operative Supermarket, Brent, Wilnecote, Tamworth, B77 5DL

Application Number: 0069/2020

Development:

Demolition and site clearance of Co-Operative superstore (former Use Class A1) and car park, to facilitate a mixed-use development comprising of retail foodstore and non-food retail (5,240m²), two central retail units (222m²) (Use Class E) and drive thru restaurant/takeaway (Sui generis) (413m²), builders merchant (sui generis) for the display, sale and storage of building timber and plumbing supplies, plant and tool hire, including outside display and storage area along with storage racking, B1/E(g)(iii) and B8 including ancillary trade counters and offices (1,912m²), and associated car parking, pedestrian and vehicular accesses, landscaping and associated works.

Location: Central England Co-Operative Supermarket, Brent, Wilnecote, Tamworth, B77 5DL

RESOLVED: That committee

- a. Granted delegated authority to the Head of Planning to conclude negotiations on and complete an agreement under section 106 of the Town and Country Planning Act 1990 so to secure the planning obligations outlined in this report; and
- b. Subject to A, approved the application subject to the following condition(s):

Conditions/Reasons:

1. The development hereby approved shall be begun before the expiration of three years from the date of this permission.

Reason: To conform 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 permitted shall be carried out in accordance with plan(s)/drawing(s):

DRAWING TITLE	DWG No	REVISION
Site Location Plan	100	P01
Existing Site Plan	101	P02
Existing Site Sections	103	P01
Proposed Site Plan	330	P03
Proposed Site Sections	331	P00
Ground Floor Plan, Unit A	332	P00
Roof Plan, Unit A	333	P01
Elevations, Units A	334	P01
Ground Floor Plan, Unit B	335	P00
Roof Plan, Unit B	336	P00
Elevations, Unit B	337	P00
Ground Floor Plan, Block A	338	P00
First Floor Plan, Block A	339	P00
Roof Plan, Block A	340	P00
Elevations, Block A	341	P00
Block B Drawings	342	P00
Drive Thru A Drawings	343	P01
Drive Thru B Drawings	344	P01
TRO Plan, Brent and Forties	NMT-BWB-HGN-XX-DR-TR-114-S2	P02
Proposed Signalised Pedestrian Crossing Point	NMT-BWB-HML-XX-DR-TR-101-S2	P04
Vehicle Tracking Assessment	NWT-BWB-HGN-XX-DR-TR-110	P05
Vehicle Tracking Assessment	NWT-BWB-HGN-XX-DR-TR-110	P06

Site Location Plan 100 P01

Existing Site Plan 101 P02

Existing Site Sections 103 P01

Proposed Site Plan 330 P05

Proposed Site Sections 331 P01

P00 Ground Floor Plan,

Unit A 332 P00 Roof Plan,

Unit A 333 P01 Elevations,

Units A 334 P01 Ground Floor Plan 4

Unit B 335 P00 Roof Plan

Unit B 336 P00 Elevations

Unit B 337 P00 Ground Floor Plan

Block A 338 P02 Ground Floor Plan,

Block A 339 P01 Upper Floor Plan,

Block A 340 P01 Roof Plan

Block A 341 P03 Proposed Elevations

Block A 341 P02 Proposed Elevations (Rendered)

Block A 0346 P00 Proposed Storage (Rendered)

Block B Drawings 342 P00

Drive Thru A Drawings 343 P02

Drive Thru B Drawings 344 P01

TRO Plan Brent and Forties NMT-BWB-HGN-XX-DR-TR-114-S2 P02

Proposed Signalised Pedestrian Crossing Point NMT-BWB-HML-XX-DR-TR-101-S2 P03
 Vehicle Tracking Assessment NWT-BWB-HGN-XX-DR-TR-110 P05
 Vehicle Tracking Assessment NWT-BWB-HGN-XX-DR-TR-110 P06
 Vehicle Tracking Travis Perkins NMT-BWB-GEN-XX-DR-TR-117 P02
 Action Travel Connections NMT-BWB-HGN-XX-DR-TR-116 P02
 Proposed Access Arrangements NWT-BWB-HGN-XX-DR-TR-103 P03

Unless as otherwise required by condition attached to this permission or following approval of an application made pursuant to Section 96A of the Town and Country Planning Act 1990.

Reason: For the avoidance of doubt and in the interests of achieving sustainable development

3. The ancillary trade counters in Travis Perkins shall occupy no more than 25% of the floor space, including mezzanine, of the unit for retail sales purposes.

Reason: To protect the vibrancy and vitality of Tamworth town centre to comply with policy EC1 of the Tamworth Borough Council Local Plan 2006-2031 and the National Planning Policy Framework (as amended) 2019

4. The scheme hereby permitted and shown in Drawing Number 330 Revision P03, shall only operate between the hours detailed below:

Unit	Opening hours
Lidl Food & B&M	Monday – Saturday 07:00 – 22:00 Sunday 10:00 – 17:00
Travis Perkins Unit	Monday – Saturday 06.30 – 20:00 Sunday 09:00 – 17:00
Drive-Thru Starbucks/KFC	Monday – Saturday 06:00 – 00:00 Sunday 06:00 – 00:00
A1 Retail Units	Saturday 06:00 – 22:00 Sunday 06:00 – 18:00

Reason: To safeguard the amenities of nearby occupiers, in accordance with policy EN5 of the Tamworth Borough Council Local Plan 2006-2031.

5. Notwithstanding the details provided, prior to the occupation of any unit hereby approved a scheme of hard (including details of all boundary treatment) and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. All hard landscaping shall be carried out in accordance with the approved details prior to occupation of each respective unit, whilst all planting, seeding or turfing comprised in the approved scheme shall be carried out in the first planting and seeding seasons following the first occupation of each respective unit or the completion of the development, whichever is the sooner; and any plants which within a period of five years (ten years in the case of trees) 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 similar size and species and thereafter retained for at least the same period, unless the Local Planning Authority gives written consent to any variation

Reason: In the interest of the visual setting of the development and the surrounding area in accordance with policy EN4 of the Tamworth Borough Council Local Plan 2006-2031 and the National Planning Policy Framework (as amended) 2019.

6. All site works must comply with recommendations R1, R5, R6 and R7 of the submitted Preliminary Ecological Appraisal (Middlemarch Environmental, November 2019).

Reason: To protect and enhance biodiversity in accordance with policy EN4 of the Tamworth Borough Council Local Plan 2006-2031 and the National Planning Policy Framework (2019).

7. No development shall commence (excluding demolition) until details of biodiversity enhancement measures, including x4 bat boxes suitable for crevice-dwelling bats of wood-concrete composition to be installed on the new buildings to the east and west side of the site have been submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be implemented as approved and retained thereafter.

Reason: To protect and enhance biodiversity in accordance with policy EN4 of the Tamworth Borough Council Local Plan 2006-2031 and the National Planning Policy Framework

8. No development shall commence until an in-depth method statement regarding tree protection is submitted to, and approved in writing by, the Local Planning Authority. The approved details shall be implemented as approved and retained for the duration of the construction works.

Reason: To protect and enhance biodiversity in accordance with policy EN4 of the Tamworth Borough Council Local Plan 2006-2031 and the National Planning Policy Framework (2019).

9. No development shall commence (excluding demolition) until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features. The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.

Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with policy SU5 of the Tamworth Borough Council Local Plan 2006-2031 and paragraphs 178 and 179 of the National Planning Policy Framework.

10. Where the findings of the intrusive site investigations (required by condition 9) identify that coal mining legacy on the site poses a risk to surface stability, **no development shall commence** until a detailed remediation scheme to protect the development from the effects of such land instability has been submitted to

the Local Planning Authority for consideration and approval in writing. Following approval, the remedial works shall be implemented on site in complete accordance with the approved details.

Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with policy SU5 of the Tamworth Borough Council Local Plan 2006-2031 and paragraphs 178 and 179 of the National Planning Policy Framework.

11. Notwithstanding the details provided **No development shall commence (excluding demolition)** until a detailed surface and foul water drainage scheme for the site has been submitted to, and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority and Severn Trent Water. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:

- a.) Surface water drainage system(s) designed in accordance with the non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015).
- b.) Provision of surface water run-off attenuation storage in accordance with the requirements specified in 'Science Report SC030219 Rainfall Runoff Management for Developments'.
- c.) Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.
- d.) Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.
- e.) Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water drainage systems shall be maintained and managed for the lifetime of the development.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface and foul water from the site in accordance with policy SU4 and SU5 of the Tamworth Borough Council Local Plan 2006-2031 and with paragraph 163 of the National Planning Policy Framework (2019).

12. **No development shall commence** until a remediation strategy which includes the following components to address the risks associated with contamination of the site shall be submitted to, and approved in writing by, the Local Planning Authority:

- a.) A preliminary risk assessment which has identified:
 - i.) all previous uses
 - ii.) potential contaminants associated with those uses
 - iii.) a conceptual model of the site indicating sources, pathways and receptors

iv.) potentially unacceptable risks arising from contamination at the site.

b.) A site investigation scheme, based on (a.) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

c.) The results of the site investigation and the detailed risk assessment referred to in (b.) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

d.) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved.

Reason: Due to the potential for contamination to be present on the site as indicated by the preliminary risk assessment included within the 'Preliminary Risk Assessment for a Site on Ninian Way, Wilnecote, Tamworth' (DTS Raueburn Limited, June 2017). Any contamination present has the potential to impact on the 'Controlled Waters' receptors of groundwater in the underlying Secondary Aquifers and local surface water features. The extent of any contamination and significance to these receptors should be assessed to determine the need for remedial actions. National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to, or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

13. No occupation of any part of the development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing by, the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a 'long-term monitoring and maintenance plan') for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: To ensure that any remedial works required as an outcome of the site investigation and risk assessment are completed to a satisfactory standard. National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to, or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation

information, prepared by a competent person, is presented (NPPF, paragraph 121).

14. The scheme shall be implemented in accordance with the approved details in condition 13 before the development is first brought into use.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site in accordance with policy SU4 of the Tamworth Borough Council Local Plan 2006-2031 and with paragraph 163 of the National Planning Policy Framework (2019).

15. **No development shall commence** until a scheme to deal with contamination of land, controlled waters and/or ground gas has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall include all of the following measures, unless the Local Planning Authority dispenses with any such requirement specifically in writing:

a.) A Phase I site investigation report carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model, and a human health and environmental risk assessment, undertaken in accordance with BS 10175: 2011 Investigation of Potentially Contaminated Sites – Code of Practice.

b.) A Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites – Code of Practice. The report should include a detailed quantitative human health and environmental risk assessment.

c.) A remediation scheme detailing how the remediation will be undertaken, what methods will be used, and what is to be achieved. A clear end point of the remediation should be stated, such as site contaminant levels or a risk management action, and how this will be validated. Any ongoing monitoring should also be outlined.

d.) If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to, and approved in writing by, the Local Planning Authority.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with policy SU5 of the Tamworth Borough Council Local Plan 2006-2031

16. Prior to occupation, a validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology shall be submitted to, and approved in writing by, the Local Planning Authority. Details of any post-remedial sampling and analysis to show that the site has reached the required clean-up

criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with policy SU5 of the Tamworth Borough Council Local Plan 2006-2031

17. If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to, and approved in writing by, the Local Planning Authority.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with policy SU5 of the Tamworth Borough Council Local Plan 2006-2031

18. The development hereby permitted shall be serviced using the principles as set out in the submitted Service Management Plan (ref: NWT-BWB-GEN-XX-RP-TR-0005-TN V2) for the lifetime of the development and shall only be amended unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of pedestrian and highway safety in accordance with policy SU2 of the Tamworth Borough Council Local Plan 2006-2031.

19. No development shall commence until a Construction Management Plan is submitted to, and approved in writing by, the Local Planning Authority. The submitted Construction Management Plan shall provide the following details:

- a.) The routeing of construction vehicles to and from the site including measures to mitigate the impact on the local highway network.
- b.) Parking facilities for vehicles of site personnel, operatives and visitors;
- c.) Arrangements for the loading and unloading of plant and materials;
- d.) Site working times and times of deliveries to the site
- e.) Areas of storage for plant and materials used during the construction of the proposed development;
- f.) Measures, including designated wheel cleaning areas, to prevent the deposition of deleterious material on the public highway during the construction of the proposed development.

The Construction Management Plan shall be adhered to for the duration of the demolition and construction phase.

Reason: To avoid indiscriminate parking and obstruction of the highway In the interests of pedestrian and highway safety in accordance with policy SU2 of the Tamworth Borough Council Local Plan 2006-2031

20. Prior to occupation, the off-site traffic management scheme comprising of double yellow lines on Brent and Forties, as broadly indicated on submitted Drg. No.NWT-BWB-HGNXX-DR-TR-114 S2 Rev. P02, shall be implemented.

Reason: In the interests of pedestrian and highway safety in accordance with policy SU2 of the Tamworth Borough Council Local Plan 2006-2031.

21. Prior to occupation, the extension to the existing shared use footway/cycleway, as broadly indicated on submitted Drg. No. NWT-BWB-HML-XX-DR-TR-101 S2 Rev. P4, will be provided and shall thereafter be retained for the lifetime of the development.

Reason: In the interests of pedestrian and highway safety and to encourage the use of sustainable modes of transport in accordance with policy SU2 of the Tamworth Borough Council Local Plan 2006-2031.

22. Prior to occupation, details of the upgrading of two existing bus stops on Ninian Way will be submitted to, and approved in writing by, the Local Planning Authority and shall thereafter constructed in accordance with the approved drawings prior to first occupation.

Reason: In the interests of pedestrian and highway safety and to encourage the use of sustainable modes of transport in accordance with policy SU2 of the Tamworth Borough Council Local Plan 2006-2031.

23. Prior to occupation of the the Travis Perkins Unit, the northern and southern drive throughs, Unit A, Unit B and the garden centre, the associated cycle spaces and cycle lockers, as indicated on submitted Drg. No.15029-330 Rev. P03, shall be installed and retained for the lifetime of the development.

Reason: In the interests of pedestrian and highway safety and to encourage the use of sustainable modes of transport in accordance with policy SU2 of the Tamworth Borough Council Local Plan 2006-2031.

24. Prior to occupation, the accesses to the site, as shown on Drg. No.0330 Rev. P-05 within the limits of the public highway, will be provided.

Reason: In the interests of highway safety and to comply with SCC Highway Authority requirements for access and in accordance with policy SU2 of the Tamworth Borough Council Local Plan 2006-2031.

25. Prior to occupation, any lengths of existing site accesses, which shall include the access crossing between the site and carriageway edge, made redundant as a consequence of the development hereby permitted will be permanently closed with the access crossing reinstated as verge/footway.

Reason: To avoid the proliferation of redundant accesses in accordance with policy SU2 of the Tamworth Borough Council Local Plan 2006-2031.

26.) Prior to occupation, the associated parking areas, indicated on submitted Drgs. No.NWT-BWB-HGN-XX-DR-TR-110 S2 Rev. P06 and NWT-BWB-HGN-XX-DR-TR-110 S2 Rev. P5, shall be provided with the parking bays clearly delineated and thereafter retained at all times for their designated purpose.

Reason: In the interests of pedestrian and highway safety accordance with policies EN5 and SU2 and Appendix C of the Tamworth Borough Council Local Plan 2006-2031.

27. The garden centre as shown on Drawing Number 330 Revision P03 hereby approved shall be occupied solely in connection with, and ancillary to the existing business operating from Unit B (as shown on Drawing Number 330 Revision P05) and shall not be sold off, sub-let or used as a separate business premises.

Reason: To protect the vibrancy and vitality of Tamworth town centre to comply with policy EC1 of the Tamworth Borough Council Local Plan 2006-2031 and the National Planning Policy Framework (as amended) 2019.

28. The open land within the curtilage of the site generally and within the curtilage of individual units as shown on Drawing Number 330 Revision P03 hereby approved shall not be used for the storage, display or sale of anything whatsoever.

Reason: In the interests of the visual amenities of the area and the openness of the land and to protect the vibrancy and vitality of Tamworth town centre to comply with policies EC1 and EN5 of the Tamworth Borough Council Local Plan 2006-2031 and the National Planning Policy Framework (as amended) 2019.

29. Notwithstanding the details 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 in accordance with policy EN5 of the Tamworth Borough Council Local Plan 2006-2031 and the National Planning Policy Framework (as amended) 2019.

30. **No development, including preparatory works, shall commence** until details of the finished floor levels of the buildings hereby approved, and of the proposed ground levels of the site relative to the finished floor levels and adjoining land levels, shall be submitted to and approved in writing by the Local Planning Authority. Such details shall be supplemented with locations, cross-sections and appearance of any retaining features required to facilitate the proposed levels. The development shall be constructed in accordance with the approved details.

Reason: To protect the amenities of adjoining properties and the appearance of the area generally, recognising that site levels across the site as a whole are crucial to establishing infrastructure routing/positions in accordance with policy EN5 of the Tamworth Borough Council Local Plan 2006-2031 and the National Planning Policy Framework (as amended) 2019.

Informative Notes:

Ecology:

The Local Planning Authority in exercising any of their functions, have a legal duty to have regard to the requirements of the Conservation of Species & Habitats Regulations 2017 which identifies 4 main offences for development affecting European Protected Species (EPS):

1.) Deliberate capture or killing or injuring of an EPS

- 2.) Deliberate taking or destroying of EPS eggs
- 3.) Deliberate disturbance of a EPS including, in particular, any disturbance which is likely:
 - a.) To impair their ability:
 - i.) To survive, to breed or reproduce, or to rear or nurture their young, or
 - ii.) In the case of animals of a hibernating or migratory species, to hibernate or migrate; or
 - b.) To affect significantly the local distribution or abundance of the species to which they belong.
- 4.) Damage or destruction of an EPS breeding site or resting place.

Ecology:

The applicant/developer is advised of the requirement to secure a Natural England Licence before commencing development.

Flood Risk:

The Environment Agency (EA) advises that the applicant/developer should:

- a.) Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
- b.) Refer to the Environment Agency (EA) document 'Guiding Principles for Land Contamination' for the type of information that the EA required in order to assess risks to controlled waters from the site. The Local Planning Authority can advise on risk to other receptors, such as human health.
- c.) Refer to the EA's 'Groundwater Protection: Principles and Practice' (GP3) document, available from www.gov.uk. This sets out the EA's position on a wide range of activities and developments, including:
 - i.) Waste management
 - ii.) Discharge of liquid effluents
 - iii.) Land contamination
 - iv.) Ground source heat pumps
 - v.) Drainage
 - vi.) Storage of pollutants and hazardous substances
 - vii.) Management of groundwater resourcesAll precaution must be taken to avoid discharges and spills to ground both during and after construction. For advice on pollution prevention measures, the applicant/developer should refer to guidance available on the EA's website (www.gov.uk/environment-agency).
- d.) Refer to the EA website: www.gov.uk/environment-agency for more information.

Drainage:

Severn Trent Water advise that there may be a public sewer located within the application site. Although statutory sewer records do not show any public sewers within the area specified, there may be sewers that have been recently adopted under the Transfer of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects

both the public sewer and the building. Please note that there is no guarantee that you will be able to build over, or close to, any Severn Trent sewers, and where diversion is required there is no guarantee that you will be able to undertake those works on a self-lay basis. Every approach to build near to, or divert, Severn Trent Water assets has to be assessed on its own merit and the decision of what is or isn't permissible is taken based on the risk to the asset and the wider catchment it serves. It is **vital** therefore that the applicant/developer contacts Severn Trent Water at the earliest opportunity to discuss the implications of Severn Trent Water assets crossing the site. Failure to do so could significantly affect the costs and timescales of the project if it transpires diversionary works need to be carried out by Severn Trent Water.

Highways

The proposed traffic management scheme referred to in the conditions requires a Traffic Regulation Order (TRO) to provide safe off-site mitigating works. The recommendation of approval by SCC Highways Authority should not be construed as though the County Council is prejudging the outcome of the Order making process. The applicant/developer should note that the Order will be made on behalf of the applicant/developer by Staffordshire County Council at the applicant/developer's expense and has to be secured before development commences, as it is a mitigating measure associated with the proposed development. In case the Order is not already being processed, the applicant/developer is requested to contact <https://www.staffordshire.gov.uk/Highways/TRO/Overview.aspx> with immediate effect to enable the Order to be secured at the earliest convenience to avoid delays to implementation of the planning consent. Please note that there are no guarantees that the Order will be successful.

Highways

Conditions requiring off-site highway works shall require a Highway Works Agreement with Staffordshire County Council. The applicant/developer is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack, including an application form. Please complete and send to the address indicated on the application form, or email to (nmu@staffordshire.gov.uk). The applicant/developer 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>

Cadent Gas

Before carrying out any work the applicant/developer must:

- Note the presence of an Above Ground Installation (AGI) in proximity to the site. You must ensure that you have been contacted by Cadent and/or National Grid prior to undertaking any works within 10m of this site.
- Carefully read these requirements including the attached guidance documents and maps showing the location of apparatus.
- Contact the landowner and ensure any proposed works in private land do not infringe Cadent and/or National Grid's legal rights (i.e. easements or

wayleaves). If the works are in the road or footpath, the relevant Local Authority should be contacted.

- Ensure that all persons, including direct labour and contractors, working for you on or near Cadent and/or National Grid's apparatus follow the requirements of the HSE Guidance Notes HSG47 'Avoiding Danger from Underground Services' and GS6 'Avoidance of Danger from Overhead Electric Power Lines'. This guidance can be downloaded free of charge at <http://www.hse.gov.uk>.

In line with the above guidance, verify and establish the actual position of mains, pipes, cables, services and other apparatus on

It was noted during the meeting that there had been an error within the report and the date this application was approved was 1st December 2020 no 2021

(Moved by Councilor T Jay and seconded by Councilor S Goodall)

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Chair