



MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON 7th DECEMBER 2021

PRESENT: Councillor J Chesworth (Chair), Councillors D Box, J Harper, T Jay, D Maycock, K Norchi, S Pritchard, R Rogers and J Wade

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

Apologies received from: Councillor(s) M Bailey, S Goodall and M J Greatorex

41 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors M Bailey, S Goodall and M Greatorex

42 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 2nd November 2021 were approved and signed as a correct record after the following clarifications were discussed (marked in yellow) and agreed on application 0069/2020.

Proposed Site Plan 330 **P05**

Proposed Site Sections 331 **P01**

Block A 341 **P03** Proposed Elevations

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

Con 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.

Con 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:

Con 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. **P05**, shall be installed and retained for the lifetime of the development.

Con 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.

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

Con 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 **P05** hereby approved shall not be used for the storage, display or sale of anything whatsoever.

(Moved by Councillor J Chesworth and seconded by Councillor S Pritchard)

43 DECLARATIONS OF INTEREST

The Chair confirmed that Committee Members had received a dispensation for application 0334/2021 as the land will come under the future ownership of Tamworth Borough Council.

Councillor T Jay declared an interest as a County Councillor and would leave the meeting before the discussion of application 0334/2021

44 APPLICATIONS FOR CONSIDERATION

Application Number 0337/2020

Development Construction of new 2 storey office building with associated multi storey car park.

Location Sandy Hill Business Park, Sandy Way Amington Industrial Estate, Tamworth, B77 4DU

Application Number 0334/2021

Development Change of use of existing building to Residential Use for 16 dwellings and the provision of 8 new build dwellings

Location Tamworth Day Care Centre, Hockley Road, Wilnecote, Tamworth, B77 5EB

45 APPLICATION NUMBER: 0337/2020 SANDY HILL BUSINESS PARK, SANDY WAY AMINGTON INDUSTRIAL ESTATE

Application Number: 0337/2020

Development: Construction of new 2 storey office building with associated multi storey car park

Location: Sandy Hill Business Park, Sandy Way Amington Industrial Estate, Tamworth, B77 4DU,

RESOLVED: That Committee

Approved the application subject to conditions and s.106 regarding Framework travel plan monitoring contribution

(Moved by Councillor T Jay and seconded by Councillor S Pritchard)

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 following drawing numbers unless otherwise agreed in writing by the Local Planning Authority

7726_100	Location plan
7726_150F	Proposed site plan
7726_250, 7726_251B, 7726_252A	Proposed floor plans
7726_450B, 7726_451, 7726_452	Proposed elevations
7140_265	Proposed plans multi-storey car park
7140_450, 7140_451	Proposed elevations multi-storey car park
RAB2655L/001	Plan view of surface water drainage
RAB2655L/002	Typical details

Reason: To define the approval.

3. The use of the site shall not commence until the car parking areas hereby approved have been surfaced and drained in accordance with details submitted to and approved by the Local Planning Authority and such areas

shall not thereafter be used for any purpose other than the parking of vehicles. 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 EN5 Design of New development and Appendix C (parking standards) as set out in Tamworth Local Plan 2006-2031.

4. Notwithstanding any details shown on the approved plans no development shall be commenced until details indicating the following have been submitted to and approved in writing by the Local Planning Authority:

- details of the height restrictions which will be in place within the multi-storey car park;

- a swept path analysis demonstrating that a large car can safely access and egress the multi storey car park including the ramps between levels;

- details of a re-located secure and weatherproof cycle parking facility within the curtilage of the site. This shall include the quantity of cycle parking available.

Reason: In the interests of highway safety and in accordance policy EN5 Design of New development and Appendix C (parking standards) as set out in Tamworth Local Plan 2006-2031

5. The parking areas shall thereafter be carried out in accordance with the approved details and be completed prior to first occupation. All car parking spaces shall be surfaced in a bound and porous material and be clearly delineated and shall thereafter be retained as such for the lifetime of the development.

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 EN5 Design of New development and Appendix C (parking standards) as set out in Tamworth Local Plan 2006-2031.

6. Before the development hereby permitted is occupied, a Travel Plan shall be submitted to and approved in writing by the County Planning Authority. The Travel Plan shall set out proposals (including a timetable) to promote travel by sustainable modes which are acceptable to the County Planning Authority. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the County Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary date of the planning consent to the County Planning Authority for approval for a period of five years from first occupation of the development permitted by this consent.

Reason: To ensure that adequate provision is made for promoting sustainable transport measures in the interests of highway safety and in accordance policy EN5 Design of New development and Appendix C (parking standards) as set out in Tamworth Local Plan 2006-2031.

7. No development (including demolition) shall take place until a Highways Construction Method Statement 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 provide for:-

- A site compound with associated temporary buildings
- The parking of vehicles of site operatives and visitors
- Times of deliveries including details of loading and unloading of plant and materials
- Storage of plant and materials used in constructing the development
- Duration of works
- Wheel wash facilities
- Appropriate routing agreement using the most appropriate access route

Reason: In the interests of highway safety and in accordance policy EN5 and SU2 of the Tamworth Local Plan 2006-2031

8. No development shall take place on the site until a landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall indicate all existing trees and hedgerows on the site and indicate those to be retained, together with the measures to be adopted to protect them during the course of the development and that the development shall be implemented in accordance with the approved landscaping scheme and retained thereafter throughout the life of the development.

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

9. 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.

10. Prior to the commencement of the development hereby approved details of all materials to be used in the construction of the external surfaces of the development shall be submitted to and approved by the Local Planning Authority in writing and the development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory external appearance to the development in accordance with policy EN5: Design of New Development as set out in the Tamworth Local Plan 2006-2031.

11. The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and the scheme shall be implemented in accordance with the approved details before the development is first brought into use. Details shall include provision of supporting information to demonstrate that sufficient water quality measures have been incorporated into the design for all sources of runoff in accordance with the CIRIA SuDS Manual Simple Index Approach and SuDS treatment design criteria, and details of parties responsible for ongoing maintenance.

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. In accordance with policy SU2: Flood Risk and Water Management as set out in Tamworth Local Plan 2006-2031.

12. An external lighting scheme should be installed, designed in accordance with Bat Conservation Trust / Institution of Lighting Professionals Guidance Note 08/18 Bats and artificial lighting in the UK and submitted for approval prior to commencement, including a lighting contour plan that demonstrates there will be minimal impact on receptor habitats such as trees and hedges and the development carried out in accordance with the approved scheme and retained thereafter throughout the life of the development.

Reason: In the interests of the setting and visual appearance of the development in accordance with policy EN4: Protecting and Enhancing Biodiversity as set out in the Tamworth Local Plan 2006-2031.

13. Prior to commencement of any site works, a Tree Protection Plan should be submitted

for approval, which should be compliant with BS 5837:2012: Trees in relation to design, demolition and construction and the Development implemented in accordance with the approved Plan.

Reason: In the interests of the setting and visual appearance of the development in accordance with policy EN4: Protecting and Enhancing Biodiversity as set out in the Tamworth Local Plan 2006-2031.

14. All site clearance and construction works must proceed in accordance with measures detailed in the Preliminary Ecological Appraisal (Dr S Bodnar, August 2020) 4.3b Precautionary Measures During Development (pp26-35).

Reason: In the interests of the setting and visual appearance of the development in accordance with policy EN4: Protecting and Enhancing Biodiversity as set out in the Tamworth Local Plan 2006-2031.

15. Removal of vegetation and demolition of buildings shall be undertaken outside of bird nesting season (1st March to end August.) If this is not possible then a suitably qualified ecologist shall check the areas concerned immediately prior to the clearance works to ensure that no nesting or nest-building birds are present. If any nesting birds are present, then the vegetation or buildings shall not be removed until the fledglings have left the nest.

Reason: In the interests of the setting and visual appearance of the development in accordance with policy EN4: Protecting and Enhancing Biodiversity as set out in the Tamworth Local Plan 2006-2031

16. Prior to the commencement of the development, details of the type and location of biodiversity enhancement measures including 3 number house sparrow terraces on or integrated into north- or east- facing brickwork of the new buildings shall be submitted to and approved in writing by the local planning authority. The approved measures shall be incorporated into the scheme and be fully constructed prior to occupation of the buildings and retained as such thereafter.

Reason: In the interests of the setting and visual appearance of the development in accordance with policy EN4: Protecting and Enhancing Biodiversity as set out in the Tamworth Local Plan 2006-2031.

17. Prior to the commencement of the development, details of biodiversity enhancement measures including 2 number integrated bat tubes or bat boxes within the new building, shall be submitted to and approved in writing by the local planning authority. The approved measures shall be incorporated into the scheme and be fully constructed prior to occupation of the buildings and retained as such thereafter.

Reason: In the interests of the setting and visual appearance of the development in accordance with policy EN4: Protecting and Enhancing Biodiversity as set out in the Tamworth Local Plan 2006-2031.

18. Prior to the commencement of the development, a landscaping plan that mitigates for habitats that will be lost by providing sources of nectar and fruit for wildlife shall be submitted to and approved in writing by the local planning authority.

Reason: In the interests of the setting and visual appearance of the development in accordance with policy EN4: Protecting and Enhancing Biodiversity as set out in the Tamworth Local Plan 2006-2031.

Informative Notes

Severn Trent Water advise that there may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have 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 our 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 you contact us at the earliest opportunity to discuss the implications of our assets crossing your site. Failure to do so could significantly affect the costs and timescales of your project if it transpires diversionary works need to be carried out by Severn Trent.

Annex

Ecology

European Protected Species (to include in Committee/Delegated reports as an Annex, not on Decision Notices)

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. Our records and ecological survey results indicate that European Protected Species (bats and great crested newts) are likely to be present.

46 APPLICATION NUMBER: 0334/2021 TAMWORTH DAY CARE CENTRE, HOCKLEY ROAD, WILNECOTE

Councillor T Jay left the meeting.

Application Number 0334/2021

Development Change of use of existing building to Residential Use for 16 dwellings and the provision of 8 new build dwellings

Location Tamworth Day Care Centre, Hockley Road, Wilnecote, Tamworth, B77 5EB

RESOLVED That Committee

Approved subject to the delivery of affordable housing in perpetuity in accordance with policy (HG4), either via a section 106 obligation or by a planning condition should this be deemed by the Assistant Director – Regeneration and Growth to be more appropriate (delegated authority to Assistant Director _ Regeneration and Growth to be granted for the wording of any affordable housing condition) and the following conditions

(Moved by Councillor D Maycock and seconded by Councillor S Pritchard)

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, site location plan:

211468-PL03 – Ground Floor Plan as Existing

211468-PL04 – Roof Plan as Existing

211468-PL05 – Elevations_Sections as Existing 1 of 3

211468-PL06 – Elevations_Sections as Existing 2 of 3

211468-PL07 – Elevations_Sections as Existing 3 of 3

211468-PL08 – Site Plan as Proposed

211468-PL08C – Site Plan as Proposed

211468-PL9A – Ground Floor Plan as Proposed

211468-PL010A – First Floor Plan as Proposed

211468-PL011A – Roof Plan as Proposed

211468-PL012 – Elevations_Sections as Proposed 1 of 3

211468-PL013A – Elevations_Sections as Proposed 2 of 3

211468-PL014 – Elevations_Sections as Proposed 3 of 3

211468-PL015A – Proposed Plans_ Elevations to New Units along Hockley Road

211468-PL016A – Street Scene to Hockley Road

211468-PL017A – Proposed Plans_ Elevations to New Units adjacent to School Access Lane

211468-PL018A – Street Scene along School Access Lane

JMS CO2133808-101 P3

21-4232 Outline Drainage Scheme - Former Day Care Centre – Tamworth

21-4232 SK01 Outline Drainage Scheme

unless otherwise agreed in writing by the Local Planning Authority.

Reason: To define the approval.

3. Prior to the commencement of the development hereby approved details of all materials to be used in the construction of the external surfaces of the development shall be submitted to and approved by the Local Planning Authority in writing and the development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory external appearance to the development in accordance with policy EN5: Design of New Development as set out in the Tamworth Local Plan 2006-2031.

4. The proposed car and cycle parking, accesses and circulation areas as shown on the approved plan Drawing Number 211468 Revision B shall be sustainably drained, hard surfaced in a bound material and marked out prior to the first occupation of the building hereby permitted. Thereafter these parking and circulation areas shall be retained in accordance with the approved plans for the lifetime of the development.
Reason: In the interests of highway safety and in accordance with the objectives and policies contained within the NPPF and policy SU2: of the Tamworth Local Plan 2006-2031.

5. Prior to the commencement of development, drainage plans for the disposal of foul and surface water flows will be submitted to and approved in writing by the Local Planning Authority, in consultation with the Local Lead Flood 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 as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution in accordance with the NPPF and Policy SU4 of the Tamworth Local Plan 2006 – 2031.

6. Prior to the commencement of development, a detailed tree survey report, showing root protection areas, no dig zones and no parking/vehicle zones will be submitted to and approved in writing by the Local Planning Authority. The scheme shall indicate all existing trees and hedgerows on the site and indicate those to be retained, together with the measures to be adopted to protect them during the course of the development and that the development shall be implemented in accordance with the approved landscaping scheme and retained thereafter throughout the life of the development.

Reason: In the interests of the setting and visual appearance of the development and in accordance with policy EN4: Protecting and Enhancing Biodiversity of the Tamworth Local Plan 2006-2031.

7. 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.

8. No development falling within Part 1 Class A to E of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) shall be carried out.

Reason: In order for the Local Planning Authority to consider future proposals in the interests of the character and appearance of the area in accordance with policy EN5: Design of New developments as set out in the Tamworth Local Plan 2006-2031.

Notes

Please note that prior to the access off Hockley Road being widened you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further link to 'vehicle dropped crossings' which includes a 'vehicle dropped crossing information pack' and an application form for a dropped crossing. 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) Vehicle access crossing (dropped kerb) - Staffordshire County Council The works required to reduce the access off New Road will require the relevant permit from our Network Management Section. Please note that prior to the reinstatement works taking place you require a Permit to Dig. Please contact Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, Stafford, Staffordshire ST16 2DH or email nmu@staffordshire.gov.uk.

The following link provides an overview of the permissions and licences required for undertaking work on or adjacent to the adopted highway:

<https://www.staffordshire.gov.uk/Highways/licences/Overview.aspx>.

Staffordshire County Council as Highway Authority would not formally adopt the proposed development, however, the development will require approval under Section 7 of the Staffordshire Act 1983. This Form X does not constitute a detailed design check. The applicant is requested to

contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works.

It will, therefore, be necessary for maintenance/management arrangements for the access road and internal layout to be submitted to the Highway Authority with a view to securing an exemption under Section 219 of the Highways Act 1980. Although the road layout will not be to adoptable standard, the roadways within the site will still need to be constructed to be 'fit for purpose'.

Waste:

Developments of individual houses must include unobtrusive areas suitable to accommodating at least 3 x 240l wheeled bins.

The Joint Waste Service provides a kerbside collection service, therefore residents will be expected to present their bins at the nearest appropriate highway on collection days.

Unadopted roads/drives cannot be accessed by a collection vehicle if they are not constructed to an adoptable standard.

For each 6 apartments a bin store would be required to hold 1 x 1100l bins (or 3 x 360l bins) for refuse and the same amount for recycling as well as allowing space for any bulky items that residents may have booked in for collection. Bin capacity is increased incrementally as the number of apartments increases. A bin store should be positioned within a reasonable walking distance from the further apartment it serves and within 10m of the nearest kerbside or stopping point of the collection vehicle. Bin stores must allow room for filling and emptying and provide a clear space of 150mm between and around the containers. The minimum bin store area for 6 apartments would be 12 square metres and this would need to be increased on a pro rata basis for the 12 apartments. The bin store must be of adequate height to permit container lids to be fully opened and have lockable doors which are wide enough to allow easy manoeuvring of the bins when emptied and returned. Access to the bin store should be clear of obstructions and any paths to the collection point be free from kerbs, with dropped kerbs used at all points, and allow smooth passage for the container, with no steps or inclines more than 1:12. The path should be non-slip and wide enough to accommodate the bins and be of a hard-wearing surface to withstand the loading imposed. Where the bin store is off road, the drive must have a radius sufficient to turn into and out of the the road and be capable of safely accommodating a refuse vehicle.

Chair