



Borough of Tamworth

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

Enquiries: 01827 709 709
Facsimile: 01827 709 271

PLANNING COMMITTEE

1 July 2022

Dear Councillor

A meeting of the Planning Committee will be held in **Town Hall, Market Street, Tamworth on Monday, 11th July, 2022 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 - 10)**
- 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 0300-2021 Statfold Barn - Change of use of land and buildings to events (Pages 11 - 22)

Application no: 0300/2021

Development: Proposed change of use of agricultural grain storage barn and adjacent field for Sui Generis use as events building, fitness classes, dog agility and events field (retrospective).

Location: Statfold Barn Farm, Ashby Rd, Tamworth B79 0BU

b Application 0236/2022 - 5 Colehill (Pages 23 - 34)

Application no: 0236/2022

Development: Installation of new glazing to part of eastern and northern elevation, infilling of formal openings to rear elevation and replacement windows, new lift enclosure and plant to rear first floor flat roof

Location: 5 Colehill, Tamworth, B79 7HA

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. 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.

If a member of the public is particularly concerned about accidental filming, please contact a member of Democratic Services before selecting a seat

FAQs

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

To Councillors: R Ford, D Box, R Claymore, A Cooper, S Daniels, S Goodall, J Harper, J Jones, D Maycock, R Rogers, S Smith, M Summers and J Wade

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MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON 7th JUNE 2022

PRESENT: Councillor R Ford (Chair), Councillors D Box, R Claymore, A Cooper, S Daniels, S Goodall, J Harper, J Jones, R Rogers, S Smith and M Summers

The following officers were in attendance: Anna Miller (Assistant Director – Growth & Regeneration), Glen Baker-Adams (Team Leader - Development Manager), Sally Price (Senior Planning Officer), Debbie Hall (Planning Officer), Andrew Davies (Planning Officer) and Tracey Pointon (Legal Admin & Democratic Services Manager)

Apologies received from: Councillor(s) D Maycock and J Wade

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors D Maycok and J Wade

2 APPOINTMENT OF VICE-CHAIR

Councillor A Cooper was elected as Vice Chair

(Moved by Councillor S Goodall and seconded by Councillor R Claymore)

3 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 5th April 2022 were approved and signed as a correct record.

(Moved by Councillor S Goodall and seconded by Councillor D Box)

4 DECLARATIONS OF INTEREST

The Chair confirmed that all Planning Committee Members declared an interest for application 0222/2022 12 – 13 market Street as elected members of Tamworth borough Council and this project is part of the part of the wider Future High Street Fund

5 APPLICATIONS FOR CONSIDERATION

5.1 Planning Application /0222/2022 - 12-13 Market Street

Application Number: 0222/2022

Development: Replacement shop front and windows, demolition and replacement of single storey rear extension, installation of plant and associated works.

Location: 12-13 Market Street, Tamworth, B79 7LU

RESOLVED: Approval subject to conditions

(Moved by Councillor M Summers and seconded by Councillor S Goodall)

Conditions**1. Start of development**

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. Compliance with plans/approval

The development hereby approved shall only be carried out in accordance with the application form, the supporting letter and drawing numbers

1400 - E GF
1401 - E 1ST
1402 - E2ND
1403 – EROOF
1410 - E SECTION
1420 - E ELEVATIONS
1430 – D GF
1431 - D 1ST
1432 - D2ND
1433- DROOF
1440 – D SECTION
1450 - D ELEVATIONS
1460 - Site Location Plan
1461 – Site Block Plan
2400 - P GF
2401 - P 1ST
2402 - P 2ND
2403 - P ROOF
2410 – P SECTION
2420 - P ELEVATIONS

unless otherwise agreed in writing by the Local Planning Authority.

Reason: To define the approval.

3. Materials-Details

Prior to the commencement of the proposed works, full details of the following shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and retained in perpetuity, unless further consent in writing is given by the Local Planning Authority.

- i) Full details of all external materials;
- ii) Full details consisting of sections at a minimum scale of 1:5 and elevations at 1:20, of all external joinery including fenestration and doors and proposed exterior finish;
- iii) Full details of render
- iv) Full details of rainwater goods, their materials, colour and designs.

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. Noise

No fixed plant and/or machinery shall come into operation until details of the fixed plant and machinery serving the development hereby permitted, and any mitigation measures to achieve this condition are submitted to and approved in writing by the Local Planning Authority. The rating level of the sound emitted from the site shall not exceed 44dBA between 0700 and 2300 hours and 40 dBA at all other times. The sound levels shall be determined by measurement or calculation at the noise sensitive receivers with all machinery operating at design duty. The measurement and/or calculations and assessment shall be made according to BC 4142:2014+A1:2019. Approved details shall be implemented prior to occupation/use of the development and thereafter be permanently retained.

Reason: In the interests of residential amenity in accordance with policy EN5: Design of New Development as set out in the Tamworth Local Plan 2006-2031.

5. Construction Vehicles

Before development commences a Construction Environmental Management Plan (CEMP) and Construction Transport Management Plan (CTMP) shall be submitted to and approved by the Local Planning Authority. The CEMP and CTMP thereafter approved shall be adhered to for the complete duration of the construction programme.

Reason: in the interests of amenity and highway safety in accordance with Policy EN5:Design of New Development and Policy SU2: Delivering Sustainable Transport as set out in the Tamworth Local

Plan 2006-2031.

5.2 Planning Application 0324-2021 Overwoods Road Update Report

Application Number: 0324/2021

Development: Outline application (all matters reserved) for 14 Dwellings, including affordable housing and public open space

Location: Land North of Overwoods Road, Hockley, Tamworth

RESOLVED: Approval with conditions. The conditions remain the same as set out in the report presented to Members of 18th January with the amendments as highlighted in the update report.

(Moved by Councillor M Summers and seconded by Councillor A Cooper)

5.3 Planning Application 0011-2022 3 Mickleton

Following a point made by a speaker Ward Councillor Stephen Doyle, Councillor J Jones declared an interest in this application 0011/2022 as he had previously raised concerns with ward Councillor S Doyle about the property.

Therefore Councillor J Jones declared an interest and left the meeting before this application was discussed.

Application Number: 0011/2022

Development: Change of use from C3 dwelling to C1 boarding/guest house (retrospective)

Location: 3 Mickleton, Stonydelph, Tamworth, B77 4QY

RESOLVED: Refused – reasons outlined below:

Contravene to Policies - EN5 parts G & H - Unacceptable noise, privacy, capacity of the local road network and does not help improve the Quality of life of residents. Highway disturbance and amenity regarding cars parking at the property.

(Moved by Councillor M Summers and seconded by Councillor S Goodall)

5.4 Planning Application: 0175-2022 Beyer Close, Tamworth

Application Number: 0175/2022

Development: Erection of a first storey side and single storey rear extension

Location: 23 Beyer Close, Glascote, Tamworth, B77 2DP

RESOLVED: Approval with conditions

(Moved by Councillor M Summers and seconded by Councillor A Cooper)

Conditions

1. The development shall be started within three years from the date of this decision.

Reason: In compliance 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 strictly carried out in accordance with the application form and drawings: Proposed side and rear extensions' Rev B dated 21/05/2022 and the location plan with unique plan reference b36c/uk/772683/1045134 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To define the permission.

Chair

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PLANNING COMMITTEE

0300/2021

APPLICATION FOR CONSIDERATION

REPORT OF ASSISTANT DIRECTOR - GROWTH & REGENERATION



Application Number: 0300/2021

Development: Proposed change of use of agricultural grain storage barn and adjacent field for Sui Generis use as events building, fitness classes, dog agility and events field (retrospective).

Location: Statfold Barn Farm, Ashby Rd, Tamworth B79 0BU

1. Introduction

- 1.1. This application is for full planning permission and therefore all matters are for consideration with this application.
- 1.2. It is for the change of use of an agricultural grain storage barn and adjacent field for sui Generis use as an events building, dog agility and events field.
- 1.3 It has been later observed during the course of the determination of the application that the barn is also being used for fitness classes.
- 1.4 The application is retrospective as the use has already taken place and continues to do so at the time of writing this report.
- 1.5 Statfold Barn Farm is located off Ashby Rd to the North East of Tamworth. The existing site encompasses farm house buildings, seed oil buildings, seed oil laboratory and offices, existing grain stores and the Stafford Steam Railway Trust buildings.
- 1.6 The site has no specific allocation within the adopted Tamworth Local Plan. It is located in the countryside with the odd dwelling located off roads in the local area.

2. Policies

2.1 Local Plan Policies

Adopted Tamworth Local Plan 2006-31

SS1 - The Spatial Strategy for Tamworth
SS2 – Presumption in Favour of Sustainable Development
EC6 – Sustainable Economic Growth
EN4 – Protecting and Enhancing Biodiversity
EN5 – Design of New Development
SU2 – Delivering Sustainable Transport
IM1 – Infrastructure and Developer Contributions
Appendix C Car parking Standards

Tamworth Design: Supplementary Planning Document Adopted July 2019
Planning Obligations: Supplementary Planning Document Adopted August 2018

2.2 National Policies

National Design Guide 2021
National Planning Policy Framework
Planning Practice Guidance

3. Relevant Site History

Application Reference	Type	Decision	Date
TEMP/0213/2020	Variation of Condition	Withdrawn	24-09-2020

0254/2019	Proposed agricultural barn for grain storage incorporating a wood chip powered biomass heating system	Approval with conditions	04-09-2019
0409/2010	Application for lawful development for existing use/development: Locomotive shed, labourers cottage, railway track, platform, locomotive storage shed, maintenance shed, canopy, traverser turntable, running shed, crane, water tank, signal with separate signal box and signal box base, bridges, footbridge, balancing pond, all incidental to the use of the farm dwellinghouse; agricultural use of a farm cattle handling yard and a car park serving the farm	Approve	26-06-2012
0851/2003	New agricultural crop storage building	Approval with conditions	23-01-2004
T23344	REMOVAL OF HEDGEROW		23-07-1997
T22520	FARM OFFICE, MESS ROOM AND TOILETS	Permit with Conditions	03-01-1996

4. Consultation Responses

- 4.1. The following is a summary of the received consultation responses. The full responses are available [online](#), if conditions are suggested within a response these will be considered, and if appropriate included within the conditions at the end of this report.

Staffordshire County Council Highways

A significant proportion of any peak hour trips will likely go through the 'Fountains junction'.

The Transport Statement (TS) details the timings of the events along with the generation of traffic set by permits sold.

Regarding the weekend trips, the impact of the busiest event (Steam engine miniature event) is 113 trips in the Saturday lunchtime peak.

As a result, the types of events should be restricted to the types of events described in the TS, and the days of the week (weekends and bank holidays in respect of all uses apart from the dog training use) when the events will be held should be secured, as should the number of days with events in the year.

In light of all of the above, the proposed impact on the network at weekends and on bank holidays is acceptable.

On the basis of the TS, the dog training use is the only use proposed to take place on weekdays that are not bank holidays. On the basis of the information in Table 3: Parking permits sold, the average attendance by car for dog shows/training etc. is 30 (so 60 two-way) trips.

To prevent potentially bigger class sizes starting or finishing adjacent to the weekday am and pm peaks, the classes should only take place between, say, 10 am and 4 pm and between 7 pm and 9 pm, thus avoiding car trips in the weekday peaks. On this basis, the proposed impact on the network on weekdays is acceptable.

The site is not in a sustainable location owing to the lack of public transport options in the area.

The submitted Travel Plan (TP) states

'it is proposed that a target to reduce single occupant staff car travel by 10% over the five-year period could be adopted.'

This target should be included as a definite target in a revised TP.

The details of tracking, visibility, radii, and width shown on the submitted Drawings are acceptable however some of the highway may have been conducted without the relevant consents and therefore in the event this application is permitted, the relevant processes under the Highways Act are likely to be required to be followed.

Proposed off-site highway works

Apart from the proposed access works, no other off-site mitigation is proposed

Tamworth Borough Council Environmental Protection – Revised comments 12th April 2022
Lighting

The Jacobs Feasey Associates Ltd Events Field Lighting Proposed Grain Store and field change of use Statfold Barn Farm Ashby Rd Tamworth B79 0BU Jan 2022 has been read and there is agreement with its contents.

Noise

This Soundtrack's report entitled Noise Impact Assessment Statfold Barn Farm – Events Field Tamworth Ref: 15561 Version 1 18.2.22 has also been read.

The report indicates that there may be at times a small increase 1dB above the level suggested by Graham Kemp of 45db. However it is the opinion of the department that if the mitigation levels outlined in the report are conditioned the noise management of the events should be satisfactory.

On-site Live Monitoring

It is recommended that live monitoring should take place during events.

In order to assess the MNL's at the nearest dwelling a sound level meter should be installed 20m from the stage and at the boundary of the dwelling.

The monitoring should take place prior to the music commencing, at sound check stage and throughout the event.

Tamworth Borough Council Environmental Protection – Initial comments of 8th November 2021

The submissions are totally inadequate; as the Noise document is completed on a predicted basis and no real 'live' measurements have been recorded as being undertaken.

From evidence received, the Noise levels present at time of an event from a property submitted to us, is very likely to be in excess of any predictions put forward and would very likely be a Statutory Nuisance that would affect 'the use and enjoyment of this property' when the levels received of music / PA are operating.

The Lighting submission is a photograph of a string of light bulbs suspended on posts and no detail whatsoever to accompany this picture.

Noise

Comment has been received from a 'nearby landowner', a full lighting plan is required for evaluation indicating light patterns and intensity and note that no light source should be directly observable from any property nearby. The view of the venue lit is not an issue but there should be no light above the boundary of the site that could be directly observable and certainly no light directed in or above the horizontal, into the sky.

Environmental Protection strongly advises REFUSAL of this application unless satisfactory information is supplied.

I would also recommend a prohibition on any further events, until approved, as clearly complaints are being received.

LLFA 12th April 2022 – Revised comments following qualifications over various matters by the agent

Following the comments on 26/01/2022, no objection to the proposals- and would recommend that a compliance condition should be imposed as set out in the initial consultation.

LLFA Initial comments of 26th Jan 2022

LLFA wish to be consulted on the details submitted for approval to your Authority to discharge this condition and on any subsequent amendments / alterations. Please also consult us again on any major changes to the proposed development or drainage scheme.

Staffordshire County Council Flood Risk Management position.

The proposed development will only be acceptable if the following measure(s) as detailed in the Flood Risk Assessment and other planning documents submitted with this application are implemented and secured by way of a planning condition on any planning permission.

LLFA 11/11/2021 Original Comments

The LLFA would recommend that that planning permission is not granted.

Surface Water Flood Risk to site

The applicant does not appear to have acknowledged the correct surface water risk to the site. It is to be noted that there is a considerable and significant surface water flow path in the eastern limit of the site associated with the 1 in 30, 1 in 100 and 1 in 1000 year return period events. This would need to be correctly acknowledged and mitigated against by any application. These details should be included in a detailed Flood Risk Assessment to be resubmitted by the applicant. As previously stated, where appropriate, finished development floor levels need to be set at an appropriate level above ground levels, and away from this surface water flow path as indicated on the Environment Agency Risk of Flooding from Surface Water map. The evidence and assessment submitted thus far is not satisfactory.

Environmental Agency (EA) 7th October 2021

No comments to make on the proposal

Rights of Way Officer 2nd August 2021

The above application has a direct impact on Public Bridleway No. 114 Tamworth and also the adjacent Footpath No. 111 Tamworth. The applicant needs to be reminded that although the track to the proposed events site is private, the fact that the route is a public highway (bridleway) takes precedence. The use by private vehicles is subject, and subordinate to, the public's right. In other words pedestrians, horse riders and cyclists have a public right and vehicles need to give way to them not the other way around. The applicant needs to be aware that it is a criminal offence to drive a mechanically propelled vehicle on a public footpath or bridleway without lawful consent or indeed obstruct the right of way by parking a vehicle on it. Staffordshire County Council being the traffic authority can impose temporary highway restrictions for a special event once, and for up to 3 days, in any calendar year (1 January to 31 December). Restrictions for special events beyond this that affect the same length of road require approval from the Secretary of State for Transport. Please see the guidance and also the attached application forms.

<https://www.gov.uk/government/publications/section-16-temporary-traffic-regulation-orders-for-special-events/temporary-traffic-regulation-orders-for-special-events>

The advice states:

The Road Traffic Regulation (Special Events) Act 1994 inserted sections 16A to C into the Road Traffic Regulation Act 1984 (RTRA) and gave local traffic authorities powers to make orders to impose temporary restrictions on the highway for sporting events, social events or entertainment (collectively known as special events).

The County Council can grant authority for an event if it satisfies the criteria but only once in a calendar year. If further events are planned on the same highway (inc. rights of way) then Secretary of State approval must be sought.

It is important that users of the path are still able to exercise their public rights safely and that the path is reinstated if any damage to the surface occurs as a result of the proposed development or use of the site if the application is approved. We would request photos of the condition of the path before any permission is granted along with the risk assessment for providing safe passage for members of the public exercising their public rights. The surface of the bridleway and adjacent footpaths must be kept in a state of repair such that the public

right to use it can be exercised safely and at all times. Heavy vehicular use can cause the way to become unsuitable for use and in some instances dangerous. Some attention needs to be drawn to this and that surface works may be required. The County Council is only responsible for the surface of the bridleway for pedestrians, horse riders and cyclists, not vehicles, and the applicant should be made aware of this.

The County Council has not received any application under Section 53 of the Wildlife and Countryside Act 1981 to add or modify the Definitive Map of Public Rights of Way, which affects the land in question. It should be noted, however, that this does not preclude the possibility of the existence of a right of way at common law, or by virtue of a presumed dedication under Section 31 of the Highways Act 1980. It may, therefore, be necessary to make further local enquiries and seek legal advice in respect of any physically evident route affecting the land, or the apparent exercise of a right of way by members of the public.

Natural England 27th July 2021

Natural England has no comments to make on this application.

Lichfield District Council 26th July 2021

No objections

Severn Trent Water 26th July 2021

As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.

Tamworth Borough Council Conservation Officer 12th July 2021

The site is relatively near to a few listed buildings, including (to the north) Statfold Hall (GII), All Saints Church (GII*) and associated memorial in churchyard (GII) and (to the east) Thorpe Gorse Cottages (GII).

The distances to each of these is around 800m (for the buildings to the north) and 400m (to Thorpe Gorse Cottages). In addition both have bands of trees and the existing buildings of Statfold Barn in between the site and heritage assets.

A table of proposed events lists some 18 per year which might attract high levels of traffic and 100 dog agility training events likely to attract smaller numbers. I am likely to agree that if traffic is not a highways concern then it likely wouldn't amount to an adverse impact upon nearby heritage assets either. Similarly most of the events are one day events (4 events would be spread across two days.. and 'War' is a three day event.

The 'War' will likely be noisy but the majority of the other events, being one day are unlikely to give rise to any significant non-visual impacts on nearby listed buildings. Clarification about the war event so as to be better understand what might be involved required.

Overall, the proposals are unlikely to harm the special significance of nearby listed buildings via their setting and would thus achieve the 'desirable' objective of preserving the significance of listed buildings and their settings described in section 66 of the Planning Listed Buildings and Conservation Areas Act 1990.

Tamworth Borough Council Local Plans (Policy) Team 15th July 2022

The application site doesn't have any specific allocation in the adopted Local Plan, however the access does appear to be directly adjacent to the Statfold Barn Road Biodiversity Alert Site (BAS1), and so it should be ensured that the development would not have an adverse effect on the BAS in accordance with policy EN4 (Protecting and Enhancing Biodiversity).

The proposed use of the site would be considered sui generis. We therefore don't consider that there are any specific strategic policies to suggest that the use would be better placed elsewhere within the borough.

Based on the above, there are no strategic policy objections to the proposal.

North Warwickshire District Council (NWDC) 9th July 2022

I would be concerned about the potential impact arising from this proposal as far as may affect NWDC.

Fortunately the site is isolated and that is to its benefit in respect of potential noise and lighting harms. I think that appropriate conditions would thus be necessary – particularly restricting frequency and the type of events e.g. prohibiting motor and shooting activity

Additional landscaping would help from a visual perspective, as well as assisting in mitigating some of these other impacts.

Clearly Staffordshire County Council will comment on the highway implications.

4.2 Additional Representations (Public)

As part of the consultation process adjacent residents have been notified as well as a press notice in the Tamworth Herald (dated 22nd July 2021) and a site notice was displayed.

A total of four people have made comments on the application including one objection raising concerns about the retrospective manner in which the application has been submitted and other specific matters relating to the potential noise from the events and the amount of traffic to and from these events.

The other comments relate to Japanese Knotweed and the public right of way; questioning whether it would be impacted by the development.

Those points raised that are material to the process are considered below. Issues over Japanese Knotweed are not material planning considerations and cannot be considered as part of this application process.

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 exercise 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 key issues to be considered at this stage are:

- Principle
- Character and Design
- Noise and Pollution
- Highways
- Public Right of Way
- Drainage
- Other Matters

6.2 Principle

6.2.1 Policy EC5 f) states that the council will promote existing tourist attractions. The existing site is also an established venue that has provided a variety of leisure-based activities surrounding its main selling point as a heritage railway for many years.

- 6.2.2 As a result of this, the proposed change of use of further buildings within the site for similar events such as fitness classes, dog agility with an events field would continue this and therefore provide economic benefits to the local area.
- 6.2.3 From a national perspective, as this site and the application for consideration is in a rural locality, the proposal would align with paragraph 84 of the NPPF in being that to support a prosperous rural economy and 'enable the sustainable growth and expansion of all types of business in rural areas both through conversion of existing buildings and well-designed new buildings'.
- 6.2.3 As a result the proposal is considered to be acceptable in principle. However, it would still need to ensure it meets other relevant policy and guidance which is discussed in this report.

6.3 Character and Design

- 6.3.1 Policy EN5 of the Tamworth Local Plan states that high quality buildings and places will be achieved across Tamworth. Furthermore, it states poor design or design that fails to take the opportunities available to improve the character and quality of an area and the way it functions will be refused. It states

New developments will be expected to (relevant to this development):

- a) 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.
- b) Be of a scale, layout, form and massing which conserves or enhances the setting of the development.
- c) Utilise materials and overall detailed design which conserves or enhances the context of the development.
- d) Be outward facing with active frontages which incorporate landscaping and boundary treatments appropriate to the local context.
- e) Be legible and allow users to navigate the area with ease by providing landmark buildings at key locations and a choice of routes to walk, cycle or drive along.
- f) 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.
- g) Pay particular regard to highway safety and servicing requirements, the capacity of the local road network and the adopted parking standards set out in Appendix C.
- h) Incorporate landscaping appropriate to the site, using native species wherever possible.
- i) Maximise health benefits through the incorporation of usable open space and footpaths and links to the wider green infrastructure network, in accordance with Policy EN3.

- 6.3.2 The site lies in a relatively rural setting and therefore is sensitive to new development. However, as this development relates to the change of use of existing buildings and the use of land it is adjudged that there would be no significant design impacts caused by the proposals. Similar comments have been made in the conservation officer comments too, also referring to the distance away they would be from the most sensitive buildings within the locality. As a result, the proposal is considered to accord with policy EN5 of the Tamworth Local Plan and the National Planning Policy Framework.

6.4 Noise and Pollution

- 6.4.1 Tamworth local plan policy EN5 g) states that new developments will be expected to minimise or mitigate environmental impacts for the benefit of existing and prospective occupants of neighbouring land. Paragraph 130 of the NPPF further reinforces this, stating that developments should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 6.4.2 There was an initial objection to the proposals by the Environmental Protection Team stating that the original submissions were not adequate insofar as the noise document was completed on a predicted

basis and no real 'live' measurements were recorded as being undertaken. No real assessment of lighting impact was also undertaken.

6.4.3 As a result of these comments, further work was undertaken by the applicant through the submission of a more robust Noise Impact Assessment stating that there may be at times a small increase of 1dB above the level previously suggested. However, given the mitigation levels outlined in the report are conditioned and the noise management of the events is considered satisfactory the proposed environmental health related concerns are viewed as acceptable.

6.4.4 Notwithstanding the technical aspects of the proposals, from an assessment of the intended use of the barn and land it is assessed to not create a significant level of impact that would cause an issue to the existing occupants of land and therefore conforms to policy EN5 of the Tamworth Local Plan and NPPF.

6.6 Highways

6.6.1 The proposal has been supported by a Transport Statement dated June 2021. This has provided substantial information about the access, impacts on the local road network and how the overall use would impact this.

6.6.2 The Staffordshire County Council Highways officer has observed data from the area and seen that there were no Personal Injury Collisions on Ashby Road within 215 metres either side of the access for the previous five years.

6.6.3 When considering the events are proposed at weekends and on bank holidays when the road network is less busy, the development has been considered to have an acceptable impact upon the local road network.

6.6.4 The access details shown on the submitted Drawings are acceptable.

6.6.5 The development is acknowledged to be in an unsustainable location owing to the lack of public transport options locally. As a result, there is a requirement for a travel plan to be produced to achieve the defined outcomes contained therein to ensure that the proposed development is satisfactorily assimilated into the transport network. A fee of £7,000.00 to enable Staffordshire County Council to provide support to the Developer's TP Co-ordinator; audit annual TP performance reports to ensure TP outcomes are being achieved and for it to take responsibility for any necessitated planning enforcement is required and will be obtained through a section 106 agreement.

6.6.6 With this it is adjudged that there is no severe impact upon highway safety and therefore the proposals comply with policy SU2 of the Tamworth Local Plan 2006-2031 and the NPPF.

6.7 Public Right of Way

6.7.1 National Planning Policy Framework paragraph 100 states that planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users.

6.7.2 The proposed change of use lies adjacent to Public Bridleway No. 114. There is no direct access however from the site to the footpath and therefore it is unlikely that there will be overuse of the footpath and conflicts between the use and the footpath. As a result it is considered the proposal is acceptable and would conform to this relevant policy of the NPPF.

6.10 Drainage and Surface Water Flooding

6.10.1 Severn Trent Water and the Lead Local Flood Authority have requested 'prior to commencement' conditions to demonstrate suitable drainage for foul and surface water in accordance with Policy SU4, which requires any major development to demonstrate that there is adequate wastewater infrastructure in place to serve the development. Although the application is a major proposal the site is within Flood Zone 1 and less than one hectare, therefore a site-specific flood risk assessment for consultation with the Environment Agency is not required.

Therefore the proposals comply with policy SU4 of the Tamworth Local Plan 2006-2031

6.11 **Other Matters**

- 6.11.1 It is noted that there are a number of concerns from neighbouring residents over various matters in association with the development.
- 6.11.2 One resident queried how the footpath may be impacted by the development. This has been raised in the commentary above but in essence whilst the proposals lie close to the footpath there will be minimal interference with it and therefore the development is acceptable in relation to this.
- 6.11.3 There is a more substantial objection to the proposals relating to the noise that the additional events may cause. The environmental protection officer did initially have some quite significant objection posed by the lack of information submitted to evidence that application would not have a harmful impact upon the amenity of those living nearby in terms of noise. However, with the submission of more robust data, the officer has subsequently removed their objection and now views the proposals as acceptable in this regard.
- 6.11.4 Concern was also given over to highway impacts but again following the submission of a robust Transport Statement (TS) detailing when the events would actually take place, the proposed impact on the network at weekends and on bank holidays is considered acceptable. The use change would avoid car trips in the weekday peaks. On this basis, the proposed impact on the network on weekdays is acceptable. Therefore, despite the local concern the proposals are considered to not create a severe impact to highway safety and would conform to policy SU2 of the Tamworth Local Plan 2006-31.

7 **Conclusion**

- 7.1 The site is already part of a wider site being used for leisure and events and therefore a legacy of development akin to that proposed is well established. As a result there is likely to be economic and social benefits to the proposal that make up what is the basis of sustainable development.
- 7.2 Statutory consultees are satisfied that the development would not result in increased flood risk, or adversely affect highway safety, or the nearby footpath. The development would safeguard the amenities of existing and future residents.
- 7.3 As a result of this, the application would accord with local and national planning policy and is therefore recommended for approval subject to conditions.

If the committee are in agreement with the recommendation, then a grant of delegated authority to the Assistant Director of Growth and Regeneration is requested to conclude negotiations and complete the related section 106 legal agreement.

8 **Recommendation**

Approve Subject to Conditions & Section 106 Legal Agreement requiring
£7,000 for a Travel Plan and associated costs e.g. monitoring

Conditions / Reasons

1. The development hereby permitted shall only be carried out in accordance with:
Plans
 - Parking Plan 19029-007 Rev C
 - Visibility Plan CH001 02

Reports

- Sountesting Report 15561 Version 1 – Section 9
- JFA Qube Events Field Lighting Assessment
- JFA Qube Events Field Flood Risk Assessment
- Events Schedule 19029/ES

unless otherwise agreed in writing by the Local Planning Authority.

Reason: To define the permission.

2. The types of events, days of the week (weekends and bank holidays) in respect of all uses apart from the dog training use, when the events will be held and the number of days which events in the year should be restricted to those prescribed in the Mr. G LEE Transport Statement Ref. REP/001 Issue 2 September 2021

Reason: In the interests of highway safety and to conform to EN5 and SU2 of the Tamworth Local Plan and the NPPF.

3. The dog shows/training shall take place only between the hours of 10.00 and 16.00 and between 19.00 and 21.00 Monday-Sunday

Reason: To ensure there is not undue pressure on the existing road network that could cause a severe impact and to conform to EN5 and SU2 of the Tamworth Local Plan and the NPPF.

4. Within one month of Planning permission being granted, the access arrangements shown on the Existing Site Access Arrangement Drawing (No. CH002 02) shall have been implemented in full in accordance with the said Drawing and retained throughout the life of the development.

Reason: In the interests of highway safety and to conform to EN5 and SU2 of the Tamworth Local Plan and the NPPF.

5. Within one month of Planning permission being granted, the visibility splays shown on Site Access Visibility Splays Drawing (No. CH001 02) shall be provided in accordance with the said Drawing The visibility splays shall thereafter be kept free of all obstructions throughout the life of the Development to visibility over a height of 600 mm above the adjacent carriageway level.

Reason: In the interests of highway safety and to conform to EN5 and SU2 of the Tamworth Local Plan and the NPPF.

6. Within one month of Planning permission being granted, the proposed car parking and circulation system shown on the Site Parking Plan As Existing Drawing (No. 19029-007 Rev. C) shall be sustainably drained, hard surfaced in a bound material and marked out in accordance with the said Drawing.. Thereafter these parking areas shall be retained in accordance with the approved plans for the lifetime of the development.

Reason: In the interests of highway safety and to conform to EN5 and SU2 of the Tamworth Local Plan and the NPPF.

7. Within two months of Planning permission being granted, a Travel Plan (TP) shall have been submitted to and approved in writing by the Local Planning Authority (LPA). The TP shall set out proposals (including a timetable) to promote travel by sustainable modes which are acceptable to the LPA. The TP shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the LPA. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date of the planning consent to the LPA for approval for a period of five years from first occupation of the development permitted by this consent.

Reason: In the interests of providing sustainable travel and to conform to EN5 and SU2 of the Tamworth Local Plan and the NPPF.

8. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) – (Document Ref – 19029-FRA – dated 10 Jan 2022 – amended by J Jacobs) and the following mitigation measures detailed within the FRA.

- That there is to be no permanent change to the vulnerability classification of the proposed development site.
- It is to be noted and to be secured by this planning condition that there will be no physical or material changes to the site or buildings within the proposed development site boundary
- That there will be no increase in any impermeable areas within the site boundary of the proposed development
- That there is an adequate and effective mechanism and plan for the cancellation of any events or activities that may be scheduled in the event of any indication of flooding associated especially with the noted surface water risk area to the east of the site.
- That there will be no changes or affects to the existing surface water drainage system, as a result of the development.
- That there is an adequate and proportionate risk statement to manage any risks associated with surface water flooding to the site.

Reason: To reduce the impact of flooding on the proposed development and future occupants, reduce the risk of flooding elsewhere and to conform to policy SU4 of the Tamworth Local Plan and NPPF.

9. There should not be at any time, the use of demarked lines to separate the track on the right of way reference Tamworth 114. The applicant cannot erect gates or other barriers across the right of way without submission of details approved in writing by the local planning authority.

Reason: To ensure existing footpaths are well maintained and available for use and to conform to policy EN5 of the Tamworth Local Plan and paragraph 100 of the NPPF.

10. The development shall be carried out at all times fully in accordance with the noise levels, on -site live monitoring and the general noise management plan set out in the Noise Impact report by SOUNDTESTING reference 15561 Version 1.

Reason: In the interests of protecting residential amenity and to conform to policy EN5 of the Tamworth Local Plan and the NPPF.

PLANNING COMMITTEE

11th July 2022

APPLICATION FOR CONSIDERATION

REPORT OF ASSISTANT DIRECTOR - GROWTH & REGENERATION



Application Number: 0236/2022

Development: Installation of new glazing to part of eastern and northern elevation, infilling of formal openings to rear elevation and replacement windows , new lift enclosure and plant to rear first floor flat roof

Location: 5 Colehill, Tamworth, B79 7HA

1. Introduction/ Proposals

- 1.1. These proposals are for the external alterations and refurbishment of 5 Colehill, the former Co-op department store, which is one of the sites identified within the Future High Streets ('FHSF') Masterplan. The existing building is 'locally listed' as being of local townscape or historic interest. It comprises a Victorian building dating from the mid to late 19th Century that contributes to the historic street scene fronting Church Street and Colehill and its setting within the Tamworth Town Centre Conservation Area.
- 1.2. The application proposes the refurbishment and alteration of the buildings to provide replacement windows in place of doors to two of the shopfronts and alterations to the rear to include provision of a lift enclosure. The development will retain and refurbish the original Victorian building. Internal works are part of the project involving addition and removal of internal walls to create usable spaces, while original features such as the front staircase and tiled surrounding are retained.
- 1.3. The project includes the demolition to the rear of a 20th century extension and its replacement with a new college building, submitted under separate applications.
- 1.4. The proposal is to secure the restoration and adaptation of the building to enable its future maintenance and use as a new Enterprise Centre, to provide new, flexible business accommodation and meeting spaces to help support local start-ups and growing businesses. This will complement the existing Tamworth Enterprise Centre, which is well used and over-subscribed. There is no change of use proposed as the former use as retail and café, together with potential future use as offices all fall within Use Class E that now combines retail and office uses, and the proposals, therefore, allow for a range of potential uses considered acceptable in policy terms, within the town centre.
- 1.5. The restoration and adaptation of the building requires works that are normal repair and maintenance or are internal adaptations and hence do not require planning approval. However, some limited works are necessary to the external facades of the building, to improve its appearance and functionality and these require planning permission.
- 1.6. These external physical works are the subject of this application, which proposes:
 - Removal of secondary doors and installation of new glazing similar to the existing windows to part of the shop fronts on Colehill and Church Street
 - Infilling of openings in the rear western and southern elevation and installation of replacement windows and doors
 - new lift enclosure and plant to the rear first floor flat roof
 - removal of disused chimney.
- 1.7. The Co-Op is one of the sites identified within the Future High Streets ('FHSF') Masterplan. The refurbishment of the buildings are an integral part of the objectives to enhance the environment and viability of the town centre. The works to the premises represent one of the essential phases in delivering the objectives of the college quarter within the Masterplan. The proposals align with the demolition of the rear modern extensions to make way for Tamworth college to be relocated to the

application site, allowing the enhancement of the market square and other elements of the masterplan to come forwards. The application, therefore, supports the wider objectives of the Masterplan.

2. Legislation and Policies

2.1. Planning (Listed Buildings and Conservation Areas) Act 1990

2.2. National Policies:

National Planning Policy Framework (NPPF) 2021
National Planning Policy Guidance (NPPG)
National Design Guide 2019

2.3. Local Plan Policies:

Adopted Tamworth Local Plan 2006-2031

- SS1 - *The Spatial Strategy for Tamworth*
- SS2 – *Presumption in Favour of Sustainable Development*
- EC1- *Hierarchy of Centres for Town Centre Uses*
- EC2- *Supporting Investment in Tamworth Town Centre'*
- EN5 - *Design of New Development*
- EN6 – *Protecting the historic environment*

2.4. Other Policy/ Guidance:

- Conservation Principles Policies and Guidance for the Sustainable Management of the Historic Environment: English Heritage (2008)
- Historic Environment Good Practice Advice Notes 2, and 3: Historic England (2015)
- Town Centre Conservation Area Appraisal
- Town Centre Conservation Area Management Plan Update 2016
- Tamworth Design SPD July 2019

3. Relevant Site History since 2001

A	0410/2001	Various illuminated and non-illuminated signs
A	0306/2002	Banner sign
A	0307/2002	Two Banner signs
F	0260/2009	Formation of new doorway to sandwich shop in part of retail department store premises
DISCON	0385/2009	Application to discharge condition 3 (signage) of planning permission 0260/2009
F	0475/2009	Formation of new doorway to retail department store
UN	T12019	Erection of 12 foot feather edged boarder at Colehill, Tamworth.
UN	T02805	Addition of floor in existing loading dock area for retail purposes at 5 Colehill.
A	0062/2010	Advertisement consent: 1 x illuminated fascia sign and 2 x non-illuminated fascia sign
DISCON	0077/2010	Application to discharge condition 3 (finish, materials) of planning permission 0475/2009
A	0194/2010	Advertisement consent: Non-illuminated timber fascia sign and hanging sign
F	0551/2010	Removal of canopy to part of retail department store premises
VARCON	0061/2011	Variation of condition 3 in respect of signage on application 0260/2009
A	0265/2011	Advertisement consent: Replacement fascia signage
C	0443/2013	Change of use from Sandwich Shop (A1) to a Coffee Shop (A3)
A	0131/2015	Advertisement consent for the display 1 fascia sign

4. Consultation Responses

TBC Conservation Officer

4.1. No objections subject to conditions:

Background

- *The application site is a Locally Listed Building.*

- The application site is located within the Tamworth Town Centre Conservation Area.
- The application site is within the setting of designated heritage assets.

In deciding any relevant planning permission that affects a locally listed heritage asset or its setting, the NPPF requires amongst other things that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance. LPAs should take account of heritage assets and the desirability of putting them to viable uses consistent with their conservation. They are also obliged to consider the positive contribution that conserving such heritage assets can make to sustainable communities including their economic vitality. [Locally Listed Heritage Assets – Planning Law Overview | Historic England](#)

Proposal

The proposal is for the installation of new glazing to part of eastern and northern elevation, infilling of formal openings to rear elevation and replacement windows, new lift enclosure and plant to rear first floor flat roof.

Historic Environment Considerations

I have assessed the character of the building in its entirety, and not only the impact of the proposal on the elevation to which it is proposed. The Locally Listed designation provides additional consideration for a building's fabric and its special historic interest. The character and use of the original building is relevant, as is its age, architectural detail and prominence and contribution to the historic street scene.

- I made some observations regarding the central post to the shopfront onto Colehill and entry gates. The suggestions made have been incorporated into this final scheme.
- I make no objection to the principle of the new glazing and alterations.
- I make no objection to the proposals for alterations to the elevations.
- The shopfront, window and door profiles have not been submitted. I would like to request that they are conditioned with profile drawings to be provided.
- I suggest that the paint colour is agreed in writing.
- I would like to request detail of the lime mortar; I suggest a ratio similar to 1:3 (NHL2.5 : sand). I suggest matching the sand colour and particle size. I would like to see joints flush with the brickwork, and beaten, brushed or bagged back. No trowel marks should be visible. The brick face should be cleaned of any residue mortar as work progresses, with no use of chemical cleaning.
- I would like to request a sample panel of an area cleaned using the DOFF steam clean system, prior to full elevations cleaning being undertaken.
- The application makes no reference to signage. I suggest that discussions start regarding the placement of promotional marketing. The use of the shopfront windows should not be assumed to be filled, for example with vinyl marketing, as this will impact upon the character of the building and the Conservation Area.
- If further repairs to architectural features become apparent when work begins of site, please notify me. The roof has not yet been fully assessed, but I would suggest that good conservation practice is to start at the top with maintenance and repairs to ensure that the building is watertight and sound. Maintenance of rainwater goods and checking the soundness of mortar joints (especially to the exposed cupola) should be included in the visual assessment of the building.

Consideration of Harm

It is my assessment that the proposal would result in less than substantial harm. I consider the level of harm to be minimal, both to the Locally Listed Building, and the character and appearance of the Conservation Area.

Conclusion

I make no objection to the proposal and recommend approval with conditions.

TBC Environmental Health Officer

4.2 Environmental Protection have no comments to make on this consultation.

TBC Town Centre/Tourism Team

4.3 No objection

Economic Development and Regeneration Service at Tamworth Borough Council fully supports these plans.

TBC Policy Team

4.4 No objection

The proposal appears to relate to the refurbishment of the existing building into an Enterprise Centre, consisting of multiple office and meeting spaces. Under Policy EC1, as a defined main town centre use, the proposed office space within the town centre would be strategically supported. Particular note should be given to Policy EC3 (Primary and Secondary Frontages) of the Local Plan, which places a significant requirement on the delivery of retail in the subject area. This policy is no longer in line with the National Planning Policy Framework (NPPF), and therefore, in this instance, the requirements of Policy EC3 should not carry any significant weight in decision making.

On the basis of the above, we have no strategic objection to the principle of the proposal. Notwithstanding, the proposal must be able to demonstrate compliance with the wider policies of the Local Plan in order to be deemed acceptable.

SCC Historic Environment Team

4.5 No objection subject to conditions

Thank you for consulting with Staffordshire County Council's Historic Environment Team with regards to the above application. I have reviewed the proposals against the information held by the Staffordshire Historic Environment Record (HER) and the comprehensive Heritage Statement (HS) submitted in support of the application and there is some clear historic environment interest in the application site. The HS provides a very useful understanding of the historic development of the site, a point in time record of the building, and assesses the impact of the proposals on this building. As such this information will not be repeated in detail here, however in summary the building is locally listed (a non-designated heritage asset) and located within the Tamworth Town Centre Conservation Area (a designated heritage asset). The first phase of the current building (the northern range) was built for the Co-operative c.1897 whilst the southern range had been completed by 1903. A further extension was added to the west in the 1960s. The elements of the proposals that are likely impact upon the historic fabric include the installation of a new platform lift, reorganisation of the interior (particularly involving the removal of later partition walling) to improve toilet and kitchen facilities, and the re-implementation of glazing in some of the shop frontages.

Given the existing baseline heritage information provided in the HS and the relatively 'light touch' nature of the proposals in terms of their potential impact on the historic fabric, I do not wish to raise any major concerns with the application. However, I do think it would be appropriate, in line with Par 205 of the NPPF (2021) which states that 'Local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted' that previously unknown historic fabric that should be revealed by the proposed works should be appropriately recorded and a report deposited to the HER. I would suggest that the following condition should cover this (however should your Conservation Officer colleague deem a more robust condition be required I am happy to review this requirement and provide alternative wording):

'If hitherto unknown evidence of historic character that would be affected by the works hereby permitted is discovered, an appropriate record together with recommendations for dealing with it in the context of the scheme shall be submitted for written approval by the local planning authority'.

In terms of the potential impacts of the proposals on the aforementioned heritage assets I am happy to defer to your Conservation Officer colleague.

Staffordshire County Council Highways

4.6 No objection

The application is for the installation of new glazing to part of eastern and northern elevation, new entry gates, infilling of formal openings to rear elevation and replacement windows, new lift enclosure and plant to rear first floor flat roof demolition of the former Cooperative Society building. The proposal will have no effect on the highway therefore I have no objection to this application.

Historic England

- 4.7 No comments – *We suggest that you seek the views of your specialist conservation and archaeological advisers*

5. Publicity and Additional Representations

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

- 7.1. The key issues to be considered at this stage are:

- Principle
- Character & Appearance
- Historic Environment - Consideration of harm to the character and appearance of the building, the conservation area and the significance of the surrounding listed buildings
- Historic Environment Record
- Noise and Disturbance
- Access

Principle

- 7.2. The proposals are related to a town centre use that does not require planning permission. This complies with Tamworth Local Plan Policy EC1 'Hierarchy of Centres for Town Centre Uses' that defines the hierarchy for the location of development involving town centre uses, prioritising Tamworth Town Centre as the key focal point where development including retail, services and leisure uses should be concentrated.
- 7.3. Policy EC2 'Supporting Investment in Tamworth Town Centre' specifically relates to development in the Town Centre. The policy states that "the regeneration and economic development of the town centre is seen as a key Council objective and driver to the wider regeneration of Tamworth." The policy outlines the importance in the protection and enhancement of heritage assets within the town, stating that they "assist in defining Tamworth's unique streetscape, fostering local distinctiveness and preserving local character." Clearly the proposals aim to improve a heritage asset.
- 7.4. Chapter 6 of the National Planning Policy Framework 2021 (NPPF) focuses on building a strong, competitive economy. Paragraph 81 elaborates 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.*"

- 7.5. Chapter 7 aims to ensure the vitality of town centres outlining that planning policies and decisions should support the growth, management and adaptation of town centres given their importance to local communities.
- 7.6. It is noted that the Council's Economic Development and Regeneration Service at Tamworth Borough Council fully supports the plans, noting that the building is currently vacant and sits in a prime area of the Town Centre. This application represents an excellent opportunity to bring back into economic use an attractive building in a prominent location.
- 7.7. It is also of note that in turn by unlocking this site for development, it allows the Future High Streets project to progress.
- 7.8. The application relates solely to the external physical works and no change of use is proposed. Although internal conversion works are also being undertaken, these do not require planning consent. The proposals are therefore fully supported by the policies above for an appropriate town centre use.

Character and appearance

- 7.9. Tamworth Local Plan 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.
- 7.10. Policy EN6 – Protecting the Historic Environment indicates that the proposed development should enhance or preserve the area as a whole:
Development that affects designated heritage assets including conservation areas, listed buildings, scheduled monuments and non-designated heritage assets including locally listed buildings and undesignated archaeology, will be required to assess the impact of the development on the asset through a heritage statement and statement of significance and clearly demonstrate how the significance, including its setting, will be protected, conserved and, where possible, enhanced.Non-designated assets, including local listing and archaeology, will be a material consideration in determining planning applications, with weight given to their significance and contribution to their environment. The Council will support the conservation and enhancement of locally listed buildings...
- 7.11. 5 Colehill lies within the Tamworth Town Centre Conservation Area. The building is locally listed and regarded as being of local historic and architectural interest. It is a prominent local landmark and a local heritage asset, important in the history of the Co-operative movement in Tamworth. It has original decorative Victorian features on the façades fronting Colehill and Church Street and its cupola is an important feature in local views. It is a local landmark because of its siting on a prominent junction and its features, which include decorative gables, cupola and a bellcote, an attractive frontage and good quality early-20th century faience shop front to the ground floor. The interior also has some original decorative features, with an original staircase with timber handrail, decorative iron balusters and pink, green, burgundy and white Minton tiles.
- 7.12. In 1897, Tamworth Industrial Cooperative Society (now referred to as the Tamworth Co-operative Society) took ownership of the building and continued to use the building, together with a later, much larger extension constructed in the 1960's and '70's, as a retail outlet and head office for the organisation, up until 2021, when it ceased to trade at the site.
- 7.13. The external appearance and character of the building is proposed to be retained and the building is being restored and refurbished as part of the planned works. The northern and eastern frontage elevations, framing the corner of College Lane and Colehill, together with the roof and Cupola will be retained and repaired/restored. Much of the works fall into the category of straightforward repair and maintenance and, together with other internal reconfiguration, do not constitute development that requires planning approval. The works essentially comprise of retention of the façade but with some new glazing to the shopfront, new windows to the rear elevation and lift enclosure.
- 7.14. The elements of the proposals that are likely impact upon the historic fabric include the installation of a new platform lift, reorganisation of the interior (particularly involving the removal of later partition

walling) to improve toilet and kitchen facilities, and the re-implementation of glazing in some of the shop frontages.

- 7.15. The eastern shop front to the south range is to be refitted to remove the modern, offset and recessed doorway and replace this with new glazing to match the remaining shop fronts. The area of infill and drop box on the western range of the northern shopfront is proposed to be removed and reinstated as a glazed window to match the adjacent shop fronts. An existing secondary doorway in the second range is proposed to be removed and a glazed window reinstated to match the adjacent window range.
- 7.16. The existing openings at ground, first and second floors, previously formed to connect to the 1960's department store extension, will be infilled where they do not correspond with proposed openings. In addition, 2 new windows will be formed to first and second floors, (rear southern elevation); new external doors at ground floor will provide access into a plant room and switch room and a small section of wall mounted louvres will be installed to serve this; and a disused central chimney will be removed from the from roof area.
- 7.17. A new platform lift is proposed in the centre of the building which will extend up from the first-floor roof to serve the second floor. A small area of the first-floor flat roof is proposed for the location of external mechanical plant and a handrail for edge protection. This is first floor roof-space that is fully enclosed by the existing roofs to north, east and south and occupies an existing small space between the north and south ranges of the building that is not visible outside of the site.
- 7.18. The proposal will not have a significant impact on the character and appearance of the building or locality whilst mortar materials and joinery details of the new frames still need to be submitted and this will be conditioned, however the principle of the new windows other elements have been assessed by the Conservation Officer and has expressed no objection.
- 7.19. The proposed development is therefore considered to be acceptable and is compliant with Policies EN5 and EN6 of the Local Plan.

Historic Environment - Consideration of significance of and impact on the character and appearance of the building, conservation area and the surrounding listed buildings

- 7.20. In determining any planning application on heritage matters, special attention shall be paid to the desirability of preserving listed buildings and preserving or enhancing the character or appearance of conservation areas as set out in sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 7.21. In addition, for the determination of planning applications affecting heritage assets Chapter 16 of the NPPF 2021 supports the conservation and enhancement of historic environments where paragraphs 127 and 184-202 are relevant. In particular, paragraph 189 highlights the importance of conservation, stating that historic and heritage assets are "*an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.*"
- 7.22. The policies within the NPPF emphasise the need for assessing the significance of heritage assets and their setting in order to fully understand the historic environment and inform suitable design proposals for change to significant buildings. The document also requires that the impact of development proposals which affect heritage assets is assessed.
- 7.23. As noted above, policy EN6 Protecting the historic environment, of Tamworth Local Plan is also relevant.
- 7.24. The impact on heritage is focused mainly on the designated heritage assets of the Tamworth Town Conservation Area and the Grade I and II listed buildings in the building's setting, and to the non-designated locally listed building itself. The impact of any proposed development needs to be assessed. As regards the building itself, the elements of the proposals that are likely impact upon the historic fabric include the installation of a new platform lift, and the re-implementation of glazing in some of the shop frontages. Reorganisation of the interior does not require planning permission.
- 7.25. The submitted heritage statement in its section on significance refers to Tamworth Borough Council's Local List that was formally adopted in June 2018. This document sets out the listings

designated by the council that are of local historic and or architectural interest. The document outlines the details and merit of 5 Colehill as a locally listed building with a high heritage value contributing to the influence of Tamworth on a regional/national scale.

- 7.26. The proposed new windows to the frontages will be in suitable traditional materials and design to match the existing and as such will not harm the character of the building. The internal works have some historic impact, but do not in themselves require permission and at the rear the new windows and lift housing will serve to enhance the building and although not in view of the street, they will enhance character in the conservation area generally.

Assessment of Significance and Impact

- 7.27. Using established methods for assessing significance, the heritage statement suggests that these elements of significance have **high value** overall. The Co-Operative Building has **high historic value**, being associated with the Co-Operative Society from its construction to the present day, an association which is still evident in the inscriptions on the exterior of the building even though the Society is moving out. It also has **high communal value**, having been used by locals for well over a century for a variety of services, including banking, food, retail, and funeral care. The building has **high aesthetic value**, with the eclectic styles to the upper floors, as well as the Art Deco shop front externally, the large entertaining space, stained glass and tiled WCs and stairway internally.
- 7.28. The statement also assesses the contribution to the setting of nearby listed buildings and considers the impact of the development proposed on both the conservation area and the listed buildings and other heritage assets. (Northwest of the site is the Grade I listed St Editha's Parish Church which is a dominant landmark building of the town centre. The site is also within close proximity to a number of heritage assets. To the north is the Old Stone Cross Public House which is Grade II listed, Tamworth Arts Centre which is Grade II Listed and further north is the Medieval deanery at Lower Gungate, which is scheduled for designation. To the rear, 36 and 36a, and 37 George Street are Grade II listed buildings. South of the site, 1 Colehill is Grade II listed. To the east of the site are a number of heritage assets on Colehill that are Grade II listed (numbers 8, 9, 10, 11).
- 7.29. It concludes that the overall impact of the proposed works is positive and that the application proposals accord with the requirement to preserve or enhance the character and appearance of the conservation area and the settings of the relevant heritage assets.
- 7.30. The proposed scheme is therefore concluded to cause 'less than substantial' harm to the character and appearance of the conservation area. Paragraph 194 of the NPPF requires 'clear and convincing' justification for any harm caused with great weight given to the asset's conservation. Paragraph 196 states: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 7.31. The Conservation Officer was consulted to assess the potential impact of the alterations on the historic environment. The Conservation Officer has stated *that the proposal would result in less than substantial harm and considers the level of harm to be minimal, both to the Locally Listed Building, and the character and appearance of the Conservation Area*. She has no objections to the proposed development subject to additional information being submitted in respect of profile details of frames, paint colour and mortar mix materials. The additional information will be provided via pre-commencement conditions shown below. A further note is added regarding future signage.
- 7.32. Overall, the external changes to the front elevation are minimal. retaining the glazed tile surround and retaining the original lettering at first floor level retains the important historical connection with the original formation of the Tamworth Co-Operative Society, while enabling reuse of the building. The changes will have an overall beneficial impact on the locally listed building, Conservation Area and listed buildings within the setting of the site. the building will be subjected to low levels of intervention in the proposed development, which aim to restore and protect its original features and to enhance its presence within the Conservation Area. Necessary works to the frontages will safeguard both the building and its original historic details.
- 7.33. The impact of the proposals on the locally listed building and its setting within the Conservation Area are minor and positive and retain its overall character and appearance, preserving elements of architectural and historic interest is in accordance with the requirements of Section 16 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy EN6 of the Local

Plan. The proposed development will generate less than substantial harm to the listed building with substantial benefits in commercial re-use.

Historic Environment Record

- 7.34. Staffordshire County Council Historic Environment team advise that there is some clear historic environment interest in the application site as detailed above.
- 7.35. In respect of recording any evidence of historic character a condition is recommended to be added, as follows; 'If hitherto unknown evidence of historic character that would be affected by the works hereby permitted is discovered, an appropriate record together with recommendations for dealing with it in the context of the scheme shall be submitted for written approval by the local planning authority'. This is to ensure that any evidence is properly recorded in accordance with policy EN6, Protecting the historic environment, as set out in the Tamworth Local Plan 2006-2031.

Noise and Disturbance

- 7.36. Given the nature of the intended use, there are no impacts associated with the use that are likely to give rise to adverse environmental effects. The Environmental Health Officer has no objections in accordance with policy EN5: Design of New Development as set out in the Tamworth Local Plan 2006-2031.

Access

- 7.37. There are no substantive changes to the existing arrangements for access and servicing of the building. While two secondary, existing pedestrian access points are to be removed, the main pedestrian accesses off Colehill are retained and improved, leading directly into the main core of the building. This provides for good levels of disabled access throughout the building. Primary access into the building will be from the corner of Colehill. All servicing for the building will remain unaltered via the existing service yard off Colehill.

8. Conclusion

- 8.1. The alterations to refurbish No.5 Colehill will have a beneficial impact on the external character of the locally listed building, on the setting of the adjacent listed buildings and on the character and appearance of the Tamworth Town Conservation Area. Many historic fixtures and fittings, including the high significance historic staircase, will be retained and removal of historic fabric within the building is kept to a minimum. Alterations to the exterior shop fronts will be in keeping with the existing design and materials of the inter-war shop front. Therefore, the overall character and appearance of the building within the Conservation Area and the setting of nearby Listed Buildings is retained, preserving the significance of the setting.
- 8.2. Any negative impacts to heritage will generate 'less than substantial harm' to the locally listed building, nearby listed buildings and Conservation Area, with substantial heritage benefits in sympathetic refurbishment and creation of a long-term viable commercial re-use, and when balanced against heritage benefits and the for the building, the proposals are acceptable in planning and heritage terms.

9. Recommendation

Approval subject to conditions

Conditions / Reasons

1. Start of development

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. Compliance with plans/approval

The development hereby approved shall only be carried out in accordance with the application form, the supporting letter and drawing numbers:

East Elevation Demolitions 241493-PUR-01-ZZ-DR-A-1351

North Elevation Demolitions 241493-PUR-01-ZZ-DR-A-1350
South Elevation Demolitions 241493-PUR-01-ZZ-DR-A-1352
West Elevation Demolitions 241493-PUR-01-ZZ-DR-A-1353
Ground Floor Plan Demolitions 241493-PUR-01-GF-DR-A-1330
Roof Plan Demolitions 241493-PUR-01-RF-DR-A-1333
Existing First Floor Plan 241493-PUR-01-01-DR-A-1301
Existing Second Floor Plan 241493-PUR-01-02-DR-A-1302
Existing Basement Plan 241493-PUR-01-B1-DR-A-1304
Existing East Elevation 241493-PUR-01-ZZ-DR-A-1321
Existing Ground Floor Plan 241493-PUR-01-GF-DR-A-1300
Existing North Elevation 241493-PUR-01-ZZ-DR-A-1320
Existing Roof Plan 241493-PUR-01-RF-DR-A-1303
Existing South Elevation 241493-PUR-01-ZZ-DR-A-1322
Existing West Elevation 241493-PUR-01-ZZ-DR-A-1323
Proposed First Floor Plan 241493-PUR-01-01-DR-A-2301
Proposed Second Floor Plan 241493-PUR-01-02-DR-A-2302
Proposed Basement Plan 241493-PUR-01-B1-DR-A-2304
Proposed East Elevation 241493-PUR-01-ZZ-DR-A-2321
Proposed Ground Floor Plan 241493-PUR-01-GF-DR-A-2300
Proposed North Elevation 241493-PUR-01-ZZ-DR-A-2320
Proposed Roof Plan 241493-PUR-01-RF-DR-A-2303
Proposed South Elevation 241493-PUR-01-ZZ-DR-A-2322
Proposed West Elevation 241493-PUR-01-ZZ-DR-A-2323
Site Block Plan 241493-PUR-01-SL-DR-A-1361
Site Location Plan 241493-PUR-01-SL-DR-A-1360
unless otherwise agreed in writing by the Local Planning Authority.
Reason: To define the approval.

3. Materials-Details

Prior to the commencement of the proposed works, full details of the following shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and retained in perpetuity, unless further consent in writing is given by the Local Planning Authority.

- i) Full details of all external materials;
- ii) Full details consisting of profile sections at a minimum scale of 1:5 and elevations at 1:20, of all external joinery including fenestration and doors and proposed exterior paint finish.
- iii) *detail of the lime mortar; (ratio similar to 1:3 (NHL2.5: sand and matching the sand colour and particle size).*
- iv) *joints shall be flush with the brickwork, and beaten, brushed or bagged back. No trowel marks should be visible. The brick face should be cleaned of any residue mortar as work progresses, with no use of chemical cleaning.*
- v) *a sample panel of an area cleaned using the DOFF steam clean system, shall be provided and approved by the local planning authority prior to full elevations cleaning being undertaken*

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. If hitherto unknown evidence of historic character that would be affected by the works hereby permitted is discovered, an appropriate record together with recommendations for dealing with it in the context of the scheme shall be submitted for written approval by the local planning authority.
Reason: To ensure satisfactory recording of evidence in accordance with policy EN6: Protecting the historic environment, as set out in the Tamworth Local Plan 2006-2031.

Notes to applicant

- *Early discussions should start regarding the placement of promotional marketing and signage. The use of the shopfront windows should not be assumed to be filled, for example with vinyl marketing, as this will impact upon the character of the building and the Conservation Area.*
- *If further repairs to architectural features become apparent when work begins of site, please notify the local planning Authority Conservation Officer. The roof has not yet been fully assessed, but I would suggest that good conservation practice is to start at the top with maintenance and repairs to ensure that the building is watertight and sound. Maintenance of rainwater goods and checking the soundness of mortar joints (especially to the exposed cupola) should be included in the visual assessment of the building.*

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