



MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON 17th JANUARY 2023

PRESENT: Councillors D Box, S Daniels, S Goodall, J Harper, J Jones, D Maycock, B Price, S Smith, M Summers and P Thurgood

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

Guests: Mark Evans (Staffordshire County Highways), Amrit Mudhar (Staffordshire County Highways), Susan Timms (Staffordshire County Environmental Health Officer)

20 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors R Claymore and A Cooper

As the Chair had resigned and in the absence of the Vice-Chair, a motion without notice was moved to elect a Chair for this Planning Meeting.

RESOLVED that Councillor S Goodall was elected to Chair the meeting.

(Moved by Councillor D Maycock and seconded by Councillor J Jones)

Councillor S Daniels arrived at 18:11pm

21 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 6th December 2022 were approved and signed as a correct record.

(Moved by Councillor J Harper and seconded by Councillor M Summers)

22 DECLARATIONS OF INTEREST

Planning Committee Members have received a dispensation for applications relating to the Future High Street Project for a period of two years starting from 7th July 2022 until 7th July 2024 which is of relevance to item 23.b under Section 33(2) of the Localism Act 2011.

There were no other Declarations of Interest.

23 APPLICATIONS FOR CONSIDERATION

23.1 0179/2022 Land off Coton Lane Committee Report

Application Number: 0179/2022

Development: Full planning application for residential development (Class C3) for 59 dwellings with vehicular access point onto Coton Lane, public open space, drainage and associated infrastructure.

Location: Land at Coton Lane, TAMWORTH

The Team Leader- Development Management presented the report
Ward Councillor R Kingstone spoke against this application.
The Agent, Ed Piggott, spoke in favour of the application.

Members raised issues including noise, odour, highways, the proximity of the railway line and the water treatment works, residential amenity and design and debated the Application at Length. Officers including the County Environmental Health Officer responded to the questions and comments raised.

RESOLVED: The Committee refused the application
(Moved by Councillor M Summers and seconded by Councillor J Harper) for the reasons set out in the officer recommendations and the final wording of the reason for refusal was delegated to the Team Leader – Development Management in consultation with the Assistant Director – Growth and Regeneration, Councillor S Goodall as the Chair of the meeting and the Legal Officer.

23.2 0414/2022 Middle Entry Committee Report

Application Number: 0414/2022

Development: Removal of existing glazed roof, demolition of projecting canopies and first floor gantries; Erection of replacement brick facades, paving and drainage; Demolition of No. 9 Middle Entry and 18, 18a and 19 Market Street and Nos 20, 20a and 21 George Street and redevelopment to provide a flexible, multi-use building (Class E) with hard and soft landscaping, forming a public square with associated street furniture, drainage and associated works

Location: 17,18,18a & 19 Market Street, 1-9 & 12-20 Middle Entry, 20,20a & 21 George Street, Tamworth

Ward Councillor A Farrell spoke in favour of the application.

The Senior Planning Officer presented the report and recommended a minor change to condition 15. Members raised issues relating to signage, design, external materials, access, the impact of construction works at busy times but broadly welcomed the scheme. However, significant concerns were expressed that the flat roofs of the 'Flex' building were a mistake in design terms. Officers responded to questions and comments made.

A motion was moved to defer the application so it could be amended to provide a pitched roof on the Flex Building

(Moved by Councillor J Harper and seconded by Councillor P Thurgood)

The Assistant Director – Growth and Regeneration confirmed her understanding was that the applicant (the council) would be unwilling to amend the application as suggested, as it considered the roof design proposed was acceptable and the resulting delays could jeopardise the delivery of the wider town centre regeneration scheme. The legal Officer reminded members to focus on the planning and design aspects of the roof which Officers considered was acceptable in Planning Terms.

A vote took place on this motion and the motion was defeated 3 votes for deferral and 7 votes against.

RESOLVED: That the committee approved the application subject to conditions and deletion of the words 'to the public realm a detailed' on the first line of condition 15.

Conditions/Reasons

1. The development hereby approved shall be begun before the expiration of three years from the date of this permission. Reason: To conform with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall be carried out strictly in accordance with plan(s)/drawing(s):
 - 241493-PUR-03-01-DR-A-1511 Existing First Floor Plan
 - 241493-PUR-03-01-DR-A-1521 Existing First Floor
 - 241493-PUR-03-01-DR-A-1561 First Floor Plan Demolitions
 - 241493-PUR-03-01-DR-A-1571 First Floor Demolitions
 - 241493-PUR-03-01-DR-A-2511 Proposed First Floor Plan
 - 241493-PUR-03-01-DR-A-2522 Proposed Roof Plan
 - 241493-PUR-03-GF-DR-A-1500 Existing Ground Floor Plan

241493-PUR-03-GF-DR-A-1510 Existing Ground Floor Plan
241493-PUR-03-GF-DR-A-1520 Existing Ground Floor
241493-PUR-03-GF-DR-A-1560 Ground Floor Plan Demolitions
241493-PUR-03-GF-DR-A-1570 Ground Floor Demolitions
241493-PUR-03-GF-DR-A-2500 Proposed Ground Floor Plan
241493-PUR-03-GF-DR-A-2510 Proposed Ground Floor Plan
241493-PUR-03-GF-DR-A-2520 Proposed Ground Floor
241493-PUR-03-RF-DR-A-1512 Existing Roof Plan
241493-PUR-03-RF-DR-A-1522 Existing Roof Plan
241493-PUR-03-RF-DR-A-1562 Roof Plan Demolitions
241493-PUR-03-RF-DR-A-1572 Roof Plan Demolitions
241493-PUR-03-RF-DR-A-2512 Proposed Roof Plan
241493-PUR-03-SL-DR-A-1005 Site Location Plan
241493-PUR-03-SL-DR-A-1007 Site Block Plan
241493-PUR-03-ZZ-DR-A-1505 Existing Elevations
241493-PUR-03-ZZ-DR-A-1515 Existing Elevations 1 of 2
241493-PUR-03-ZZ-DR-A-1516 Existing Elevations 2 of 2
241493-PUR-03-ZZ-DR-A-1525 Existing Elevations
241493-PUR-03-ZZ-DR-A-1565 Elevation Demolitions 1 of 2
241493-PUR-03-ZZ-DR-A-1566 Elevation Demolitions 2 of 2
241493-PUR-03-ZZ-DR-A-1575 Elevations Demolitions
241493-PUR-03-ZZ-DR-A-2505 Proposed Elevations
241493-PUR-03-ZZ-DR-A-2515 Proposed Elevations 1 of 2
241493-PUR-03-ZZ-DR-A-2516 Proposed Elevations 2 of 2
241493-PUR-03-ZZ-DR-A-2525 Proposed Elevations
TAM0704-02-20 Landscape Sections
TAM0704-02-401 Soft Landscape Proposals
TAM0704-02-101 Townhall Square General Arrangement
Unless as otherwise required by condition attached to this permission or following approval of an application made pursuant to Section 96A of the Town and Country Planning Act 1990.

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

3. 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.
 - Full details of all external materials;
 - Full details of depth of brickwork framing arched windows
 - Full details of rainwater goods, their materials, colour and designs.

Reason: To ensure a satisfactory external appearance to the development that preserves the significance of affected heritage assets and the amenities of the area, in accordance with policy EN5: Design of New Development as set out in the Tamworth Local Plan 2006-2031.

4. **Archaeology**

Prior to the commencement of the development hereby permitted, a written scheme of archaeological investigation ('the Scheme') shall be submitted for the written approval of the Local Planning Authority. The Scheme shall provide details of the programme of archaeological works to be carried out within the site, including post-fieldwork reporting and appropriate publication. B) The archaeological site work shall thereafter be implemented in full in accordance with the written scheme of archaeological investigation approved under condition (A). C) The development shall not be occupied until the site investigation and post excavation assessment has been completed in accordance with the written scheme of archaeological investigation approved under condition (A) and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured".

Reason: To ensure a satisfactory external appearance to the development in accordance with policy EN5: Design of New Development and EN6: Protecting the Historic Environment as set out in the Tamworth Local Plan 2006-2031.

5. **Noise**

No work completed, no construction site machinery or plant shall be operated, no process shall be carried out and no construction related deliveries taken at or dispatched from the site except between the hours of 8am-6pm Monday to Friday and 8am-1pm Saturday and not at any time on Sundays, Bank or Public Holidays

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with the provisions of policy EN5: Design of New Development, of the Tamworth Local Plan 2006-2031 and the NPPG.

6. The procedures listed in the Demolition Method Statement & Construction Management Plan for the control of dust, noise, asbestos, and vibration should be implemented in full.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with local planning policy and in accordance with the provisions of policy EN5: Design of New Development, of the Tamworth Local Plan 2006-2031 and the NPPG.

7. **Contaminated Land**

The recommendations of the Phase 1 Geoenvironmental Site Assessment shall be implemented in full.

Reason: To protect the health of future occupiers of the site from any

possible effects of contaminated land, in accordance with local planning policy SU5 of the Tamworth Borough Council Local Plan 2006-2031 and paragraphs 178 and 179 of the NPPF.

8. Highways

Prior to the commencement of works to the public realm a full detailed scheme of works to create the public square and public realm improvements within Market Street, George Street and Middle Entry as broadly outlined within the General Arrangement Plan, drawing ref. TAM0704-02-101 Rev C, shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be fully implemented before the use hereby approved is commenced or the building occupied.

Reason: In the interest of highway safety and in accordance with policies EN5 and SU2 of the Tamworth Borough Council Local Plan 2006-2031.

9. Prior to the commencement of works to the public realm a detailed scheme of off-site highway works to amend the layout of the College Lane Service Yard to the east of the site including details of any surface treatments, kerbing, drainage, street lighting, utility diversions, Signing and Lining, Traffic Regulation Orders, and any other engineering works shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be fully implemented prior to first occupation.

Reason: In the interests of highway safety and to provide a satisfactory means of access for Service / delivery vehicles in accordance with policies EN5 and SU2 of the Tamworth Borough Council Local Plan 2006-2031 and the NPPF.

10. Prior to the commencement of works to the public realm until a detailed surface water drainage strategy for all Highway and private contributing catchments within the development layout to a suitable means of outfall is submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be completed prior to first use of the development, or in accordance with a timetable to be submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure satisfactory drainage of the site and in the interest of Highway Safety and in accordance with policies EN5 and SU2 of the Tamworth Borough Council Local Plan 2006-2031.

11. Prior to the commencement of works to the public realm a SUDS management plan for private drainage catchments which will include details on future management responsibilities, along with maintenance schedules for all SUDS/attenuation features and associated pipework has been submitted to and approved in writing by the Local Planning

Authority. The approved SUDS management plan shall be implemented in full in accordance with the agreed terms and conditions.

Reason: To ensure the continued operation and maintenance of drainage features serving the site and avoid flooding onto the adjacent Highway and in accordance with policies EN5 and SU4 of the Tamworth Borough Council Local Plan 2006-2031

12. No loading and unloading of vehicles associated to the servicing of the approved Multi-use Building shall take place on Market Street and George Street unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interest of highway safety and in accordance with policies EN5 and SU2 of the Tamworth Borough Council Local Plan 2006-2031.

13. Any external doors situated to the front and rear of the Multi-use Building shall open inwardly only.

Reason: In the interest of highway safety and in accordance with policies EN5 and SU2 of the Tamworth Borough Council Local Plan 2006-2031.

14. Prior to the first occupation of the development secure and safe cycle parking facilities shall be provided for each unit within the multiuse building in accordance with a scheme that has first been submitted to, and approved in writing by, the Local Planning Authority. The approved facilities shall be retained in perpetuity.

Reason: In the interests of providing safe and secure cycle parking in accordance with the NPPF and policies EN5 and SU2 of the Tamworth Borough Council Local Plan 2006-2031.

15. Prior to the commencement of works, a Construction Management Plan (CMP) and Demolition Method Statement prepared by the appointed contractor shall be submitted to, and approved in writing by, the Local Planning Authority. The approved management plan and method statement shall include details relating to construction access, hours of construction, routing of HGV's, delivery times and the location of the contractors' compounds, cabins, material storage areas and contractors parking and a scheme for the management and suppression of dust and mud from construction activities including the provision of a vehicle wheel wash. It shall also include a method of demolition and restoration of the site. All site operations shall then be undertaken strictly in accordance with the approved CEMP for the duration of the construction programme.

Reason: In order to minimise the impact of construction activity on the surrounding environment in accordance with section 11 of the NPPF and in accordance with policies EN5 and SU2 of the Tamworth

Borough Council Local Plan 2006-2031.

16. Prior to the commencement of works to the public realm, excluding demolition works, a hard and soft landscaping scheme, including full details of paving and positions of street furniture, planters and cycle stands, shall be submitted to and approved in writing by the LPA, and thereafter maintained.

Reason: In the interests of the setting and visual appearance of the development, and in accordance with Policy EN5 Tamworth Local Plan 2006-2031

17. All planting, seeding or turfing comprised in the approved details of landscaping and boundary treatment approved shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the setting and visual appearance of the development, and in accordance with Policy EN5 Tamworth Local Plan 2006-2031

(Moved by Councillor M Summers and seconded by Councillor B Price)

Chair