

NON-CONFIDENTIAL



Borough of Tamworth

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PLANNING COMMITTEE

30 October 2023

Dear Councillor

A meeting of the Planning Committee will be held in **Town Hall, Market Street, Tamworth on Tuesday, 7th November, 2023 at 6.00 pm**. Members of the Committee are requested to attend.

Yours faithfully

A handwritten signature in black ink, appearing to be 'AJS', followed by a long horizontal line extending to the right.

Chief Executive

A G E N D A

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- 1 Apologies for Absence**
- 2 Minutes of the Previous Meeting (Pages 5 - 14)**
- 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.

Under Section 33(2) of the Localism Act 2011, the act permits an authority to grant a dispensation from either or both of the restrictions not to participate and / or vote on a matter in which they have a pecuniary 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.

4 Applications for Consideration

Summary of Applications received:

- a 0278/2023 Anker Valley Playing Pitches** (Pages 15 - 24)
(Report of the Assistant Director, Regeneration and Growth)

Application Reference: 0278/2023

Proposal: Installation of a 3G synthetic pitch with sports lighting, perimeter fencing, storage container and access path

Site Address: Anker Valley Recreation Grounds, Moor Lane, Amington, Tamworth Staffordshire B77 3AX

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: T Clements, C Adams, R Claymore, G Coates, D Cook, A Cooper,
J Jones, R Kingstone, D Maycock, P Thompson, P Thurgood, J Wadrup
and L Wood

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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

PLANNING COMMITTEE

7th NOVEMBER 2023

APPLICATION FOR CONSIDERATION

REPORT OF ASSISTANT DIRECTOR - GROWTH & REGENERATION

Application Reference	0278/2023
Proposal	Installation of a 3G synthetic pitch with sports lighting, perimeter fencing, storage container and access path
Site Address	Anker Valley Recreation Grounds, Moor Lane, Amington, Tamworth Staffordshire B77 3AX
Case Officer	Glen Baker-Adams
Recommendation	Planning Committee <ul style="list-style-type: none"> 1. Agree the reasons for approval set out in this report; and 2. Resolve to grant planning permission and delegate authority to the assistant director for growth and regeneration to finalise the wording of the conditions as set out in section 8 of this report.

1. Introduction

1.1 This application is for the installation of a 3G (3rd generation surface material) playing pitch, sports lighting at its perimeter, fencing and storage container with pathed access.

The application is reported to committee at the request of the Assistant Director for Growth and Regeneration as the applicant is Tamworth Borough Council.

1.2 Since the original submission, additional information was submitted to provide noise analysis from the access road with more robust measures in a management report. The applicant has also confirmed the relocation of the two playing pitches that will need to be moved to accommodate the new 3G pitch.

1.3 SITE AND DEVLEOPMENT PROPOSALS

1.3.1 The current site is a 12.7 acre sports complex with playing pitches, hard surface car park and changing block. The playing pitches themselves are all open grass with mature trees and hedges along the boundary.

Location Plan



- 1.3.2 The proposal will see two of the playing pitches removed to accommodate an artificial grass pitch with access link to the existing provision as per the above image. The pitch will be enclosed in 4.5m high twin bar fencing with rubber washers affixed to reduce vibration. There will also be a separate 1.2m high fence at the spectator area. A 2.44x6.10x2.59m high storage container will be positioned at the end of the spectator area for storage of equipment.
- 1.3.3 Lighting will be in the form of 6 x 14m high galvanised columns, each controlling their spill accordingly towards the pitch.

2. **Policies**

2.1 Local Plan Policies

SS1 The Spatial Strategy for Tamworth
 SS2 Presumption in Favour of Sustainable Development
 EN1 Landscape Character
 EN4 Protecting and Enhancing Biodiversity
 EN5 Design and New Development
 SU2 Delivering Sustainable Transport
 SU7 Sport and Recreation

2.2 Supplementary Planning Documents

[Design SPD](#)
[Planning for Sport Guidance – Sports England, 2019](#)

2.3 National Planning Policy

[National Planning Policy Framework 2021](#)
[National Planning Practice Guidance 2014-](#)

3. **Relevant Site History**

Reference	Description	Decision	Date
0679/2002	Formation of overflow car park for occasions when demand requires it. Position for 100 cars	Approval with conditions	28/11/2002

3. **Consultation Responses**

- 3.1 Whilst every effort has been made to accurately summarise the responses received, full copies of the representations received are available to view at <http://planning.tamworth.gov.uk/northgate/planningexplorer/generalsearch.aspx>

The consultation responses comments are précised if conditions are proposed these are included within the conditions at the end of the report unless stated otherwise.

Tamworth Borough Council Consultees

- 3.1.1 *Tamworth Borough Council Development Plans*
 Consider the proposals comply with Tamworth Local Plan Policy SU7 and not be considered contrary to Policy SU6. No strategic objection to the principle of the proposed development. Notwithstanding, the proposal must also demonstrate compliancy with the wider policies of the Local Plan in order to be deemed acceptable.
- 3.1.2 *Tamworth Borough Council Environmental Protection*
 Following amended details submitted; no objections provided Noise Management Plan is implemented in accordance with the details submitted and other relevant conditions attached.

Staffordshire County Council Consultees

3.1.3 *Staffordshire County Council Highways*

The site is surrounded by a perimeter fence. This application would change the surface of one of the grass pitches which would allow the pitch to be used all year round. The route along Moor Lane is poor in terms of quality so not entirely suitable however, the site as existing is already for a Sports Complex, the only difference would be the introduction of floodlights. Given the above information there is **no objection** on Highway grounds for the proposed development.

3.1.4 *Landscape Officer*

Development site falls within an area where the landscape character type is identified at Lowland Village Farmlands in the Mease Lowlands and proposals will generally be in keeping with the existing use and will be seen in association with the existing changing block building, car park and pitches. Use of synthetic grass is not generally encouraged, but it is recognised that provision of a synthetic pitch can be beneficial in some circumstances.

The proposed development will result in a loss of natural green space; compensatory planting is therefore recommended. A small scale landscape scheme which could include hedgerow maintenance, habitat creation or tree/woodland planting would be required to contribute towards landscape enhancement in accordance with Policy EN1.

Tree protection measures, in accordance with BS5837:2012, should be in place prior to commencing installation of the development.

3.1.5 *Staffordshire County Council Ecology*

No objection subject to net gain being provided either on site or elsewhere to compensate for loss created by the installation of the 3G pitch.

Statutory Consultees

3.1.6 *National Rail*

General comments or considerations given but **no objections** given to the proposal.

3.1.7 *Environment Agency*

No objection to the proposed development

3.1.8 *Sports England*

The proposal would meet Sport England Exception E5 (the proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field), subject to conditions securing a community use agreement and testing of pitch to ensure that it would be suitable for match play.

4. Additional Representations

4.1 As part of the consultation process adjacent residents were notified. Whilst every effort has been made to accurately summarise the responses received, full copies of the representations received are available to view at <http://planning.tamworth.gov.uk/northgate/planningexplorer/generalsearch.aspx>.

4.2 Two letters of objection have been received from two different households. The objections both surrounded the highway issues of the development, using the road to a degree it would create local issues.

The non-planning related issue of the use of foul language of the users of the playing pitch was also given.

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 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.
- 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

The key issues to be considered at this stage are

- Principle
- Character and Appearance
- Highway Safety
- Amenity
- Flood Risk
- Ecology
- Railway Considerations

6.1 Principle

- 6.1.1 The Tamworth Local Plan 2006-2031 (LP) was adopted in February 2016. In addition to the local plan there is guidance within the National Planning Policy Framework (NPPF) and the accompanying Planning Practice Guidance (PPG). The starting point in determining the acceptability of development proposals is the Local Plan, where the policies are considered consistent with the NPPF. Policy SS1 The Spatial Strategy for Tamworth is to provide development in the most accessible and sustainable locations and SS2 Presumption in Favour of Sustainable Development, states that proposals that accord with the local plan are sustainable and will be approved without delay.
- 6.1.2 Additionally, policy SU7 Sport and Recreation states that the Council will support a network of good quality sport and recreation facilities that meet the needs of Tamworth's current and future population. This will be achieved by a range of things including delivering public funding new and enhanced facilities identified in the Sports Strategy Update, in particular a new multi-purpose community sports centre in an accessible location, with appropriate facilities and 3G pitches, to meet identified need. Facilities should be designed to enable convenient public access and extended hours of use.
- 6.1.3 As a result, the proposal for a 3G pitch alongside the existing provision at Anker Valley Sports Complex will provide such a new facility for its population meeting this new and existing need.
- 6.1.4 The proposed development is therefore considered to be in compliance with relevant policies of the Tamworth Local Plan 2006-2031 and in principle an acceptable form of development for the location subject to meeting other requirements of the Local Plan.

6.2 Character and Appearance

- 6.2.1 The appearance of a development is a material planning consideration and in general terms the design of a proposal should not adversely impact on the character and appearance of the wider street scene.

- 6.2.2 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.
- 6.2.3 The appreciation of character and appearance is a significant part of recent planning reform and, with the introduction of the National Design Guide, remains a very important consideration of planning applications.
- 6.2.4 The site is currently in use for outdoor sports, specifically football with nine 11x11 pitches and four smaller pitches. There is also a changing block and car park for this purpose. As a result, the installation of a new purpose build 3G surfaced pitch will be appropriately located. It would sit adjacent to and within the existing location of pitches and therefore not out of place with the existing use. It's orientation too is also similar to the existing pitches and therefore again be well located within the existing site and therefore conserve the context of the development.
- 6.2.5 Materials have been carefully selected to attempt to blend in the facility into the landscape including green fencing, storage containers, green mitigation boards and slim inward facing lighting columns.
- 6.2.6 In addition, development should be informed by, and sympathetic to landscape character and quality, and should contribute to landscape enhancement in order to conform to Tamworth Local Plan Policy EN1. It is recognised as being located in a semi-rural setting, and the proposals will generally be in keeping with the existing use.
- 6.2.7 The proposed development will result in a loss of natural green space and a result compensatory planting is therefore recommended along with hedgerow maintenance, habitat creation or tree/woodland planting to contribute towards landscape enhancement. Tree protection measures, in accordance with BS5837:2012, will be requested prior to commencement.
- 6.2.8 Finally, some concern has been given over the proposed 14m high lighting columns but owing to the requirements of the 3G pitch to have sufficient lighting, this is held as acceptable in this instance.
- 6.2.9 The character and appearance of the proposed development would therefore sit well within the local area and with a series of other measures secured by condition, the development is considered to be in compliance with Policy EN5 Design of New Development of the Tamworth Local Plan 2006-2031 and the NPPF.

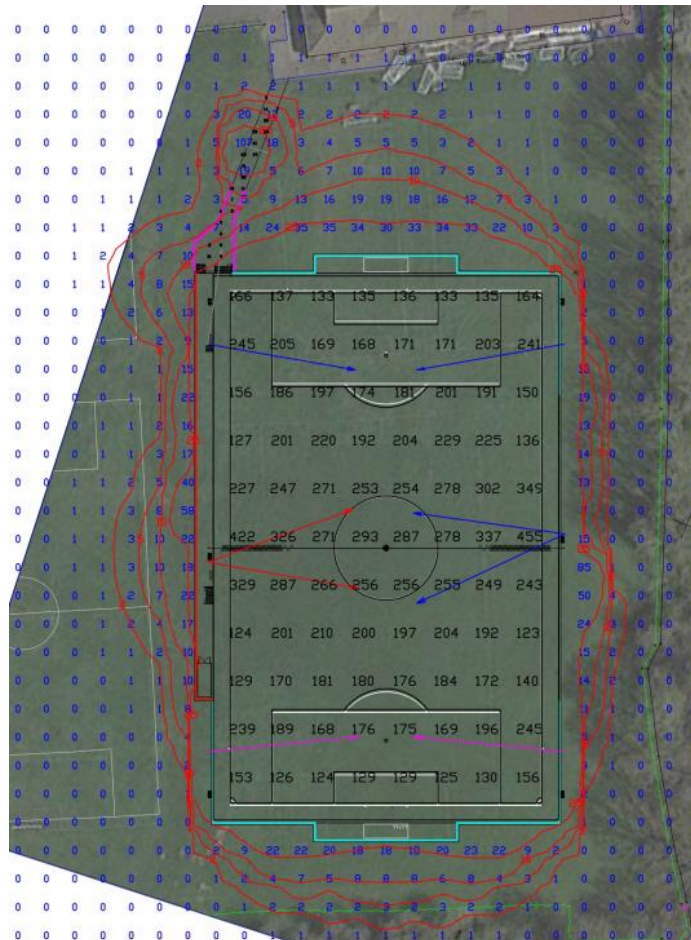
6.3 Highway Safety

- 6.3.1 Tamworth Local Plan policy EN5 (h) states that new developments will be expected to 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. In addition, policy SU2 also states planning permission should only be granted where development would ensure adequate highway safety, suitable access for all people and where feasible reduce the impact of travel up on the environment. Planning permission will be refused where travel to and from the development would be likely to cause harmful levels of pollution, highway safety or capacity impacts.
- 6.3.2 Reverting to the analysis of Staffordshire County Council, vehicular access would be from the exiting Moor Lane which is an unclassified 3.4m wide 30mph road benefiting from street lighting and has speed humps in place for traffic calming purposes. There is no footway provision on either side of the road.
- 6.3.3 It is the view of the local highway authority that despite Moor Lane being poor in terms of road quality, the site as existing is already for a Sports Complex use and therefore the only recognised difference in highway terms would be the introduction of floodlights. The traffic generation to use the 3G pitch would not create a severe impact.
- 6.3.4 As a result therefore the development is considered in accordance with Policy SU2 Sustainable Transport of the Tamworth local Plan 2006-2031 and the National Planning Policy Framework.

6.5 Amenity

- 6.5.1 Policy EN5 – Design and New Development states that developments will be expected to 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. NPPF paragraph 130 (f) also states that planning decisions should ensure that developments create places... with a high standard of amenity for existing and future users.
- 6.5.2 Of additional relevance is NPPF paragraph 185 which states planning decisions should ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:
- a) Mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life
 - b) Identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason; and
 - c) Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation
- 6.5.3 The proposal is located approximately 90m to the nearest home in the Amington Park estate. This distance is considered far enough away that there would not be a significant impact in terms of the physical development of the pitch and its associated fencing and lighting.
- 6.5.4 However, given that the use is a purpose built pitch for a noisy activity, a Noise Impact Assessment and Management Plan have been submitted. The noise report has located the nearest noise sensitive receivers and what the likely impacts would be from activity on the site. When considering the noise levels and guidance, it is concluded that noise would be noticeable but not intrusive. This is held as acceptable when considering the existing uses on site. In order to further monitor the site and ensure there are no continuing issues, a noise management plan has also been produced including measures such as:
- Continued monitoring
 - Ensure there is an awareness of the noise management plan by the senior management team
 - Confirmation that all bookings will be informed of the opening hours, as well as a rule board fixed to the fence adjacent to the players will state the opening hours, as well as the site being closed and locked at the end of each day.
 - Hours of the pitch limited to the existing school grounds
 - Pre-booking only where individuals sign up to code of conduct
 - Provide a clear mechanism for complaint logging which has been updated to include a time frame for responding.
 - Respond to complaints in a reasonable timescale
 - Neoprene washers will be attached to the fence panel
- 6.5.5 This information has been scrutinised by the council's environmental protection team who have concluded that provided relevant plans and the updated Noise Management Plan is adhered to and conditions on the hours of use, restrictions on audible devices are imposed there are no objections of the proposed development.

6.5.6 With regards to lighting, the assessment provided in the submission shows the light spill contained to the pitch with small areas outside of the pitch having some light present. None of this however will be located within close proximity of residential properties as they are at their nearest 90m from the application site. The hours of operation condition for the whole site will also apply to the lighting.



6.5.7 The council environmental health department raise no further objection and concerns relating to noise and lighting. As a result the proposal is therefore considered to be in accordance with the relevant parts of Policy EN5 Design and New Development of the Tamworth Local Plan 2006-2031 and the National Planning Policy Framework.

6.6 Flood Risk

6.6.1 Policy SU4 – All new development, including re generation proposals, will need to demonstrate that there is no increased risk of flooding to existing properties and shall seek to improve existing flood risk management. All proposals for development in Flood Zone 2 or 3, or greater than 1 hectare in Flood Zone 1 or where otherwise required by national planning guidance must be accompanied by a Flood Risk Assessment that sets out the mitigation measures for the site and agreed with the relevant authority. Where necessary, proposals will be expected to contribute towards building and maintaining any necessary defences and maintaining existing defences that are necessary or new development. Developers should consult the Environment Agency's flood maps to ascertain the effects of surface water flooding on potential development sites.

6.6.2 A Flood Risk Assessment (FRA) has been produced which has correctly identified most of the site in flood zone 3 for fluvial/tidal flooding. For surface water flooding, the risk is in a 'low' risk area. The use of the site is one in which could be considered as 'water compatible', being: 'outdoor sports and recreation and essential facilities such as changing rooms'¹.

¹ Annex 3 (Flood risk vulnerability classification) of the NPPF

- 6.6.3 The FRA has confirmed (section 2.9.1) that 'levels are to remain at or lower than existing and, therefore, no flood compensation is required'. This will ensure no net loss of floodplain storage. Based on the scale and nature of the proposed development it is considered by the local planning authority and the EA, the perimeter fencing is unlikely to obstruct, divert or provide an impediment to water flows in a flood event.
- 6.6.4 The proposal will be use permeable materials to allow any rainfall water to percolate into the ground naturally.
- 6.6.5 The EA have been consulted on the application who have not objected to the development.
- 6.6.6 As a result the proposal, is therefore considered to be in accordance with Policy EN4 Protecting and Enhancing Biodiversity of the Tamworth Local Plan 2006-2031 and the National Planning Policy Framework.

6.7 **Ecology**

- 6.7.1 NPPF paragraph 174(d) states planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.
- 6.7.2 The proposal is considered by Staffordshire County Council ecology as amenity grassland habitat. Should this grassland be developed for the proposed 3G pitch, it would therefore create a net loss to biodiversity. However as this is also sports turf, the actual potential for having a biodiversity value is low. Furthermore, there is a portion of the playing pitch facility in the north west corner that is intentionally uncut (including hedgerow) and unmarked to provide a safe/quiet space for the wildlife onsite.
- 6.7.3 As a result, the application therefore conforms to policy EN4 of the Tamworth Local Plan and the NPPF.

7 **Conclusion**

- 7.1 The proposal is for the installation of a 3G synthetic pitch with sports lighting, perimeter fencing, storage container and access path.
- 7.2 Balancing the considerations of the proposal, the application represents a new sports facility for Tamworth that would conform squarely with Tamworth Borough Council Local Plan policy SU7 by providing new facilities including 3G pitches.
- 7.3 The use would invariably increase the use of Moor Lane to access the pitches but not to a degree above and beyond the current use which is considered a severe highway issue. The additional noise, light and disturbance created would also not be substantial and with the presence of a management plan the amenity of those living nearby is considered to not be substantially affected more than what is already present by the uses of the existing pitches.

8 **Recommendation**

Approval subject to the below conditions

Conditions / Reasons

- 1. The development shall commence 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, drawings MCA-MUK-3013-09, MCA-MUK-3013-10 Rev B; MCA-MUK3013-02 Rev E and MCA-MUK3013-11 and the 'Proposed Materials' report by McArdle unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt

3. The development hereby permitted shall be operated only in accordance with the approved Noise Management Plan Rev A – 11/10/2023.

Reason: To mitigate, and reduce to a minimum, adverse impacts on health and quality of life arising from noise from new development to conform to policy EN5 Design of New Development of the Tamworth Borough Council Local Plan 2006-2031 and paragraphs 183-188 of the National Planning Policy Framework 2021.

4. The use of the 3G pitch and the lighting hereby permitted must only be used between 0800 and 2200 Monday to Friday and 0900 to 2200 Saturday, Sunday and Bank holidays.

Reason: To mitigate, and reduce to a minimum, adverse impacts on health and quality of life arising from noise from new development to conform to policy EN5 Design of New Development of the Tamworth Borough Council Local Plan 2006-2031 and paragraphs 183-188 of the National Planning Policy Framework 2021.

5. No whistle or other such audible device shall be used on or in association with the use of the Artificial Grass Pitch hereby approved outside the hours 0900 and 2100 hours Monday to Friday, 0900 and 1730 Saturdays and 0900 and 1600 Sundays and Bank Holidays.

Reason: To mitigate, and reduce to a minimum, adverse impacts on health and quality of life arising from noise from new development to conform to policy EN5 Design of New Development of the Tamworth Borough Council Local Plan 2006-2031 and paragraphs 183-188 of the National Planning Policy Framework 2021.

6. The proposed fencing is to be maintained to the specifications detailed in document 'DUO 8 SPORTS Double Wire Mesh Fencing System' for the lifetime of the development. This includes the use of Neoprene washers that must also be utilised in all bolt hole locations for panels. Any faults or maintenance issues are to be reported to the Local Planning Authority within 14 days of the faults being identified.

Reason: To mitigate, and reduce to a minimum, adverse impacts on health and quality of life arising from noise from new development to conform to policy EN5 Design of New Development of the Tamworth Borough Council Local Plan 2006-2031 and paragraphs 183-188 of the National Planning Policy Framework 2021.

7. All on site trees shall be suitably protected with fencing in full accordance with BS 5837:2012 with no works within the root protection area.

Reason: To conform to policy EN4 of the Tamworth Local Plan 2006-31.

Notes to Applicant

Environment Agency

The Applicant /future occupiers should contact 08708 506506 to be set up on our flood warning system. In preparing the evacuation plan the applicant should have note to the FRA. Contact with the Environment Agency would enable the provision of the most up to date, best available, flood information.