



MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON 3rd OCTOBER 2023

PRESENT: Councillor T Clements (Chair), Councillors C Adams, R Claymore, G Coates, D Cook, A Cooper, R Kingstone (Vice-Chair), D Maycock, P Thurgood and J Wadrup

The following officers were in attendance: Anna Miller (Assistant Director – Growth & Regeneration), Glen Baker-Adams (Team Leader - Development Manager), Tracey Pointon (Legal Admin & Democratic Services Manager), Laura Sandland (Democratic and Executive Support Officer) and Tracey Smith (Democratic Services Assistant)

Apologies received from: Councillor(s) J Jones, P Thompson and L Wood

8 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors P Thompson, J Jones and L Wood.

9 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 4th July 2023 were approved and signed as a correct record.

(Moved by Councillor R Claymore seconded by Councillor P Thurgood)

10 DECLARATIONS OF INTEREST

Councillor A Cooper declared an interest in item 4 due to being nominated to stand as Parliamentary Nominee and literature has gone out opposing development on greenbelt land. Councillor A Cooper confirmed he would not take part in the vote, as to not jeopardise the decision-making process. Councillor A Cooper left the meeting at 18:03.

Councillor P Thurgood declared a non-pecuniary interest in item 4 as a member of the Amington Hall Fishing Syndicate.

11 APPLICATIONS FOR CONSIDERATION

0070/2023 – Land east of Amington Hall Farm

Application 0070/2023

Proposal Temporary planning permission for the erection of a 30 MW solar farm with ancillary infrastructure, security fence, landscaping with access off Laundry Lane.

Site address Land East of Amington Hall Farm

Gill Eaton, Third Revolution Projects, Applicant, spoke in favour of the application.

Swara Shah, RE Projects Development, Agent, spoke in favour of the application and responded to questions raised.

Planning Officer Andrew Davies presented on the report and responded to the issues and questions raised. Members debated the item and were satisfied.

Formatting error on conditions numbering identified by Anna Miller, the conditions were changed from 20 to 19.

Resolved Approved application subject to conditions as set out in the report with delegated authority to the Assistant Director for Growth and Regeneration to approve any amendments to those conditions as deemed necessary.

(Moved by Councillor T Clements and seconded by Councillor D Cook)

Conditions/Reasons

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

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

2. The development hereby permitted shall only be carried out in accordance with the application form and drawings:

- 1116_01 – Location Plan 1_100 (February 2023)
- 1116_01 – Location Plan 1_1250 (February 2023)
- 1116_02 – General Layout Plan (Rev. 10)
- 1116_03 – LEME Plan (June 2023)
- 1116_03A – LEME Plan (Detail 1) (June 2023)
- 1116_03B – LEME Plan (Detail 2) (June 2023)
- 1116_04 – Panel Elevations and Mounting Structure Details (Rev. 01)

- 1116_05 – Transformer Cabin (Rev. 01)
- 1116_06 – Grid Connection Cabin – DNO Substation (Rev. 01)
- 1116_07 – Control Room – Customer Substation (Rev. 01)
- 1116_08 – Gate and Fence Detail (Rev. 01)
- 1116_09 – Access Tracks (Rev. 01)
- 1116_10 – CCTV Detail (Rev. 01)
- 1116_11 – Storeroom (Rev. 01)
- PLS-1057 – Topographical Survey unless otherwise agreed in writing by the Local Planning Authority

Reason: To define the permission

3. The Applicant is to inform the Local Planning Authority of the date upon which works commence to implement the approval, no less than two weeks prior to that date. From that date the permission is for (a) one year to establish the site followed by (b) no more than forty years of operation and (c) one year to remove the approved infrastructure and return the site to its state prior to development commencing.

Reason: To define the permission

4. 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:
 - a) the programme of archaeological works to be carried out within the site, including post-excavation 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 part (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 part and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured."

Reason: Reason: To enable potential archaeological remains and features to be adequately recorded, in the interests of the cultural heritage of the Borough in accordance with Policy EN6 Protecting the Historic Environment of the Tamworth Local Plan 2006-2031.

5. Prior to the commencement of development (including demolition, ground works, vegetation clearance) a

construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- Risk assessment of potentially damaging construction activities, particularly stored materials and erosion / soil run-off that may affect the river Anker or any ponds.
- Identification of “biodiversity protection zones”.
 - Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts to birds, badgers, reptiles, otters, water voles, and hedgehogs during construction (may be provided as a set of method statements).
 - The location and timing of sensitive works to avoid harm to biodiversity features.
 - The times during construction when specialist ecologists need to be present on site to oversee works.
 - Responsible persons and lines of communication.
- The role and responsibilities on site of a qualified ecological clerk of works (ECoW) or similarly competent person.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard protected and/or priority species from undue disturbance and impacts, noting that initial preparatory works could have unacceptable impacts; and to secure an overall biodiversity gain. in accordance with policy EN4 Protecting and Enhancing Biodiversity of the Tamworth Local Plan 2006-2031.

6. Prior to the commencement of development, a fully detailed surface water drainage scheme for the site shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:

- Surface water drainage system(s) designed in full accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (SuDS), (DEFRA, March 2015).
- Sustainable Drainage Systems designed and implemented in full concordance with the Staffordshire County Council (SCC), SuDS Handbook.
- Provision of evidence of compliance with the principles of the drainage hierarchy, as described

in Part H of the Building Regulations. Satisfactory evidence of fully compliant infiltration testing in full accordance with BRE 365 best practice guidance, to confirm or not as to the viability of infiltration as a means of surface water discharge.

- SuDs designed to provide satisfactory water quality treatment, in accordance with the CIRA C753 SuDS Manual Simple Index Approach and SuDs treatment design criteria. Mitigation indices are to exceed pollution indices for all sources of runoff.
- Limiting any off-site conveyance of surface water discharge from the site to the equivalent greenfield rates generated by all equivalent rainfall events up to 100 years plus (40%) climate change in accordance with the guidance in the SCC SuDs Handbook. Provision of appropriate surface water runoff attenuation storage to manage all surface water discharge on site.
- Detailed design (plans, network details and full hydraulic modelling calculations), in support of any surface water drainage scheme, including details on any attenuation system, SuDS features and the outfall arrangements. Calculations should demonstrate the performance of the designed system and attenuation storage for a range of return periods and storm durations, to include, as a minimum, the 1:1 year, 1:2 year, 1:30 year, 1:100 year and the 1:100-year plus (40%) climate change return periods.
- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system. Finished floor levels to be set higher than ground levels to mitigate the risk from exceedance flows.
- Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water drainage systems shall be maintained for the lifetime of the development. To include the name and contact details of the party(/ies) or body(/ies) responsible.

The development shall thereafter proceed in accordance with the approved details.

Reason: To reduce the risk of surface water flooding to the development and properties downstream of the development for the lifetime of the development in accordance with Policy SU4 Flood Risk and Water Management of the Tamworth Local Plan 2006-2031.

7. Prior to the commencement of development on land which is a public right of way (Footpath Tamworth 109), a management plan for the continued operation of public rights of way by means of diverted route or means of separating pedestrians and construction traffic including details of signage at locations where the internal access road crosses Footpath Tamworth 109 shall be submitted to, and approved in writing, by the Local Planning Authority.

Reason: To ensure safe and suitable access for all Footpath users, in the interests of highway safety and in accordance with Policy SU2 Sustainable transport of the Tamworth Local Plan 2006- 2031.

8. Prior to the commencement of development, a construction management plan shall be submitted to and approved in writing by the local planning authority. The plan shall include but not be limited to times of construction activity including site machinery or plant operation. No construction activities 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-12pm Saturday and not at any time on Sundays, Bank or Public Holidays. Should piling be required during construction, such operations will be limited to 09:00 - 16:00, Mon - Fri., with no piling operations on Saturdays, Sundays, or Bank holidays.

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

9. Prior to operational commissioning of the development, an Ecology and Landscape Mitigation and Management Plan (ELMMP) to include ecological monitoring with annual reporting during the first five years and subsequently 5-year reporting to the LPA shall be submitted to, and be approved in writing by, the local planning authority. The content of the ELMMP shall include the following.

- Description and evaluation of features to be managed.
- Ecological trends and constraints on site that might influence management.
- Aims and objectives of management.
- Appropriate management options for achieving aims and objectives.
- Prescriptions for management actions.
- Preparation of a work schedule (including an annual work plan capable of being rolled forward

over a five-year period).

- Details of the body or organization responsible for implementation of the plan.
- o Ongoing monitoring and remedial measures.

The ELMMP shall also include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the ELMMP are not being met) how contingencies and/or remedial action will be identified, agreed, and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

- 10.** Prior to installation of solar panels, applicant to submit evidence of establishment of soil cover (cover crop or grassland) Submission of boundary fence details that include gaps of minimum 130mm square at ground level at least every 200m running length or that do not seal to the ground at all between posts with a 120mm gap from fence base to ground

Reason: To safeguard the long-term biodiversity of the area and its landscape, in accordance with policy EN4 Protecting and Enhancing Biodiversity of the Tamworth Local Plan 2006-2031.

- 11.** The applicant and developer are to ensure that adequate and satisfactory provision for the management and control of surface water are in place as part of any temporary works associated with the permanent development, to ensure that flood risk is not increased prior to the completion of the approved drainage strategy and flood risk assessment.

Reason: To reduce the risk of surface water flooding to the development and surrounding properties during construction in accordance with Policy SU4 Flood Risk and Water Management of the Tamworth Local Plan 2006-2031.

- 12.** Before the proposed development commences on land which is a public right of way (Footpath Tamworth 109), a diverted route or means of separating pedestrians and construction traffic shall be provided in accordance with details to be first submitted to, and approved in writing, by the Local Planning Authority.

13. Before the proposed development commences details of signage at locations where the internal access road crosses Footpath Tamworth 109 shall be submitted to, and approved in writing, by the Local Planning Authority.
14. Before the installation works are completed details of revisions to downgrade the access from installation phase specification to a monitoring phase specification shall be submitted to, and approved in writing by, the Local Planning Authority and thereafter completed in accordance with the approved drawings within 3 months of the completion of the installation phase.

Reason: To ensure safe and suitable access for all users, in the interests of highway safety and in accordance with Policy SU2 Sustainable Transport of the Tamworth Local Plan 2006-2031.

15. No development hereby permitted shall take place except in accordance with the terms and conditions of the Council's Organisational Licence (WML-OR112, or a 'Further Licence') and with the proposals detailed on plan "Land to the east of Amington Hall Farm: Impact Plan for great crested newt District Licensing (Version 2)", dated 30th August 2023.

Reason: To ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML-OR112, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005, the Natural Environment and Rural Communities Act 2006 and Policy EN4 Protecting and Enhancing Biodiversity of the Tamworth Local Plan 2006-2031.

16. No development hereby permitted shall take place unless and until a certificate from the Delivery Partner (as set out in the District Licence WML-OR112, or a 'Further Licence'), confirming that all necessary measures regarding great crested newt compensation have been appropriately dealt with, has been submitted to and approved by the planning authority and the authority has provided authorisation for the development to proceed under the district newt licence. The delivery partner certificate must be submitted to this planning authority for approval prior to the commencement of the development hereby approved.

Reason: To adequately compensate for negative impacts to great crested newts, and in line with section 15 of the National Planning Policy Framework, Circular 06/2005 and the Natural Environment and Rural Communities Act 2006 and Policy EN4 Protecting and Enhancing Biodiversity of the

Tamworth Local Plan 2006-2031.

- 17.** No development hereby permitted shall take place except in accordance with Part 1 of the Great Crested Newt Mitigation Principles, as set out in the District Licence WML-OR112 (or a 'Further Licence') and in addition in compliance with the following: Works which will affect likely newt hibernacula may only be undertaken during the active period for amphibians.

Reason: To ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML1OR112, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005, the Natural Environment and Rural Communities Act 2006 and Policy EN4 Protecting and Enhancing Biodiversity of the Tamworth Local Plan 2006-2031.

- 18.** Capture methods must be used at suitable habitat features prior to the commencement of the development (i.e., hand/destructive/night searches), which may include the use of temporary amphibian fencing, to prevent newts moving onto a development site from adjacent suitable habitat, installed for the period of the development (and removed upon completion of the development). Amphibian fencing and pitfall trapping must be undertaken at suitable habitats and features, prior to commencement of the development.

Reason: To ensure that adverse impacts on great crested newts are adequately mitigated and to ensure that site works are delivered in full compliance with the Organisational Licence (WML1OR112, or a 'Further Licence'), section 15 of the National Planning Policy Framework, Circular 06/2005, the Natural Environment and Rural Communities Act 2006 and Policy EN4 Protecting and Enhancing Biodiversity of the Tamworth Local Plan 2006-2031.

- 19.** Prior to decommissioning the site, a plan is to be submitted to and approved by the Local Planning Authority, setting out the decommissioning process including site access, removal of materials and means of recycling of all relevant materials, methods of soil remediation and improvement where necessary and landscaping work to return the site to its existing condition, save for improvements to hedgerows and existing planting undertaken as part of the scheme of development.

Reason: To safeguard the long-term biodiversity of the area, soil structure of the site and its landscape, in accordance with policy EN4 Protecting and Enhancing Biodiversity of the Tamworth Local Plan 2006-2031.

Chair