

NON-CONFIDENTIAL



Borough of Tamworth

Marmion House,
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Staffordshire B79 7BZ.

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PLANNING COMMITTEE

29 July 2024

Dear Councillor

A meeting of the Planning Committee will be held in **Town Hall, Market Street, Tamworth on Tuesday, 6th August, 2024 at 6.00 pm**. Members of the Committee are requested to attend.

Yours faithfully

A handwritten signature in black ink, appearing to read 'S. C. V.'.

Chief Executive

AGENDA

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.

4 Applications for Consideration (Pages 9 - 20)

Summary of Applications received:

(Reports of the Assistant Director Growth and Regeneration)

a 0133-2024 Update Report (Pages 21 - 26)

Application no: 0133/2024
Proposal: Proposed new shop front and associated works
Location 12 - 13 Market Street Tamworth B79 7LU

b 0134-2024 12-13 Market Street (Pages 27 - 36)

Application no: 0134/2024
Proposal: Installation of various externally illuminated and non-illuminated signage to front elevation
Location 12 - 13 Market Street Tamworth B79 7LU

c 0163-2023 Tamworth Road, Dosthill (Pages 37 - 46)

Application no: 0163/2024
Proposal: Outline Application with full details of access (with matters reserved for landscape, scale, layout and appearance) for development comprising up to 23,000 sqm(GEA) of flexible use classes E (g) (ii) E (g) (iii) B2 and/or B8 with associated car parking and works
Location Land at Tamworth Road Dosthill B77 1QL

d 0367-2023 South Staffs College (Pages 47 - 50)

Application no: 0367/2023
Proposal: Demolition of all existing buildings
Location South Staffordshire College Croft Street Tamworth
Staffordshire B79 8AE

5 Updates to Committee from Planning Officers

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: L Wood, C Adams, M Clarke, R Claymore, G Coates, D Foster,
R Kingstone, K Norchi, P Pallett, L Smith, S Smith, M Summers and
P Turner

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MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON 2nd JULY 2024

PRESENT: Councillor L Wood (Chair), Councillors C Adams, M Clarke, R Claymore, G Coates, D Foster (Vice-Chair), K Norchi, P Pallett, L Smith, S Smith, M Summers and P Turner

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

7 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor R Kingstone

8 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 6th June 2024 were approved and signed as a correct record.

(Moved by Councillor C Adams and seconded by Councillor L Smith)

9 DECLARATIONS OF INTEREST

The Chair confirmed that 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.

There were no further declarations

10 APPLICATIONS FOR CONSIDERATION

10.1 0133-2024 12-13 Market Street, Tamworth

Application no: 0133/2024

Proposal: Proposed new shopfront and associated works

Location: 12 - 13 Market Street Tamworth B79 7LU

Resolved that the Committee:

Approved subject to conditions

(Moved by Councillor M Summers and seconded by Councillor C Adams)

Conditions:

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

Reason: In compliance with Section 92 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, the supporting letter and drawings: PR.00.E1, EX.00.E1 and b90f/uk/1104720/1486893 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To define the permission.

11 0561/2018 UPDATE INFORMATION

Application no: 0561/2018

Proposal: Residential development including community hub, primary school, green infrastructure, sustainable drainage, vehicular access and associated development

Location: Land to the east of former Tamworth golf course, north of Tamworth road (b5000) and west of m42, Alvecote

The team leader for development management gave an update on this application due to be considered by North Warwickshire in August 2024

12 0163/2023 - UPDATE

Application no: 0163/2023

Location: Land at Tamworth Road, Dosthill, B77 1QL

The team leader for development management gave an update on the Planning application to be brought to Planning committee in August, possibly September 2024

Chair

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Welcome to Planning Committee

6th August 2024

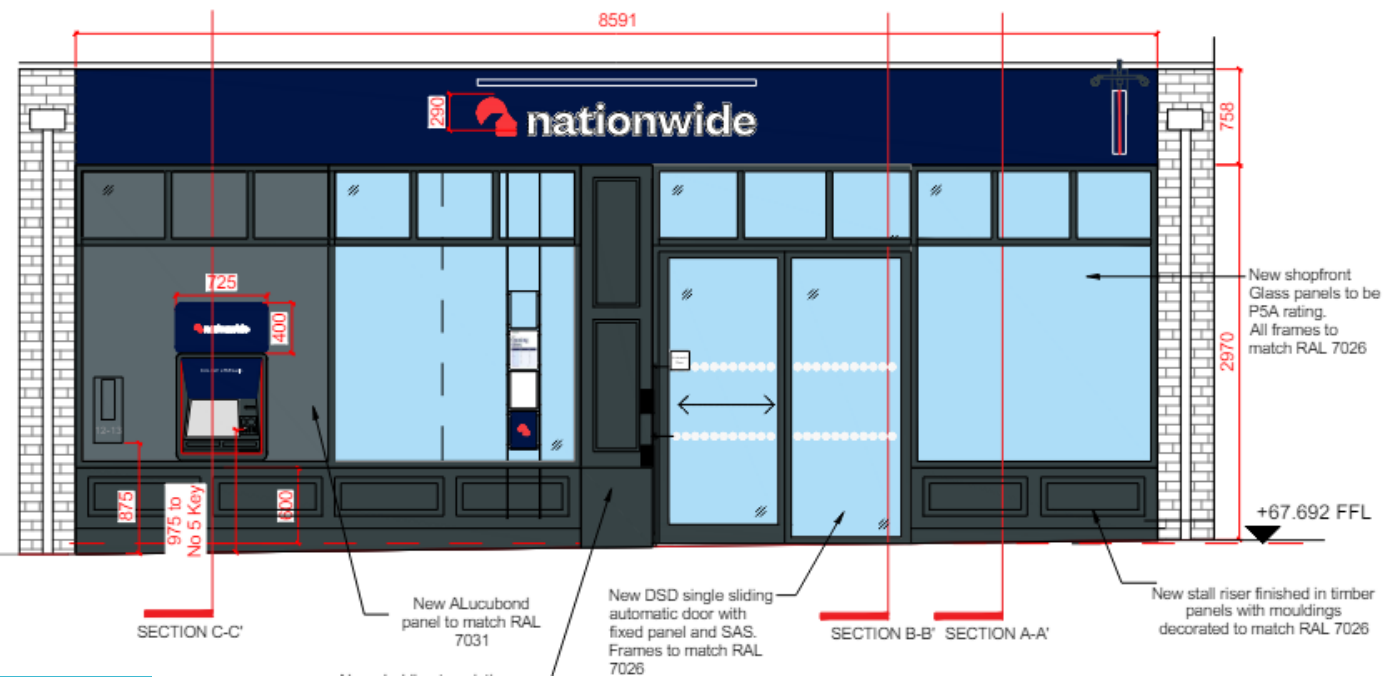
0133/2024

12 - 13 Market Street Tamworth B79 7LU

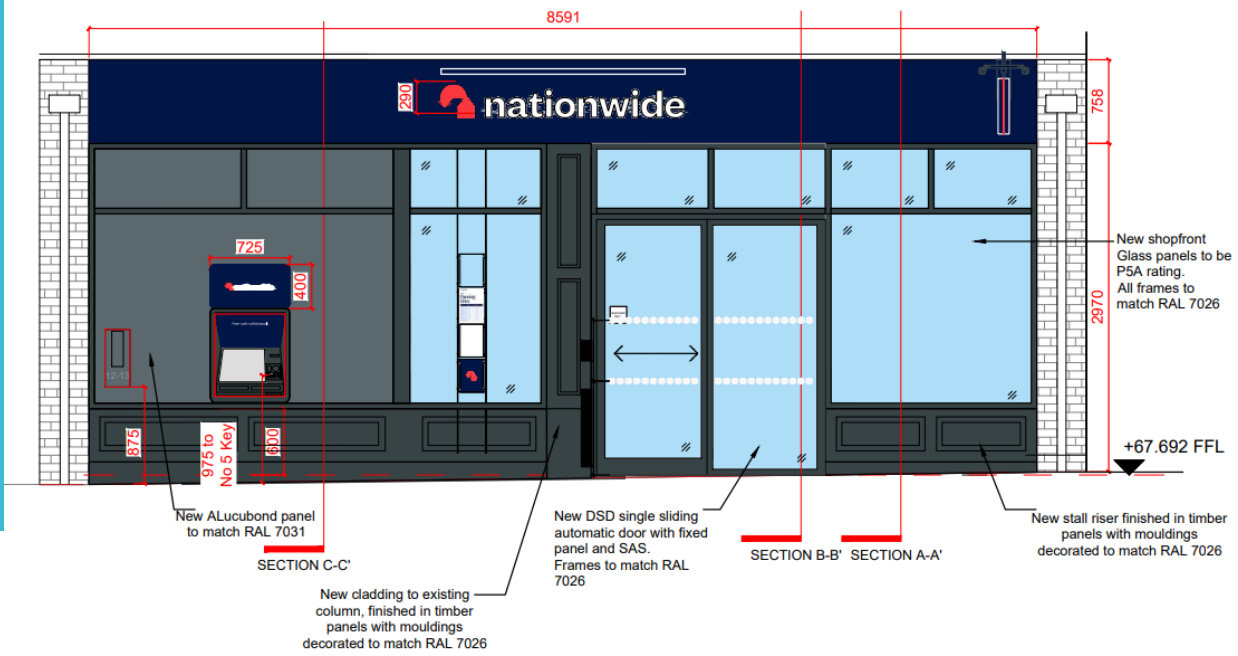
Proposed new shopfront and
associated works
(Amended Plan)

Page 10

Original Elevation



Page 11
New Elevation

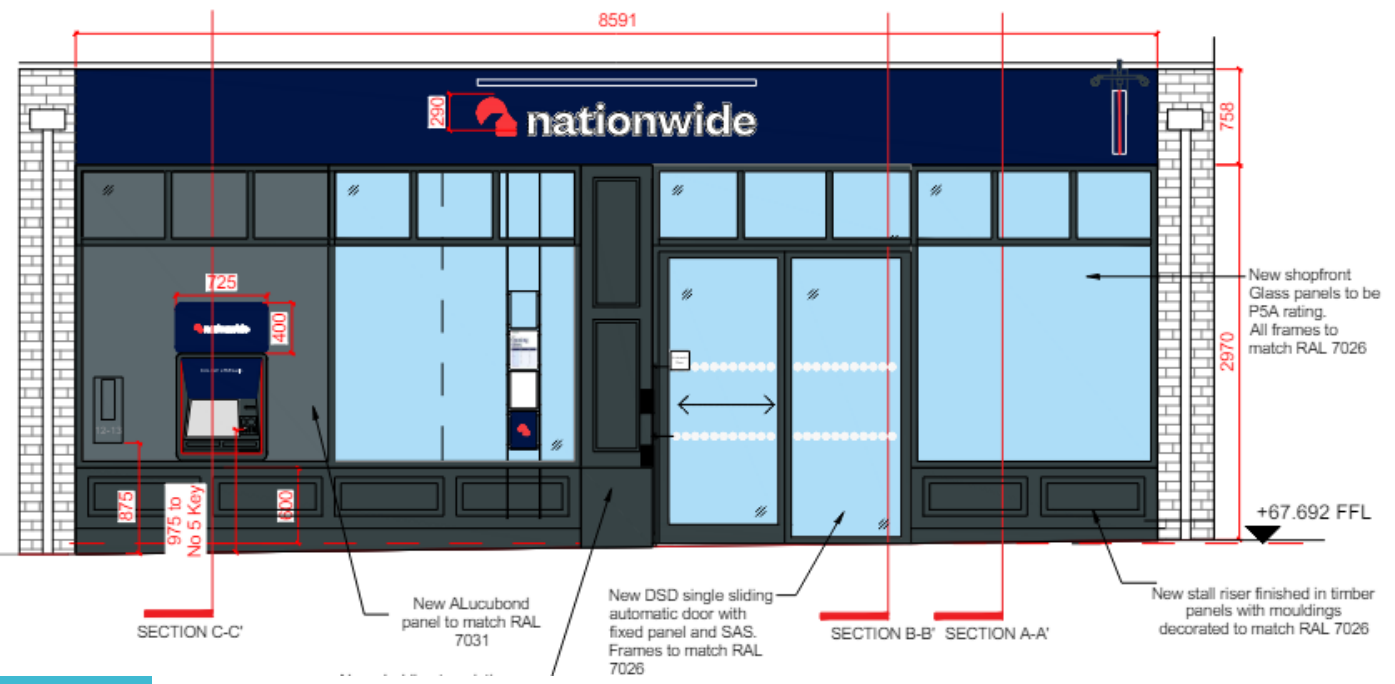


0134/2024

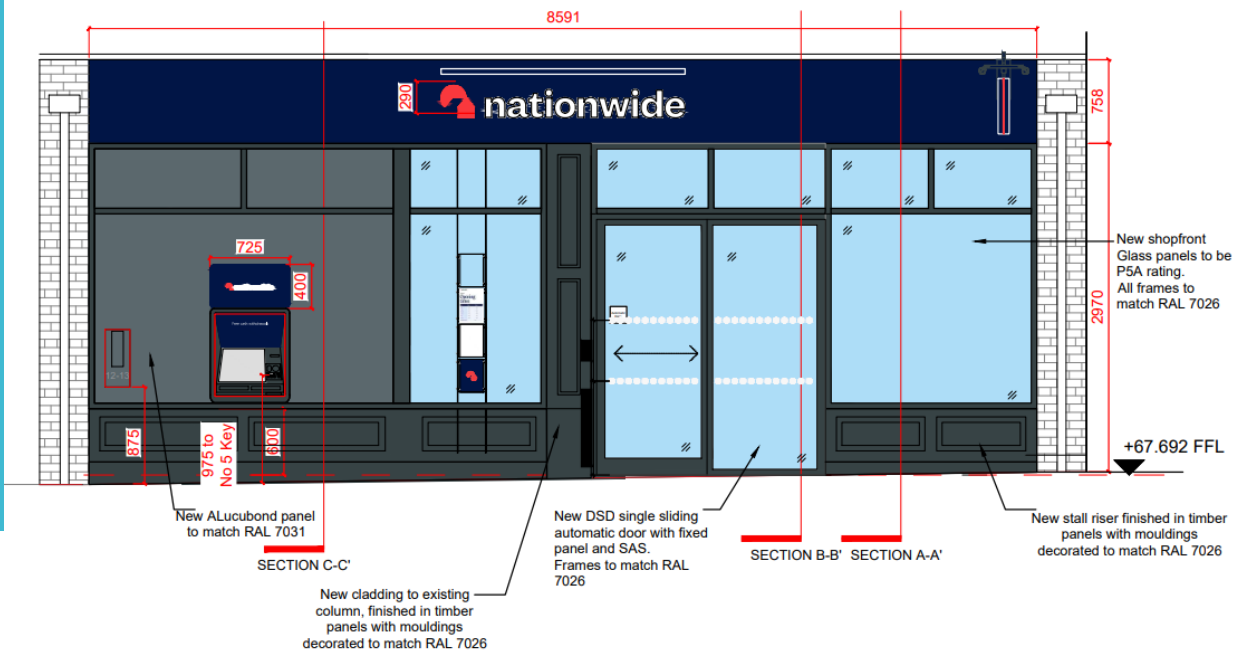
12 - 13 Market Street Tamworth B79 7LU

Installation of various externally illuminated and non-illuminated signage to front elevation

Original Elevation



New Elevation



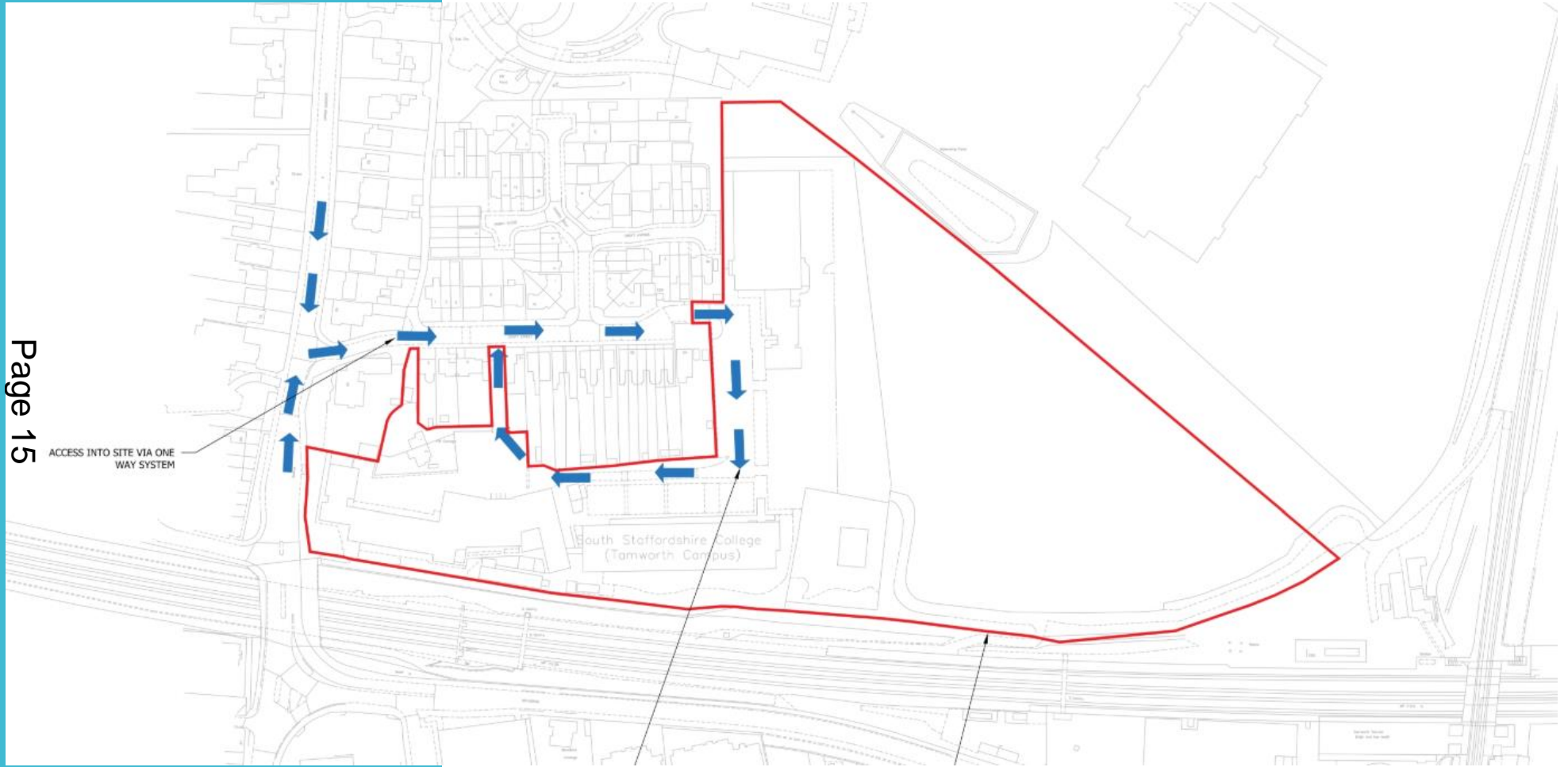
0367-2023

South Staffs College, Croft Street

Demolition of all existing buildings





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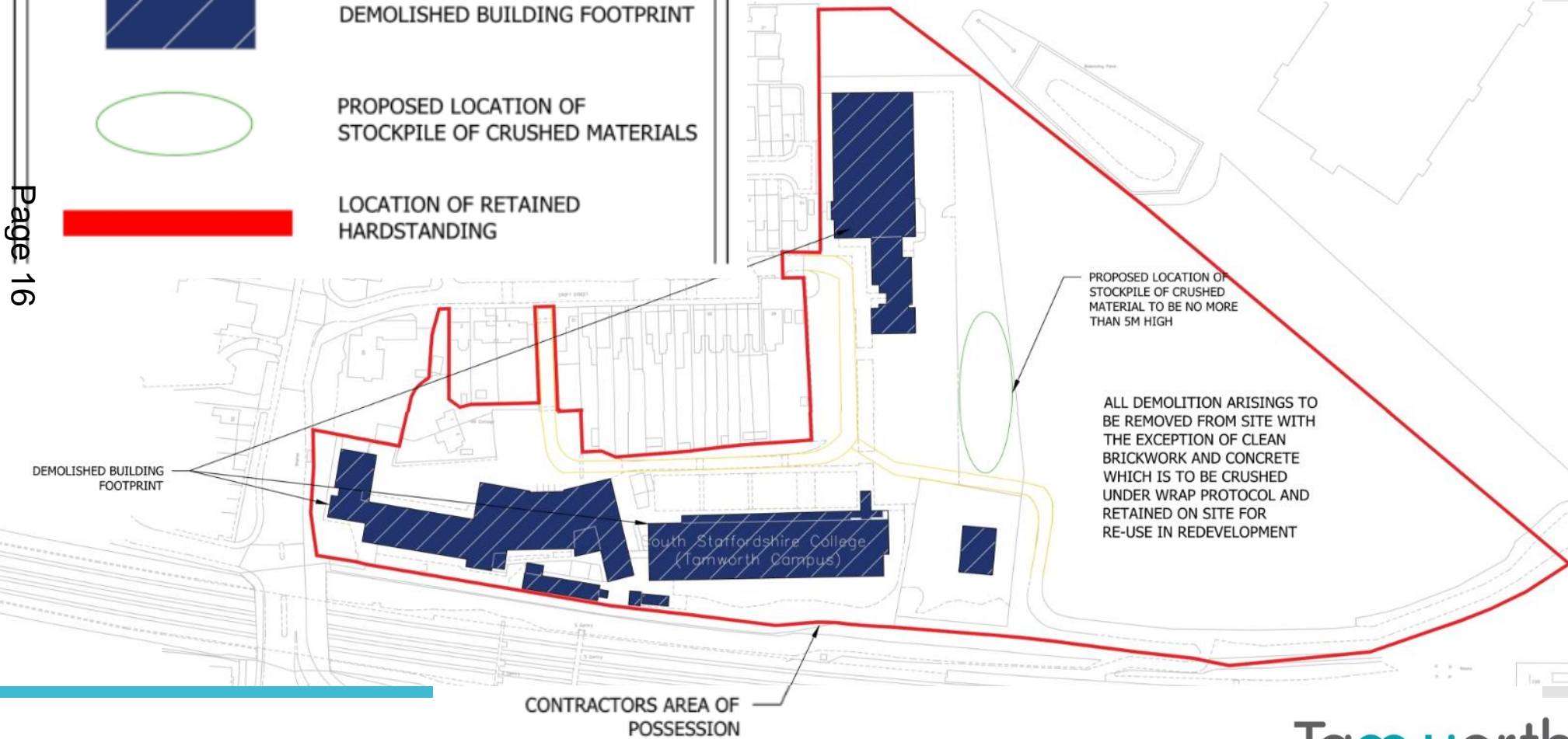
Site Location



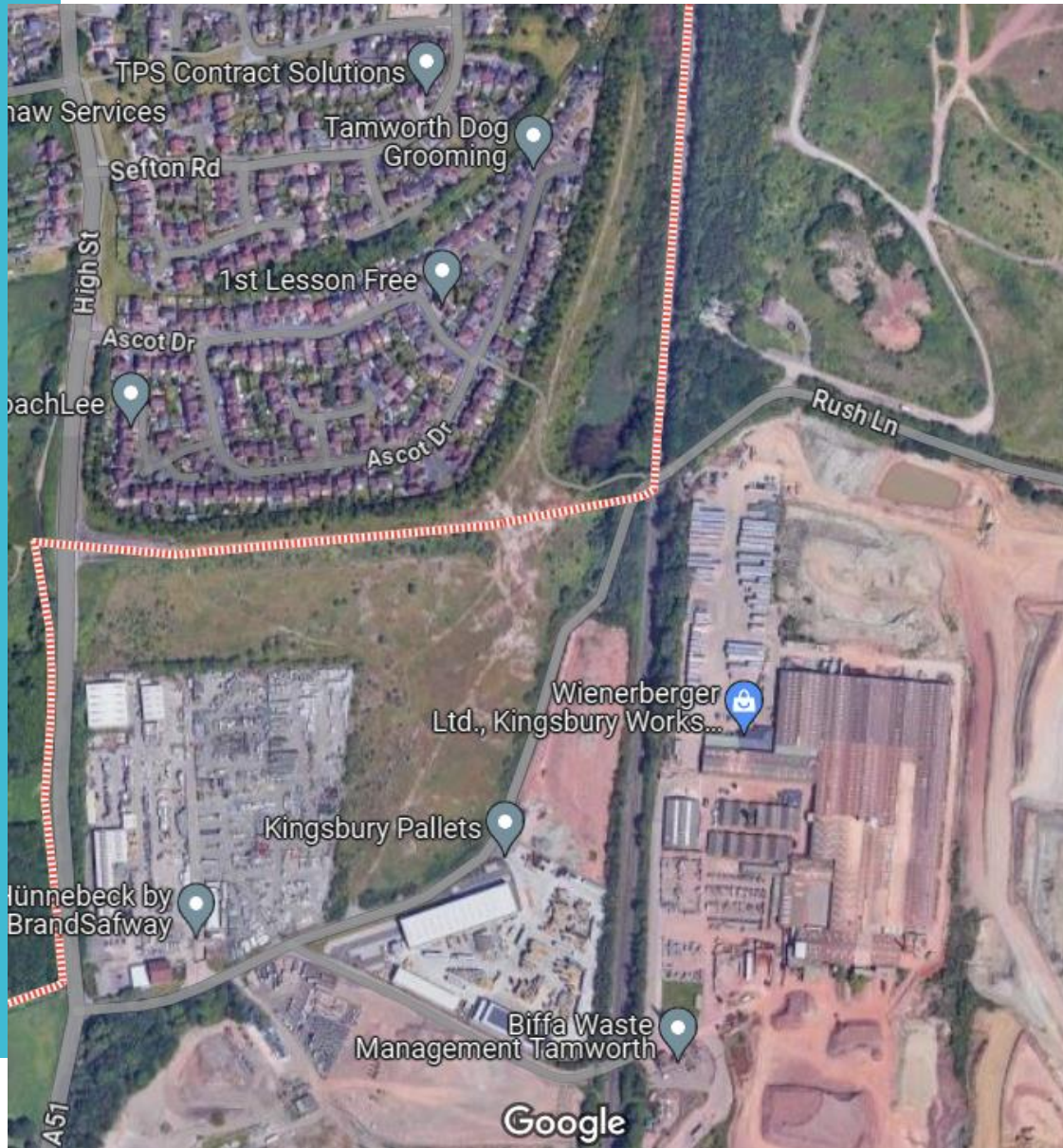
Demolition Plan

LEGEND

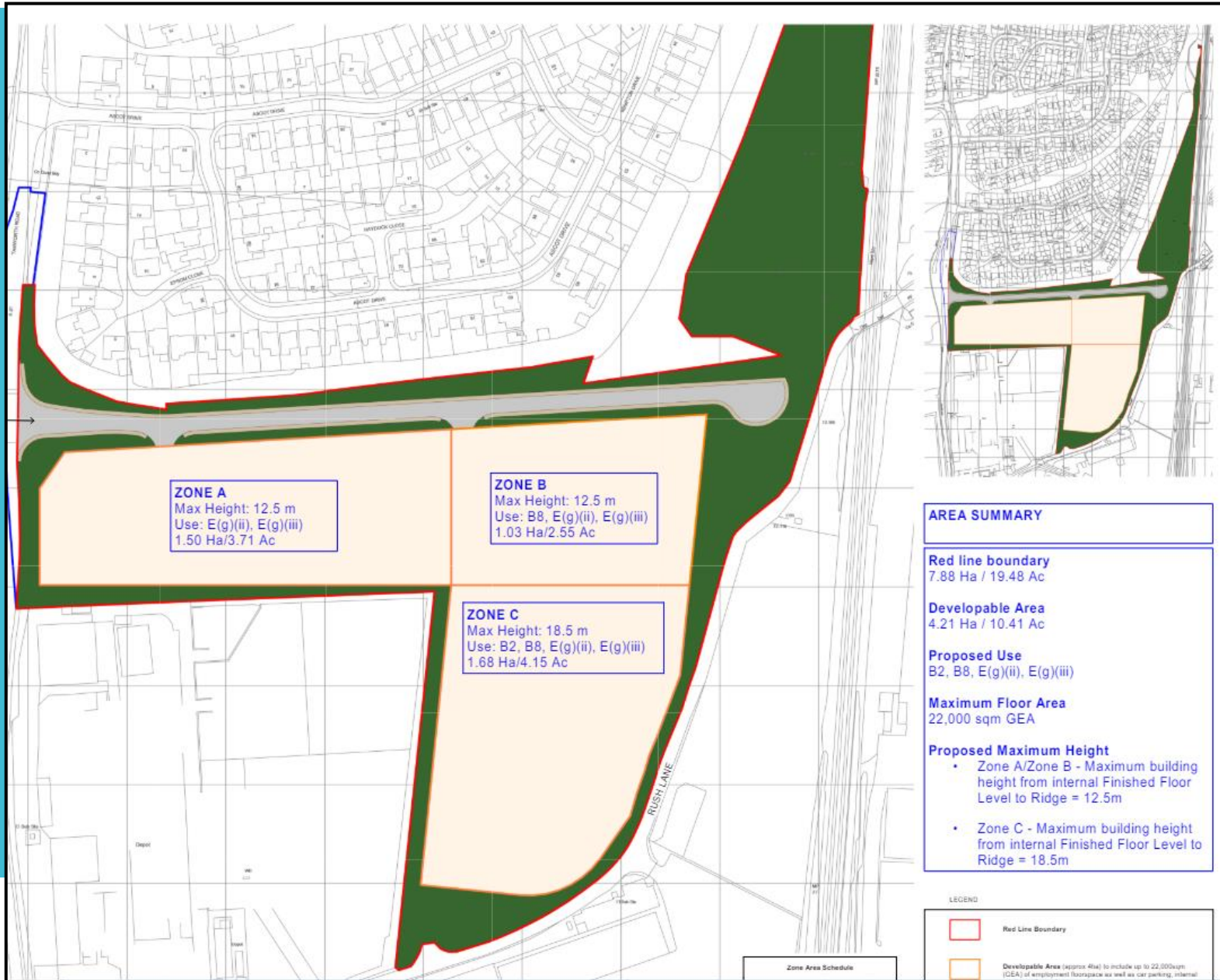
-  HOMES ENGLAND OWNERSHIP BOUNDARY
-  DEMOLISHED BUILDING FOOTPRINT
-  PROPOSED LOCATION OF STOCKPILE OF CRUSHED MATERIALS
-  LOCATION OF RETAINED HARDSTANDING



Land at Tamworth Road, Dosthill



Land at Tamworth Road, Dosthill



**Thank you for your
attendance**

**Next meeting:
6 August 2024**

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PLANNING COMMITTEE

0133/2024

APPLICATION FOR CONSIDERATION

UPDATE REPORT

REPORT OF ASSISTANT DIRECTOR - GROWTH & REGENERATION

Application Reference	0133/2024
Proposal	Proposed new shopfront and associated works
Site Address	12 - 13 Market Street Tamworth B79 7LU
Case Officer	Debbie Hall
Recommendation	Planning Committee

1. Grant planning permission based on revised plans for the proposal submitted post the original recommendation to approve.

1. Introduction

- 1.1 This is a supplementary report following the approval of the original planning application at the committee of 2nd July 2024.
- 1.2 Members approved the application with plan reference PR.00.E1 Rev A and now with the change the plan reference is PR.00.E1 Rev A
- 1.3 The fan light arrangements have been altered. To the right hand side of the central pilaster where previously there were six fan lights measuring 0.7m by 0.5m, there are four fan lights measuring 1m by 0.5m. To the left hand side of the central pilaster the width of the area taken up by Alucobond cladding into which the ATM machine is set has been increased from 2m to 2.7m and where there were six fan lights there are now only three proposed.
- 1.4 For structural reasons the ATM has been moved towards the entrance by approximately 0.3m. To retain balance to the shop front and avoid a wall partition being visible through the window, the fanlights have had to be enlarged.
- 1.5 All the other considerations remain the same as the previous report which is attached to this supplementary report

2. Policies

2.1 Local Plan Policies

EN5 Design of New Development
 EN6 Protecting the Historic Environment

2.2 National Planning Policy

National Planning Policy Framework 2021
National Planning Practice Guidance 2014-

4. Equality and Human Rights Implications

- 4.1 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.

- 4.2 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.

7. **Planning Considerations**

7.1. Design and Heritage

- 7.1.1 Considering the minor glazing proposal changes, there is unlikely to be a significant impact upon the character of the area.

- 7.1.7 As a result of this, the application continues to be considered in full accordance with EN5 and EN6 of the Tamworth Local Plan 2006-31 and the NPPF.

8. **Conclusion**

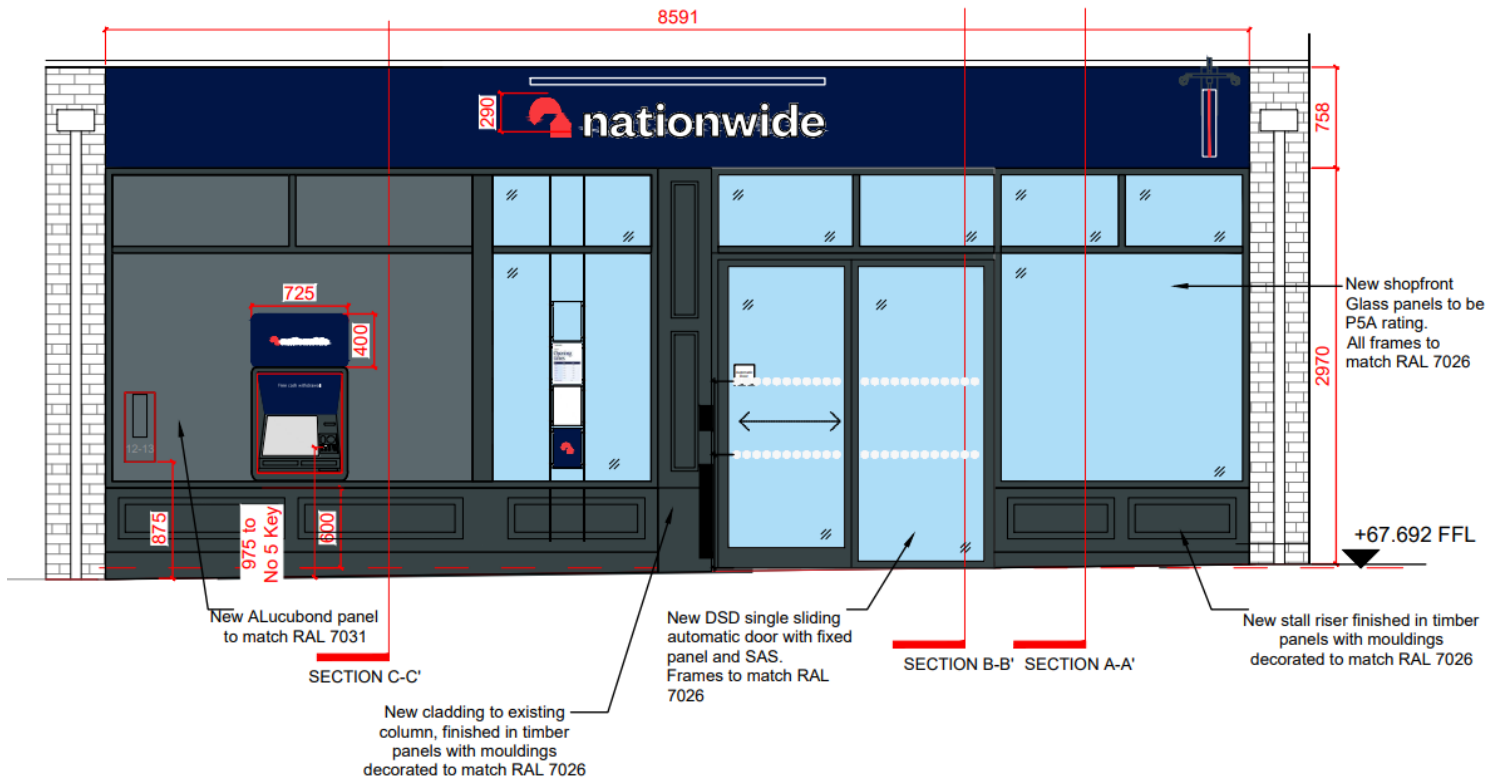
- 8.1 There are no further updates and the application remains to approve in line with the considerations outlined in the report of the committee of 2nd July 2024.

- 8.2 The revised condition will read:

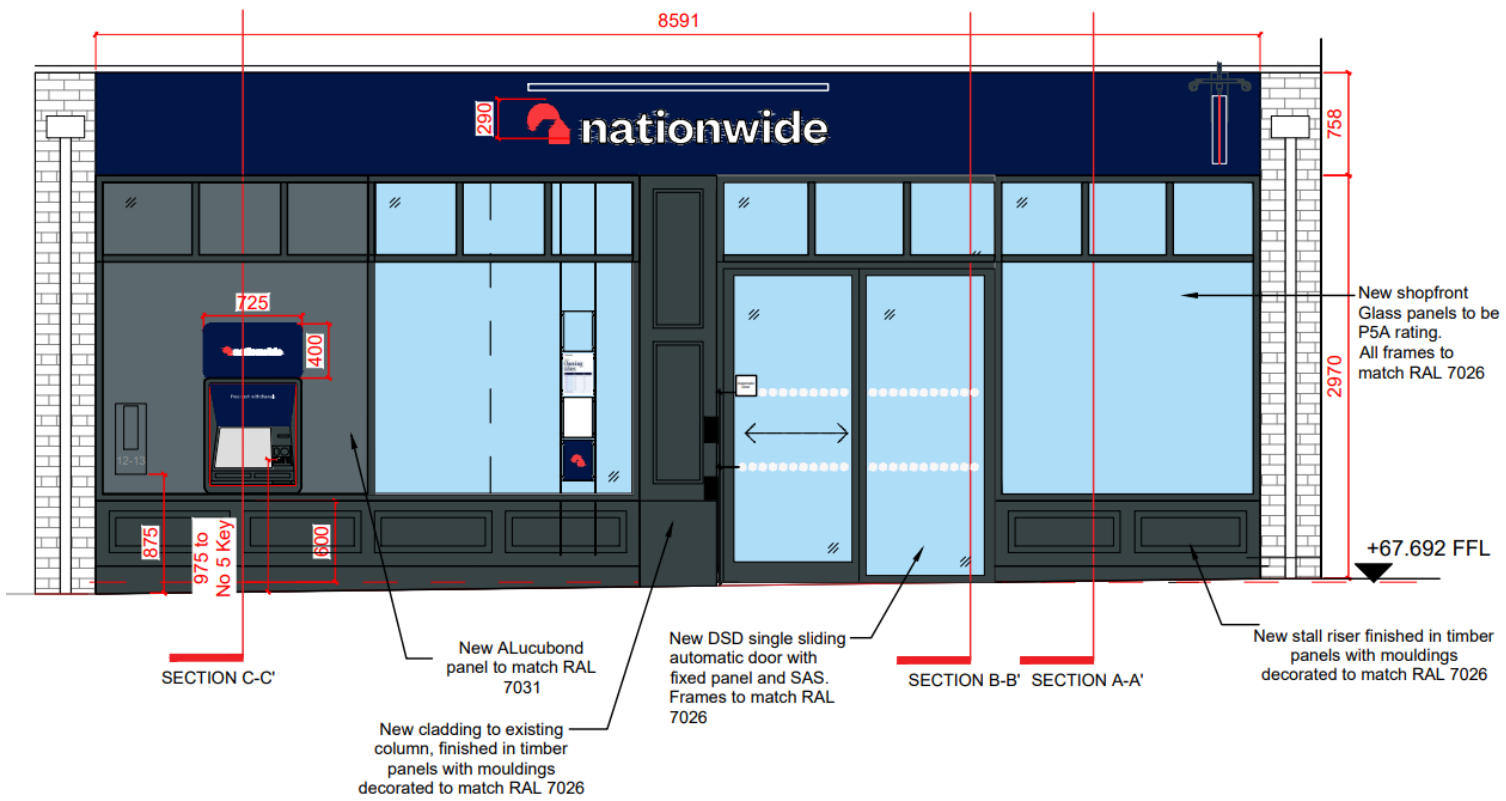
The development hereby permitted shall only be carried out in accordance with the application form, the supporting letter and drawings: PR.00.E1 Rev B, EX.00.E1 and b90f/uk/1104720/1486893 unless otherwise agreed in writing by the Local Planning Authority.

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New Proposals



Original Proposals



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PLANNING COMMITTEE

6th AUGUST 2024

APPLICATION FOR CONSIDERATION

REPORT OF ASSISTANT DIRECTOR - GROWTH & REGENERATION

Application Reference	0134/2024
Proposal	Installation of various externally illuminated and non-illuminated signage to front elevation
Site Address	12 - 13 Market Street Tamworth B79 7LU
Case officer	Debbie Hall
Recommendation	Approve subject to Conditions

1. Introduction

- 1.1 This advert consent application is for the installation of various externally illuminated and non-illuminated signage to the front elevation.
- 1.2 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.
- 1.5 The following lists the proposed adverts for the proposed shopfront of the newly constructed building at 12-13 Market Street:
- New fascia panel in blue and new 1no. 290 mm logo height with metal heritage lettering and logo. Logo and lettering to be externally illuminated by trough light.
 - New 500mm externally illuminated hanging heritage sign.
 - New 1no. ATM non-illuminated tablet and decals.
 - New safety manifestation to door.
 - New statutory signage (internal paper leaflets).

Location Plan



2. **Policies**

2.1 **Local Plan Policies**

SS1 - The Spatial Strategy for Tamworth
SS2 – Presumption in Favour of Sustainable Development
EC1 – Hierarchy of Centres for Town Centre Uses
EC2 – Supporting Investment in Tamworth Town Centre
EC3 – Primary and Secondary Shop Frontages
EN5 – Design and New Development
EN6 – Protecting the Historic Environment

2.2 Supplementary Planning Documents

Design SPD

2.3 National Planning Policy

National Planning Policy Framework 2021
National Design Guide 2021
National Planning Practice Guidance 2014-

2.4 Other Guidance

- Institution of Lighting Engineers Technical Report No 5-3rd Edition (2001)
- Conservation Principles Policies and Guidance for the Sustainable Management of the Historic Environment: English Heritage (2008)
- Historic Environment Good Practice Advice Notes 2, and 3: Historic England (2015)
- Town Centre Conservation Area Appraisal
- Town Centre Conservation Area Management Plan Update 2016

3. **Relevant Site History**

0133/2024	Installation of various internally illuminated and non-illuminated signage to front elevation
T14915	Change Of Use To Tea Rooms
T16038	Change Of Use To Retail
T19313	Change Of Use Of Part Of Ground Floor To Coffee Shop
0688/2003	Change of use from A1 to A3 for part of ground floor
0222/2022	Replacement shop front and windows, demolition and replacement of single storey rear extension, installation of plant and associated works.
0365/2022	Alterations to proposed works (proposed non-material amendment of 0222/2022)
0202/2023	Discharge of conditions : 3 (external materials) 5 (construction environmental and transport management plan) of application 0222/2022
0273/2023	Demolition and replacement of 12-13 Market Street including replacement of single storey rear extension , new plant and associated works
0316/2023	Discharge of conditions :4 (external materials and joinery) of application 0273/2023

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 Environmental Protection*

No objections

3.1.2 *Tamworth Borough Council Conservation Officer*

No objections

Statutory Consultees

3.1.4 *Historic England*

No comments received.

4. Additional Representations

4.1 As part of the consultation process adjacent residents were notified. A press notice was published on 06/06/2024 and site notices were erected on 31/05/2024. 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 No comments have been received from neighbours, or in response to the site notice or press notice.

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 issues to be considered at this stage are;

- Principle
- Visual Amenity
- Heritage
- Public & Highway Safety

6.2 Principle

6.2.1 Paragraph 141 of the NPPF states that the quality and character of places can suffer when advertisements are poorly sited and designed. A separate consent process within the planning system controls the display of advertisements, which should be operated in a way which is simple, efficient and effective. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.

6.2.2 The Planning Practice Guidance defines amenity as the effect on visual amenity in the immediate neighbourhood of an advertisement, where residents or passers-by will be aware of the advertisement. It goes on to state that in assessing amenity, the local planning authority would always consider the local characteristics of the neighbourhood: for example, if the locality where the advertisement is to be displayed has important scenic, historic, architectural or cultural features, the local planning authority would consider whether it is in scale and in keeping with these features.

6.2.3 Regulation 3 of The Town and Country Planning (Control of Advertisements) (England) Regulations 2007 states that the factors for consideration relevant to public safety include;

- (i) the safety of persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);
- (ii) whether the display of the advertisement in question is likely to obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air;
- (iii) whether the display of the advertisement in question is likely to hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

6.3 Visual Amenity

6.3.1 General design and amenity policies include Local Plan Policy EN5 and the provisions of the NPPF. The general requirement of these policies is that new development achieves a high standard of design, informed by an analysis of the site and its surroundings. This involves an assessment of existing development in close proximity and an assessment of the impact of the proposals on the character and appearance of the area and on the building itself.

6.3.2 Policy EN5 of the Tamworth Local Plan seeks to guide the design of new development within the Borough. It states that high quality buildings and places will be achieved across Tamworth with particular attention paid to the enhancement of the town centre and conservation areas. Poor design or design that fails to take the opportunities available to improve the character and quality of an area and the way it functions will be refused.

New developments will be expected to (those considered relevant to this proposal are listed):

- a. 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.
- b. Take into account the impact of the proposal on the significance of heritage assets.
- c. Be of a scale, layout, form and massing which conserves or enhances the setting of the development.
- d. Utilise materials and overall detailed design which conserves or enhances the context of the development.
- e. Be outward facing with active frontages which incorporate landscaping and boundary treatments appropriate to the local context.

6.3.3 Approval has been granted (reference 0273/2023) for the reconstruction of the building which includes the reinstatement of historic detailing and features across its front elevation, in particular above ground floor level. Implementation of this approval would result in a form of enhancement to the character and appearance of the building and continue to ensure it makes a positive contribution to the character and appearance and thus significance of the Tamworth Town Conservation Area.

6.3.4 The proposed frontage consists of two large bays separated by a central pilaster. The right-hand side bay consists of full width fan light windows above a large shopfront window and sliding door. The left-hand side bay consists of a large shopfront window with fan light windows above this and a large blank panel surrounding an ATM machine. A fascia panel and stall riser extend along the full width of the frontage (in the case of the stallriser this is along the full width other than for the door). Advertisement is proposed upon the fascia panel with centrally placed lettering and a single fixed projecting sign on the right-hand side, both of which would be externally illuminated and consist of the current corporate style lettering and colours (white and red). The pilaster and stallrisers would be finished in timber panels with a moulding detail, with the window and door frames, fascia panel, fixed sign and ATM panel being of modern materials including aluminium. The colours for these elements of the shopfront would be dark blue and grey.

6.3.5 The main proposals relate to various externally illuminated and non-illuminated signage to the front elevation. The fascia sign would measure 0.758m in height and 8.591m in width and the logo and text would be externally illuminated with a trough light. The fascia sign is to be made from aluminium with red and white lettering and logo with a blue background. The hanging sign would be 0.5m in height and 0.5m in width and would feature the red logo on a blue background. This would also be externally illuminated with trough lighting. The proposed ATM would also include instructional and directional signs with no illumination. The safety manifestation refers to a 50mm diameter double

dotted line in white frosted vinyl internally applied to the window. The statutory signage would instructional details such as the opening times applied adjacent the entrance. The levels of illumination are within the scope of the guidance at 250 cd/m².

- 6.3.6 The advertisements are proportionate to the building in which they are to be affixed and in terms of number within acceptable limits considering similar bank uses within the town. The method of illumination will also respect the conservation area. When applying the general principles of EN5 on design therefore, it is considered the proposal would accord with this policy and the relevant design paragraphs in chapter 12 of the NPPF.

6.4 Heritage

- 6.4.1 12-13 Market Place is a locally listed building located within the Tamworth Town Conservation Area and within the setting of numerous listed buildings. The Local List Report (2018) entry dates the building from the mid-late 18th century and describes it as “a two storey stuccoed brick building, originally two buildings. Four bays wide, 6/6 sashes to 1st floor, pitched roof fronting Market Square with 2 dormer windows with hipped rooves. Two recessed doors, late 20th Century shop front.” The Report then summarises that the “building has good historic detailing and is an early building which lies in a prominent position along the main shopping street of Tamworth overlooking the Market Square and Town Hall. The building is of a scale which has presence within the street scene and provides a strong contribution to the historic street scene.”
- 6.4.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a duty on the local planning authority when determining applications for development which affects a listed building or its setting to have special regard to the desirability of preserving the listed building or its setting or any features of special architectural and historic interest which it possesses. Section 72 of the Act states that in the exercise of planning functions special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 6.4.3 Section 16 of the National Planning Policy Framework (NPPF) (2023) provides the national policy on conserving and enhancing the historic environment. Paragraphs 205-208 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.
- 6.4.4 Paragraph 205 of the NPPF states that “the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.”
- 6.4.5 The Planning Practice Guide (PPG) and Historic England Advice Note 2 (HEAN2) Making Changes to Heritage Assets sets out how the policies of the NPPF are expected to be applied and includes guidance on the conservation of and making changes to the historic environment.
- 6.4.6 Policy EN6 of the Tamworth Local Plan (TLP) (2016) seeks to protect the historic environment of the Borough and sets out the Council’s approach to development affecting designated and non-designated heritage assets. Where sites are located within conservation areas proposals are required to pay particular attention to a number of aspects listed within the policy. The policy also states that the Council will support proposals that promote the use of vacant, under-used historic buildings, including necessary and appropriate minor changes that involve sensitive adaptation and minimal disturbance. Proposals will be required to pay particular attention to the scale, form, height, massing, detailing and materials of the development, the existing buildings and physical context to which it relates.
- 6.4.5 To aid in the assessment of this, the Tamworth Borough Council conservation officer has been consulted and provided the following analysis:

It is considered that the proposed shopfront has a generally well-balanced appearance designed to suit the function of the new operator. Despite there being clearly functional and modern aspects to the shopfront design to suit the new operator, it is considered that it demonstrates some

components of a traditional design including the balance provided by the central pilaster, the proportions of the large glazing panels and fanlights, and the moulding details to the timber panelled stallrisers and pilasters. The fascia panel and fixed sign are of a proportionate scale to the wider shopfront and do not overly dominate the frontage with advertisements.

The lettering and logos for the proposed advertisements would be visually acceptable in terms of imaging and fonts and the colours proposed for the main components of the shopfront are considered to have muted tones and reflect traditional characteristics. The proposal would not result in an over-proliferation of signs upon the building. Whilst the advertisement arrangements for previous operators of the building included no form of illumination, the proposed internal illumination for the lettering of the fascia signage and within the fixed sign is clearly focused to a small area on the frontage only where the illumination is required and is therefore considered to have no significant adverse effect upon the amenities of the area, including the wider Tamworth Town Conservation Area.

For the above reasons it is considered the proposal would be compatible with the significance of the locally listed building 12-13 Market Street, preserve the character and appearance and thus significance of the Tamworth Town Centre, and ensure there are no adverse effects upon the significance of nearby listed buildings which include the grade II* Town Hall and grade II Statue of Sir Robert Peel due to the proposal being an appropriate presence within their setting. The proposal would therefore comply with policies EN5 and EN6 of the TLP, section 16 of the NPPF and the statutory duties of Sections 66 and 72 of the of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6.4.6 The analysis above shows and officer assessment shows that an appropriate development is proposed for this location that would meet the requirements of policy EN6 of the Tamworth Local Plan and statutory duty under sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

6.5 Public & Highway Safety

6.5.1 Public safety, in respect of adverts relates to the impact an advert would have on the safe use and operation of any form of traffic or transport on land, water or air.

6.5.2 Staffordshire County Council Highways have provided the following standing advice. This standing advice is intended to provide LPA's with the advice they need to deal with simple applications without such applications being referred to the highway authority. These applications include some Advertising proposals under the Control of Advertisement Regulations.

6.5.3 Adverts should follow guidance in the Institution of Lighting Engineers Technical Report No.5 – 3rd Edition (2001) which is used to assess acceptable lighting levels and to calculate appropriate luminance limits for signs.

Curfew = the time after which stricter requirements (for the control of obtrusive light) will apply; often a condition of use of lighting applied by the local planning authority. If not otherwise stated - 23.00hrs is suggested.

Definition of Zones

E1	Intrinsically dark areas (e.g. National Parks, Areas of Outstanding Natural Beauty)
E2	Low district brightness areas (e.g. rural or small village)
E3	Medium district brightness areas (e.g. small town centres, urban locations)

E4	High district brightness areas (e.g. city and town centres with high levels of night time activity).
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There are only 2 sign areas ranges and the appropriate luminance levels (cd/m²) for each are as follows; -

Illuminated Area (m²)	Zone E1	Zone E2	Zone E3	Zone E4
Up to 10.00	100	600	800	1000
Over 10.00	N/A	300	600	600

- 6.5.4 When granting consent for Illuminated signs it is necessary to impose constraints on luminance levels and the above table is to be used for setting limits. With externally illuminated signs it is necessary to ensure that luminaires are positioned such that the light source itself is not directly visible to user of the public highway.
- 6.5.5 Also, fascia and other forms of overhanging signs within pedestrianised or public footway/footpath areas, the following standard requirements shall be applied:
- The projection from the face of the building over the public highway shall not be within 600mm of any area used by vehicles;
 - There shall be a minimum 2.4m height clearance between the footway level and the underside of any projecting sign.
- 6.5.6 The Institution of Lighting Engineers Technical Report No.5 – 3rd Edition (2001) is used to assess acceptable lighting levels and to calculate appropriate luminance limits for signs. Due to the level of illumination at 250 (cd/m²) pedestrian and road users will not be affected due to glare of overtly bright signage or distraction.

7 Conclusion

- 7.1 The proposed advertisement is considered to be of an acceptable design which will not have a significant adverse impact upon visual amenity or the heritage asset. Consequently the application is recommended for approval

8 Recommendation

- 8.1 Approval subject to conditions

Conditions / Reasons

1. This consent is for a period of five years.

Reason: The local planning authority are only prepared to grant a temporary consent in order that the impact on amenity can be re-assessed after a period of 5 years this being in accordance with desire to create a high quality environment as set out in policy EN5: Design in New development as set out in the adopted Tamworth Local Plan 2006-2031.

2. The consent hereby permitted shall only be carried out in accordance with the application form and the Lighting Assessment received on 09/07/2024 and drawings: 'TYPICAL EXTERNAL ILLUMINATION LIGHTING SETUP', 'Heritage Wordmark & Letter sets – Single Line Options', 'Sign XX – Window Graphics', ATM.ET Rev A and PR.00.E1 Rev A received 09/07/2024 and 'Heritage (Illuminated) Projecting Sign Rev B' received 11/07/2024 and b90f/uk/1104720/1486893 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To define the permission.

3. (i). No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

(ii) No advertisement shall be sited or displayed so as to -

(a) endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(b) obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air; or

(c) hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle

(iii) Any advertisement displayed, and any site used for the display for advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

(iv) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

(v) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

Reason: To comply with the Town and Country Planning (Control of Advertisement) Regulations 2007.

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PLANNING COMMITTEE

6th AUGUST 2024

APPLICATION FOR CONSIDERATION

REPORT OF ASSISTANT DIRECTOR - GROWTH & REGENERATION

Application Reference 0163/2023

Proposal Outline Application with full details of access (with matters reserved for landscape, scale, layout and appearance) for development comprising up to 23,000 sqm(GEA) of flexible use classes E (g) (ii) E (g) (iii) B2 and/or B8 with associated car parking and works

Site Address Land at Tamworth Road Dosthill B77 1QL

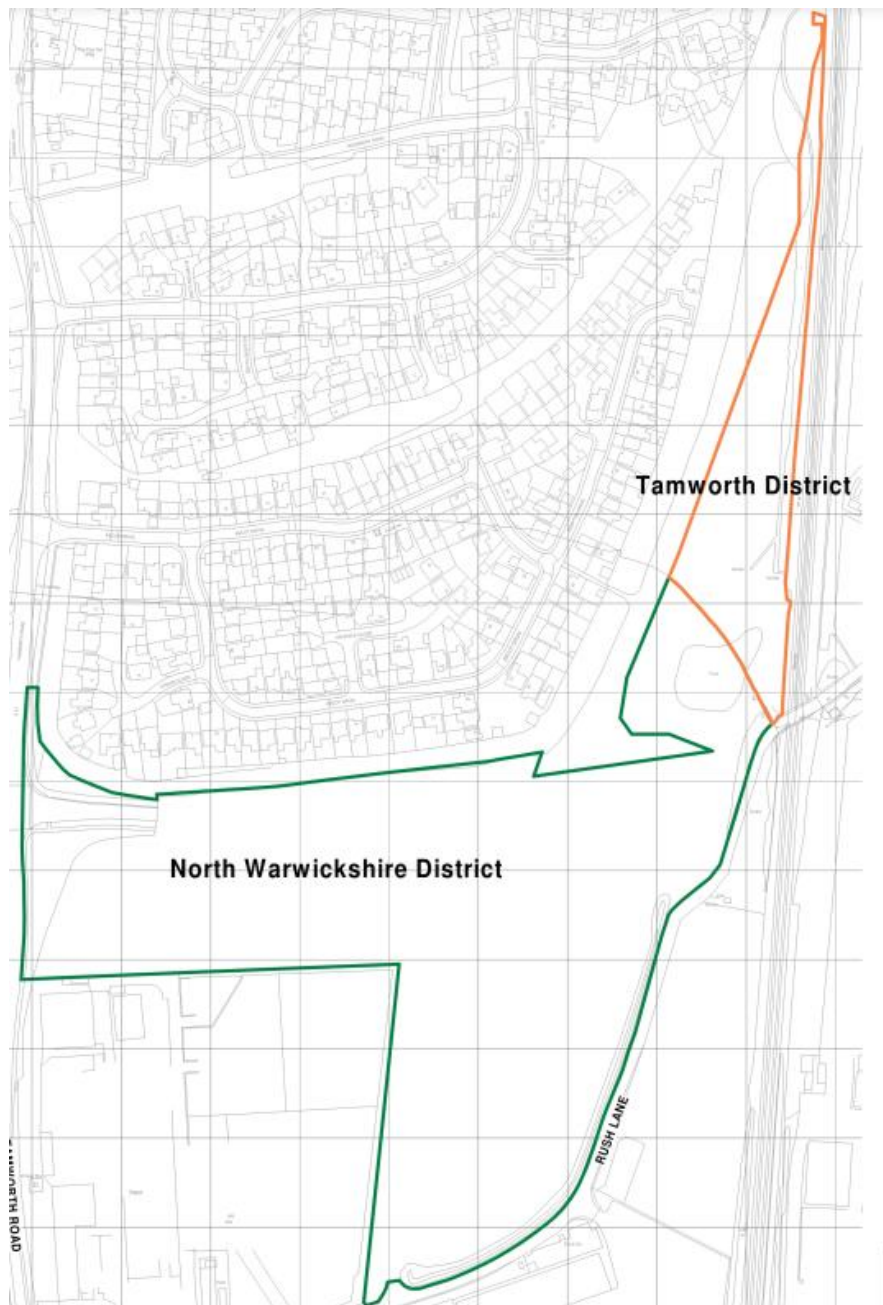
Case Officer Glen Baker-Adams

Recommendation Planning Committee

1. Grant planning permission

1. Introduction

- 1.1 This application is for up to 23,000 sqm(GEA) of flexible use classes E (g) (ii) E (g) (iii) B2 and/or B8 with associated car parking and works, with most of the site within the administrative boundary of North Warwickshire District Council. The below image shows the extent to which the site is within the boundary of Tamworth Borough Council.



The area of development within the Tamworth Borough Boundary is part of a site of county biological importance.

- 1.2 The application is reported to committee as this relates to a major development and adjoins another local authority area for industrial and business units and areas for ecology. Despite being within mainly the boundaries of North Warwickshire District Council, the development if approved by them could have significant impact for Tamworth.
- 1.3 Legal advice has been obtained on how to deal with cross-boundary applications such as this. The Planning Practice Guidance ¹stating that two identical applications should be made to each LPA which has taken place here. The government's suggestion is then to use Section 101(1) of the LGA 1972 for the "lead" council to delegate the decision making to the second council. Each councils then needs to co-operate on the agreement to ensure there are identical planning conditions and that the recommendation is the same.
- 1.4 This has been done through regular contact with the head of development control team leader and there position has remained to **approve** the application. For Tamworth Borough Council, our decision should only relate to the land in their jurisdiction which has been done here.
- 1.5 A different application was refused in December 2023 for Browns Lane (0241/2018) where this scenario presented itself in that we made a decision the same as what Lichfield District Council did based on the elements within our administrative boundary.
- 1.6 By way of summary of the consideration of North Warwickshire District Council, land the subject of this application has the benefit of an extant lawful industrial use. As a result therefore, the principle of such development on the site is acceptable to the council. Ther other material considerations have confirmed that the proposal meets the requirements of their local plan policy and NPPF.
- 1.7 By virtue of it only being an area of undeveloped land allocated for ecology safeguarding purposes that falls into Tamworth's administrative boundary, this report focuses on the principle of the development, ecology and design. In addressing these issues this report seeks to assess the application in its entirety whilst also advising Members clearly regarding those parts of the application site and proposal over which they have jurisdiction. Advice is also provided on which planning policies apply and are therefore to be considered by Members in determining that part of the scheme in their local authority administrative area. Other issues will be lead on and assessed by North Warwickshire District Council. Unfortunately, there will be not enough time to provide a hard copy of their committee report before the meeting but a verbal update will be given.

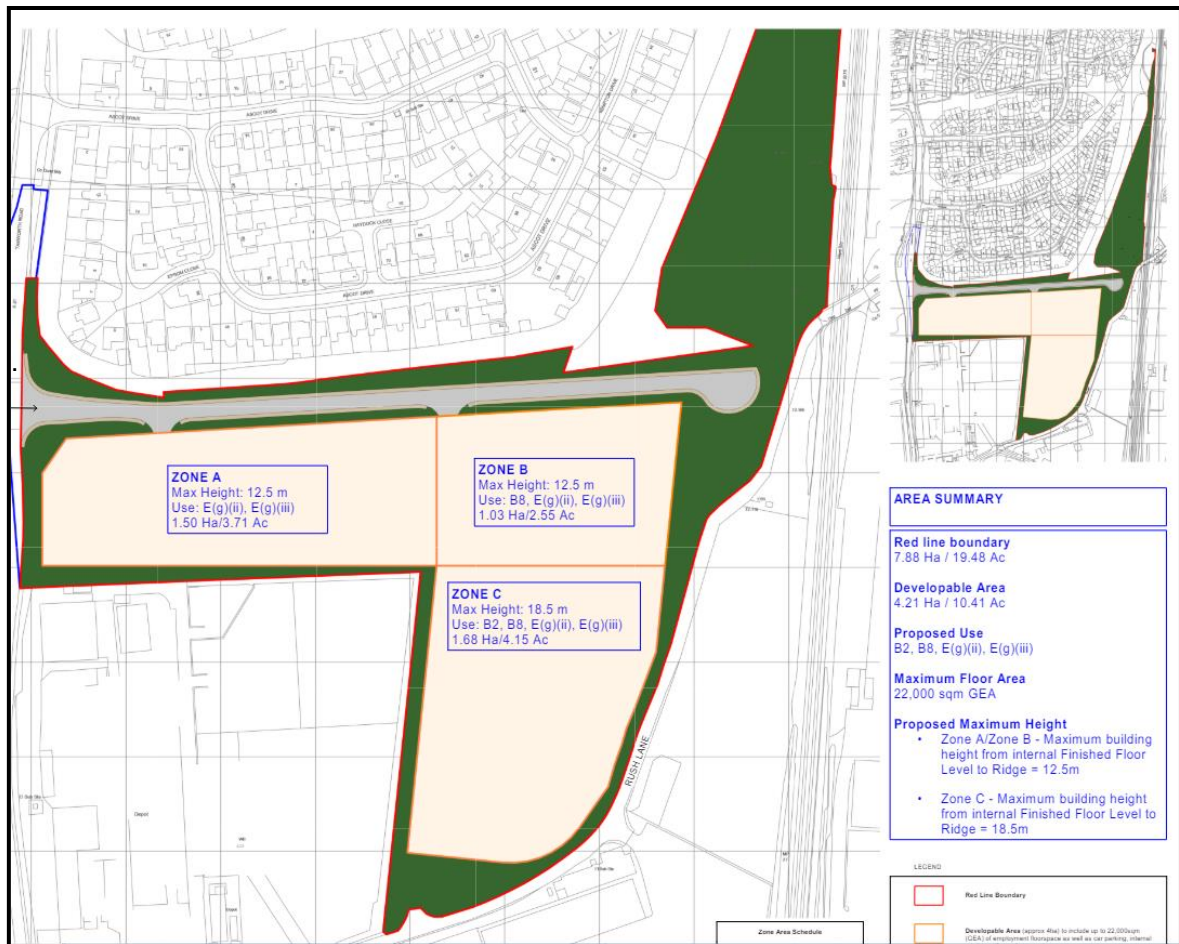
2. SITE AND DEVLEOPMENT PROPOSALS

- 2.1 The entire site is approximately 7.88 hectares in total. The site adjoins a large Hünnebeck site and Tamworth Road itself to the south west, existing residential development on Ascot Drive to the north to the north. The railway line runs north to the south at the eastern edge. The site itself is a former landfill and mineral extraction site. Since the end of this activities in the 1990s the site has become scrubland, vegetation and trees. Some of the denser trees are located within the Tamworth administrative area.

APPLICATION PROPOSAL

- 2.2 The application is for development of the site for various buildings to facilitate mainly industrial and storage use. This also extends to office use for either the research and development of products or processes, or any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

¹ <https://www.gov.uk/guidance/consultation-and-pre-decision-matters#land-falling-within-two-or-more>



- 2.3 The planning application is submitted in outline with all matters reserved for subsequent approval other than the means of access to the Site, which are submitted in detail. Matters of appearance, layout, scale, and the detailed landscaping of the Site are to be the subject of subsequent reserved matters submission.
- 2.4 An indicative layout has been provided along with a design and access statement, Air Quality Assessment, Arboricultural Report, Archaeological Report, BREEAM Assessment, Energy and Sustainability Statement, Preliminary Geo Environ & Coal Mining Assessment, Statement of Community Involvement, Noise Assessment, Flood Risk Assessment, Transport Report, Travel Plan, Utility report, External Lighting Statement and Landscaping proposals.

Location Plan



2. Policies

2.1 Local Plan Policies

- SS1 The Spatial Strategy for Tamworth
- EN4 Protecting and Enhancing Biodiversity
- EN5 Design and New Development
- IM1 Infrastructure and Developer Contributions

2.2 Supplementary Planning Documents

Design SPD

2.3 National Planning Policy

National Planning Policy Framework 2021
National Planning Practice Guidance 2014-

3. Relevant Site History

None in Tamworth however North Warwickshire planning reference OAP/1994/0232 and reserved matters application PAP/2008/0088 are approvals that mean the principle of development is acceptable.

4. Consultation Responses

- 4.1 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

- 4.1.1 *Tamworth Borough Council Environmental Protection*
No objections

Staffordshire County Council Consultees

- 4.1.4 *Staffordshire County Council Highways*
No objections
- 4.1.5 *Staffordshire County Council Archaeology*
No objections
- 4.1.6 *Staffordshire County Council Landscape Officer*
Recommendations on further landscaping for future reserved matters applications

Others

- 4.1.9 *Warwickshire County Council Highways*
No objection subject to conditions
- 4.1.10 *National Rail*
No objection subject to conditions
- 4.1.11 *Environment Agency*
No objection subject to conditions
- 4.1.11 *Staffordshire Fire and Rescue*
Recommendation to include Automatic Suppression Systems
- 4.1.12 *Coal Authority*
Substantive Concern as no Coal Mining Risk Assessment provided.

5. Additional Representations

- 5.1 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>.
- 5.2 At the time of writing, six letters of objection have been received from six different households.
- 5.3 The planning related objections received concern:
- Noise impacts of the units and construction
 - Excess traffic that will occur on high street and nearby roads
 - Pollution concerns that could impact wildlife
 - Provision of suitable ecology measures including swift nest bricks
- 5.4 Non planning issues provided include:
- The application would de-value property value

- The development could become an area for ASB due to location away from police station

6. Equality and Human Rights Implications

- 6.1 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.
- 6.2 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.

7. Planning Considerations

The key issues to be considered at this stage are

- Principle
- Design/Character and Appearance
- Ecology

Again, it is important to note that these considerations are those within the specific area of Tamworth Borough Council. All other considerations are the responsibility of North Warwickshire Borough Council.

7.1 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.
- 7.1.2 The development proposed within the boundary of Tamworth is an area of undeveloped land for the purposes of ecology. Management plans will come forward by later conditions to show how this area will be looked after to ensure that ecology is maintained.
- 7.1.3 The larger development it connects to is fully supported by North Warwickshire Borough Council and therefore it is considered unreasonable to refuse the access to this without sound planning basis. As a result, in principle the application is accepted.

7.2 Character and Appearance

- 7.2.1 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.
- 7.2.2 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.
- 7.2.3 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.
- 7.2.4 The site within the administrative boundary of Tamworth is shown in the adjacent image. The only works proposed on this part of the site will be enhancements to the existing landscaping features to improve the biodiversity and visual aesthetics.
- 7.2.5 As a result of this, the character of this area will remain natural and mostly undeveloped and therefore would harm the visual amenity of the local area. It would remain sympathetic and therefore comply with policy EN5 of the Tamworth Local Plan and NPPF.



7.3 Ecology

- 7.3.1 Policy EN4 of the Tamworth Local Plan 2006-31 states that development will be supported that preserves designated biodiversity and geodiversity sites and maintains the favourable conservation status of populations of protected species and incorporates existing landscape features. Development should not result in a net loss of biodiversity by ensuring that where harm to biodiversity is unavoidable and it has been demonstrated that no alternative sites are suitable, development is adequately mitigated or as a last resort, compensated for; otherwise planning permission should be refused. NPPF paragraph 180 states planning decisions should contribute to and enhance the natural environment by minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.
- 7.3.2 The proposed documents on the relevant ecology considerations has been independent reviewed by the Staffordshire ecologist. Additional information was requested as a result and provided but unfortunately no revised commentary has been made on this to date.
- 7.3.3 Notwithstanding this, the application site within Tamworth Borough Council's administrative boundary is predominately within the Site of County Biological Importance. This land falls outside of the "developable area" on the Parameters Plans and will not be subject of any built development. to be left undeveloped for the purposes of ecology.
- 7.3.4 A lot of the consideration of this application is based on an extant planning permission. That has been the position taken above when considering the principle of the proposal; the highway, landscape, visual impacts and matters to do with residential amenity. The same applies to biodiversity issues and there is an agreement for an appropriately worded condition as the land outside of the development areas and where there is the most significant bio-diversity interest is still land that is under his control. Furthermore, a Landscape Ecology Management Plan to cover the ongoing maintenance and enhancement of this land.

7.3.5 As a result of this, the development will conform to policy EN4 of the Tamworth Local Plan and the NPPF.

8 Conclusion

8.1 This application is one which crosses boundaries with our neighbouring authority in North Warwickshire District Council. They have the determining powers for quite a comprehensive industrial lead development with offices.

8.2 The part of the site within the administrative boundary of Tamworth Borough is contained to a parcel of land that would remain mainly undeveloped with no building works proposed. It would serve to improve the biodiversity in the local area .

8.3 Ecological comments have confirmed that there are a number of additional reporting duties for the *entire* site which will come forward as part of later submissions in which Tamworth Borough Council will work with North Warwickshire on.

8.4 As a result of thorough consultation with the relevant departments, the application is deemed to be acceptable in terms of technical design. Contribution requests have been requested and accepted.

8.5 As to not stifle the ambitious growth plans of the neighbouring authority and the acceptable form of development that exists within the administrative boundary of Tamworth Borough Council, the application is recommended for approval subject to conditions.

9 Recommendation

9.1 Approval subject to conditions

10 Conditions

1. No development shall commence on site until details of the appearance, including materials, landscaping, layout and scale (hereinafter called "the reserved matters") have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to accord with the provisions of Section 92 of the Town and Country Planning Act 1990.

2. The development hereby approved shall commence prior to the expiration of two years from the date of approval of the last of the reserved matters to be approved. Applications for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To meet the requirements of Section 92 of the Town and Country Planning Act 1990.

3. The development hereby permitted shall be carried out in accordance with the following approved plans:

- The Site Location Plan - 23008/SGP/ZZ/ZZ/DR/A/131000 P2 received on 2/5/23.
- The Parameters Plan - 23008/SGP/ZZ/ZZ/DR/A/001001 P7 received on 15/5/24.
- The Green Infrastructure Plan - P23/0345/EN/0007/C/GI/1 received on 15/5/24.
- Existing Site Access - 70102401/SK/002 Rev A received on 20/2/14.
- Existing site access swept path analysis 16.5m artic 701102401/ATR/001Rev B received on 20/2/24.
- The Framework Travel Plan prepared by WSP received on 3/8/23 referenced 70102401/001.

REASON: For the avoidance of doubt and to ensure that the proposed development is carried out as approved.

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PLANNING COMMITTEE

0367/2023

APPLICATION FOR CONSIDERATION

UPDATE REPORT

REPORT OF ASSISTANT DIRECTOR - GROWTH & REGENERATION

Application Reference	0367/2023
Proposal	Demolition of all existing buildings
Site Address	South Staffordshire College Croft Street Tamworth Staffordshire B79 8AE
Case Officer	Glen Baker-Adams
Recommendation	Planning Committee

1. Grant planning permission

1. **Introduction**

- 1.1 This is a supplementary report following the deferral of the original planning application at the committee of 5th June 2024.
- 1.2 Members agreed to defer the application for consideration only so as to allow further information regarding highways impacts to be obtained.
- 1.3 The previous application was considered to suitably deal with these issues reporting that the plans submitted show that safe entrance and exit can be achieved for vehicles that are likely to carry out the work. A temporary parking restriction will also be imposed to allow this to occur safely.
- 1.4 Since this meeting, Staffordshire County Council have provided additional information on the consultation response. This can be found at appendix A.
- 1.5 All the other considerations remain the same as the previous report which is attached to this supplementary report

2. **Policies**

2.1 **Local Plan Policies**

- SU1 Sustainable Transport Network
- SU2 Delivering Sustainable Transport

2.2 National Planning Policy

National Planning Policy Framework 2021
National Planning Practice Guidance 2014-

4. **Equality and Human Rights Implications**

- 4.1 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.
- 4.2 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.

7. **Planning Considerations**

7.1. Highway Safety

7.1.1 There have been no additional submissions made since the consideration of the application at the June committee but a revised consultation response has been received from Staffordshire County Council highways. This provides additional information including that the scope of works includes general site clearance and removal of asbestos containing materials followed by the demolition of building on the college site. It also confirmed that Initial information was submitted which lacked details. After further discussions with the applicant the following information was submitted relating to the likely traffic movement during the demolition phase.

7.1.2 Furthermore, it states that the asbestos removal and demolition works document details the likely works to be carried out. The document also states that a demolition contractor will be appointed following a tender process who will be responsible for producing detailed method statements and risk assessments for all works.

7.1.3 A new section on access has been included on the response which confirms access and egress will be as existing via a one way system. Croft Street from the exit / egress benefits from controlled parking in the form of double yellows on both sides of the carriageway. Therefore, there will not be any conflict with parked vehicles. However, there are no restrictions on parking along the access to the site and this will have to be managed.

7.1.4 Working Hours are limited to Monday to Fridays between 0800 and 1800 and Saturdays between 0800 and 1300.

7.1.5 Parking in general will be provided within the site for all user and visitors. The demolition of the college would have heavy vehicles on the road but as per above these are few in numbers 1 to 2 per day and will not have severe impact on Croft Street or the local highway network.

7.1.6 Finally, with further discussions and agreement with the applicant, an additional condition has been included for a Traffic Management Plan that will show how parking will managed for further agreement by the Staffordshire County Council highways department.

7.1.7 As a result of this, the application continues to be considered in full accordance with SU2 of the Tamworth Local Plan 2006-31 and the NPPF.

8. **Conclusion**

8.1 There are no further updates and the application remains to approve in line with the considerations outlined in the report of the committee of 5th June 2024.

8.2 The additional condition will read:

Prior to the commencement of development a Traffic Management Plan shall be submitted to and approved by the local planning authority. The Traffic Management Plan shall be adhered to for the lifetime of the demolition works.

Reason: In the interests of highway safety, residential amenity and to accord with policy SU2 of the Tamworth Local Plan 2006-31.

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