



MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON 25th APRIL 2023

PRESENT: Councillors R Claymore, S Daniels, S Goodall, J Harper, S Smith, M Summers, P Thompson and P Thurgood

The following officers were in attendance: Jane Cotton, Legal Advisor, Glen Baker-Adams (Team Leader - Development Manager), Debbie Hall (Planning Officer) and Tracey Pointon (Legal Admin & Democratic Services Manager)

32 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J Jones, D Maycock and J Jones

33 APPOINTMENT OF VICE CHAIR

Councillor S Goodall was elected as Vice Chair

(Moved by Councillor M Summers and seconded by Councillor P Thompson)

34 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 7th March 2023 were approved and signed as a correct record.

(Moved by Councillor S Goodall and seconded by Councillor J Harper)

35 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

36 APPLICATIONS FOR CONSIDERATION

37 0072/2023 - 7E CLAYMORE, TAMWORTH

Application 0072/2023

Site 7E Claymore, Tame Valley Industrial Estate, Wilnecote,
Address Tamworth, B77 5DQ

Officers presented the item and responded to issues and questions raised, including on the need for and enforcement of conditions. Members debated the item and were satisfied that the conditions would be enforced.

RESOLVED Approved subject to conditions

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

Conditions

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

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).

2. The development hereby approved shall only be carried out in accordance with the application form, the supporting letter and drawing numbers 1223 03, 1223 04 and 60617627-XX-DR-SK-002 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To define the approval.

3. Prior to the development being brought into use, the parking and maneuvering areas broadly indicated on submitted plan 60617627-XX-DR-SK-002 shall be completed and surfaced in a porous bound material, with car parking spaces clearly delineated, which shall thereafter be retained and maintained for the life of the development.

Reason: In the interest of highway safety and in accordance with Policy SU2 Sustainable Transport of the Tamworth Local Plan 2006-2031.

4. No Development shall commence until a scheme to deal with contamination of land, controlled waters and/or ground gas has been submitted to and approved in writing by the local planning authority. The scheme shall include all of the following measures, unless otherwise first agreed by the local planning authority in writing:
 - a) A Phase I site investigation report carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model and a human health and environmental risk assessment
 - b) A Phase II intrusive investigation report detailing all

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

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

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

e) Not to occupy of the development or bring it into first use until the following has first been submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning authority. The validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology and in accordance with the Scheme approved pursuant to this condition 4 and for the avoidance of doubt including details of any post-remedial sampling and analysis to show that the site has reached the required clean-up criteria, together with the necessary documentation detailing what waste materials have been removed from the site

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework and policy SU5 of the Tamworth Local Plan 2006-2031.

5. No development shall commence until a scheme of intrusive investigations has been carried out on site to establish the risks posed to the development by past shallow coal mining activity including any remediation works and/or mitigation measures to address land instability arising from coal mining legacy as may be necessary, has been submitted to and approved in writing by the Local Planning authority, the Approved scheme shall be implemented on site in full in order to ensure that the site is made safe and stable for the development proposed. The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

Reason; The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be

necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework and policy SU5 of the Tamworth Local Plan 2006-2031.

6. Unless otherwise agreed in writing by the Local Planning Authority not to either occupy the development or otherwise bring it into use until the Scheme approved in condition 5 has been provided in full and a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development has been submitted to and approved by the Local Planning Authority. For the avoidance of doubt This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

Reason: The undertaking of intrusive site investigations, prior to the commencement of development, is considered to be necessary to ensure that adequate information pertaining to ground conditions and coal mining legacy is available to enable appropriate remedial and mitigatory measures to be identified and carried out before building works commence on site. This is in order to ensure the safety and stability of the development, in accordance with paragraphs 183 and 184 of the National Planning Policy Framework and policy SU5 of the Tamworth Local Plan 2006-2031.

38 APPEAL INFORMATION

Appeal Decisions

Application Number 0022/2022

Erection of No.4 dwellings with associated parking and external amenity space to the side and rear of 72 Dosthill Road.

The appeal was dismissed therefore the application remains refused

Application Number 0159/2022

Erection of a bungalow and associated parking

The appeal was dismissed therefore the application remains refused

Application Number 0011/2022

Change of use C3 (Dwellinghouse) to C1 (Guest house accommodation)

The appeal was dismissed therefore the application remains refused

Application Number 0117/2022

Erection of a dwelling and associated parking

The appeal had been allowed; therefore permission has been granted.

RESOLVED For information only

Chair