

# NON-CONFIDENTIAL



**Borough of Tamworth**

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

Enquiries: 01827 709 709  
Facsimile: 01827 709 271

## PLANNING COMMITTEE

8 January 2024

Dear Councillor

A meeting of the Planning Committee will be held in **Town Hall, Market Street, Tamworth on Tuesday, 16th January, 2024 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

#### NON CONFIDENTIAL

- 1 Apologies for Absence**
- 2 Minutes of the Previous Meeting (Pages 5 - 8)**
- 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 0289/2023 5 Colehill (Pages 9 - 12)**

*(Report of the Assistant Director, Regeneration and Growth)*

<b>Application Reference:</b>	0289/2023
<b>Proposal:</b>	Works to a tree in a conservation area
<b>Location:</b>	5 Colehill, Tamworth, B79 7HA

---

#### **Access arrangements**

*If you have any particular access requirements when attending the meeting, please contact Democratic Services on 01827 709267 or e-mail [democratic-services@tamworth.gov.uk](mailto: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: M Bailey, C Adams, R Claymore, G Coates, D Cook, A Cooper, J Jones,  
D Maycock, P Thompson, P Thurgood, J Wadrup and L Wood

This page is intentionally left blank



## **MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON 5th DECEMBER 2023**

**PRESENT:** Councillor M Bailey (Chair), Councillors C Adams, R Claymore, G Coates, D Cook, A Cooper, D Maycock, P Thompson, P Thurgood, J Wadrup and L Wood

The following officers were in attendance: Stuart Evans (Legal Advisor) Anna Miller (Assistant Director – Growth & Regeneration), Glen Baker-Adams (Team Leader - Development Manager), Debbie Hall (Planning Officer), Richard Powell (Planning Policy and Delivery Team Leader), Tracey Pointon (Legal Admin & Democratic Services Manager), Tracey Smith (Democratic Services Assistant), Jo Barnes (Highways Engineer) and Mark Evans (Highways South Staffs County Council)

### **16 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor J Jones

### **17 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 7<sup>th</sup> November 2023 were approved and signed as a correct record.

*(Moved by Councillor D Cook and seconded by Councillor A Cooper)*

### **18 DECLARATIONS OF INTEREST**

Councillor D Cook declared an interest in application number 0261/2022 as he was involved in prior discussions on the purchase of the site. Councillor Cook did not take part in the debate or vote on this application.

### **19 APPOINTMENT OF THE VICE-CHAIR**

Councillor D Cook was nominated for Vice-Chair.

*(Moved by Councillor J Wadrup and seconded by Councillor G Coates)*

**RESOLVED** that Councillor D Cook was elected as the Vice-Chair.

## 20 APPLICATIONS FOR CONSIDERATION

### 20.1 0241/2018 Land North of Browns Lane, Tamworth

Application Reference: 0241/2018

Councillor R Pritchard Ward Cllr spoke against the application

Proposal: Outline application for up to 210 dwellings, public open space, landscaping, sustainable urban drainage and associated infrastructure. All matters reserved except access.

Site Address: Land North of Browns Lane, Tamworth, Staffordshire B79 8TA

**RESOLVED** That the application is refused.

Reason: The area of the site within the boundary of Tamworth Borough Council is connected to a wider development which is not allocated for development. Approving this part of the development when Lichfield are minded to refuse their application would potentially permit an access road to a development site with no planning permission. The development therefore would be out of character with the surrounding area and not conform to Tamworth Borough Council Policy EN5 and the NPPF.

*(Moved by Councillor A Cooper and seconded by Councillor D Cook)*

The vote was unanimous

### 20.2 0261/2022 Former Police Station Committee Report

Application Reference: 0261/2022

Proposal: Conversion of and extension to existing five storey former Police Station building to form 54 residential units.

Site Address: Former Police Station, Spinning School Lane, Tamworth B79 7BB

The Planning Officer presented the report Members raised issues relating to car parking, impact on highways and archaeological site work, Officers responded to questions and comments made.

A motion was moved to refuse application based on limited car parking spaces.

*(Moved by Councillor A Cooper and seconded by Councillor R Claymore)*

Following debate an amended to the motion was moved.

To refuse the application on the following grounds:

Shortfall in parking spaces

Shortfall in internal space standards of some of the apartments

Shortfall of open space and outside areas

Compliance of housing mix not meeting standards

*(Moved by Councillor A Cooper and seconded by Councillor P Thurgood)*

The vote was unanimous

---

Chair

This page is intentionally left blank



# **PLANNING COMMITTEE**

**JANUARY 16<sup>th</sup> 2024**

## **APPLICATION FOR CONSIDERATION**

**REPORT OF ASSISTANT DIRECTOR - GROWTH & REGENERATION**

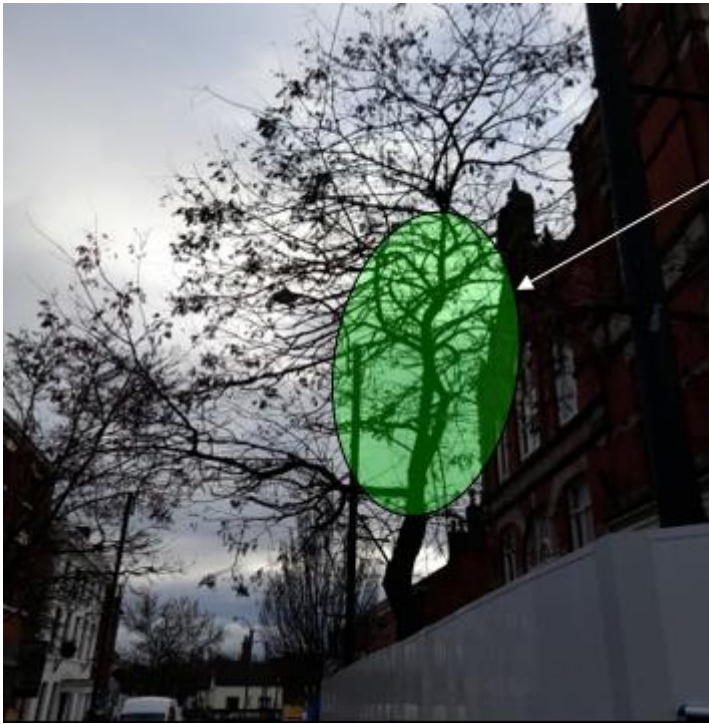
<b>Application Reference</b>	0289/2023
<b>Proposal</b>	Works to a tree in a conservation area
<b>Site Address</b>	5 Colehill, Tamworth, B79 7HA
<b>Case Officer</b>	Debbie Hall
<b>Recommendation</b>	Consent to works

## 1. Introduction

- 1.1 This application is for works to a Robinia tree in Tamworth Town Centre. The tree is located to the front of the old Co-op on Colehill and is within a Conservation Area. It has been reported to Planning Committee as the application relates to wider developments under the Future High Streets work that is currently ongoing in the town centre.
- 1.2 All trees in a conservation area are protected and therefore an application under section 211 of the Town and Country Planning Act 1990 is required.
- 1.3 The authority can deal with a section 211 notice in one of three ways. It may:
- make a Tree Preservation Order if justified in the interests of amenity, preferably within 6 weeks of the date of the notice;
  - decide not to make an Order and inform the person who gave notice that the work can go ahead; or
  - decide not to make an Order and allow the 6-week notice period to end, after which the proposed work may be done within 2 years of the date of the notice.
- 1.4 It is proposed to trim the tree in the form of a crown reduction to facilitate the renovation of the former Co-op building in order that enough space can be made to erect scaffolding. Furthermore the tree currently obscures the street lighting. The tree will be pruned back to suitable growth points in order to achieve a 3m space between the nearest part of the tree and the building.
- 1.5 The works are being carried out on behalf of Tamworth Borough Council. The tree belongs to Staffordshire County Council.
- 1.6 It was originally requested that the tree be removed however the Tree Officer objected to this proposal and requested that the tree be trimmed instead.

### Photos





Intended crown reduction

## 2. **Policies**

### 2.1 **Local Plan Policies**

SS1 The Spatial Strategy for Tamworth  
SS2 Presumption in Favour of Sustainable Development  
EN4 Protecting and Enhancing Biodiversity

### 2.3 National Planning Policy

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

## 3. **Relevant Site History**

3.1 No relevant planning history.

## 4. **Consultation Responses**

4.1 The Tamworth Tree Officer objected to the initial proposal to fell the tree. It was therefore agreed with the agent that the tree could be trimmed instead.

4.2 On reconsulting the Tree officer the response received stated that, provided the amended proposals would leave the tree balanced and pruned to BS3998 STANDARDS, the proposed works would be acceptable.

## 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**

6.1 The key issue to be considered is;

- Amenity Value

6.2 Amenity Value

6.2.1 The Tamworth Local Plan 2006-2031 (LP) was adopted in February 2016. The most up to date national planning guidance which relates specifically to trees are contained in the recently adopted Local Plan Policies. As well as the local there is guidance within the National Planning Policy Framework (NPPF) and [The Planning Practice Guidance](#)

6.1.2 The site is to the front of the old Co-op building on Colehill in the Town Centre. The tree is positioned approximately 4.2 metres from the building itself and makes a positive contribution to character and appearance of this location within the town centre and the Conservation Area.

6.1.3 It is proposed to prune back the tree to suitable growth points leaving 3m space between the nearest part of the tree and the building to allow for scaffolding erection. All work is to comply with BS3998 employing a suitably qualified and experience Arboricultural Association Approved Contractor to carry out the work.

6.1.4 As the Robinia tree will be retained and the proposed works maintain the appearance of the tree, albeit at a lesser scale, the contribution to the character will not be significantly impacted and therefore it is recommended that the works be allowed.

6.1.5 Subject to consent for the works being approved, the works are proposed to take place in January 2024 and the scaffolding is expected to be in situ for 8 months.

## **7 Conclusion**

It is proposed to undertake works to the Robinia tree on Colehill. The tree is within the Town Centre and a Conservation Area and makes a positive contribution to the character and appearance of the area. As the tree will be retained and the proposed works maintain its appearance it is recommended that the consent be given for the works.

## **7 Recommendation**

b) Not to make a Tree Preservation Order and confirm the works go ahead.