



## **MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON 14th JANUARY 2025**

**PRESENT:** Councillor L Wood (Chair), Councillors C Adams, M Clarke, G Coates, D Foster (Vice-Chair), R Kingstone, K Norchi, P Pallett, L Smith, S Smith 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), Richard Powell (Planning Policy and Delivery Team Leader), Mark Evans (Highways South Staffs County Council), Tracey Pointon (Legal Admin & Democratic Services Manager) and Laura Sandland (Democratic and Executive Support Officer)

### **38 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor M Summers

### **39 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 3<sup>rd</sup> December 2024 were approved and signed as a correct record.

*(Moved by Councillor M Clarke and seconded by Councillor P Turner)*

### **40 DECLARATIONS OF INTEREST**

Cllr R Kingstone declared an interest on application 0363/2023 and moved to the public gallery whilst the item was discussed.

### **41 APPLICATIONS FOR CONSIDERATION**

#### **41.1 0363/2023 SS College**

**Application Reference** 0363/2023

**Proposal** Outline application (access sought) - Construction of up to 123 new homes (including 20% affordable), an 80-bed care home, access, public open space, landscaping, attenuation basin and associated

infrastructure

**Site Address** Tamworth and Lichfield College, Croft Street, Tamworth,  
Staffordshire B79 8AE

The Agent, Bendon Dale spoke in favour of the application

Officers presented the item and responded to issues and questions raised, including impact on highways, parking and drainage on pitches at Rene Road, and additional signage to the exit of the development to eliminate accidents if cars try to enter the site at the exit and to allow emergency vehicles to enter.

**RESOLVED** that the Committee:

1. Agreed the reasons for approval set out in this report;  
and
2. Granted planning permission where relevant and delegated authority to the Assistant Director - Growth and Regeneration to finalise the wording of the conditions and draft legal agreement under Section 106 of the Town and Country Planning Act 1990 (as amended) based on the Heads of Terms identified and the conditions listed in Section 8 of this report.
3. Delegated authority to the development management Team Leader to issue permission once either:
  - the Secretary of State has indicated they do not intend to issue a direction requiring the grant of planning permission to be delayed until she has decided whether or not to call-in the application,
  - or the 21-day period has lapsed from the request given
4. Agreed to add extra condition - that exit only signage be added at the exit of the site

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

### **Conditions /Reasons**

1. Application for approval of reserved matters shall be made within three years of the date of this permission and the development shall begin not later than whichever is the later of the following dates: a) Four years from the date of this permission; or b) Two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved

- REASON** To prevent the unnecessary accumulation of unimplemented permissions, to encourage early implementation in accordance with paragraph 81 of the National Planning Policy Framework and to enable the District Planning Authority to review the consent if a further application is made
2. Detailed plans and particulars of the proposed development shall be submitted to and approved in writing by the District Planning Authority and shall show;
    - a) Layout of the development
    - b) Scale of the development
    - c) Appearance of the development;
    - d) A landscaping scheme including details of any existing trees and shrubs to be retained; new planting including plant type, size, quantities and locations; other surface treatments; fencing and boundary treatments; any changes in levels; the position of service and/or drainage runs

**REASON** To secure the satisfactory development of the site and in the interest of visual amenity.

3. The Development hereby approved shall be built in strict accordance with the following approved plans;
  - a) Location Plan
  - b) Site Access plan B030155 TTE 00 XX PL D 011 P05
  - c) PLAN Access and Movement Parameter Plan 91311103
  - d) PLAN Building Heights Parameter Plan 9131-1102
  - e) PLAN Land Use Parameter Plan 91311101

**REASON** For the avoidance of doubt.

4. This permission does not grant or imply approval to the site layout as indicated on the illustrative drawings submitted with the planning permission.

**REASON** For the avoidance of doubt and because the Borough Planning Authority wishes to give further consideration to a detailed proposed layout.

5. This permission shall convey approval to the erection of a maximum of 123 residential units and an 80 bedroom care home only.

**REASON** For the avoidance of doubt

6. The development hereby approved shall provide for a mix of both market and affordable housing, taking into account the District Council's Housing Mix and Affordable Housing Supplementary Planning Document, the latest Strategic Housing Market Assessment, and any other evidence of local need. The Housing Mix shall be submitted to and approved in writing by the District Planning Authority as part of any reserved matters application and shall be shown on a 'Housing Mix' plan.

**REASON** To provide the appropriate quantity and mix of housing to

meet the needs of the Borough's current and future populations, and in accordance with Policy HG5 of the Tamworth Borough Council Local Plan 2006-31.

7. No above ground construction shall commence until details of all external materials have been submitted to and approved in writing by the District Planning Authority. The development shall be built in accordance with the approved materials.

**REASON** To ensure that the District Planning Authority can exercise proper control over the materials used and the appearance of the development, in the interests of visual amenity

8. No development shall commence until full details of the existing and proposed site levels and finished floor levels of the buildings have been submitted to and approved in writing by the District Planning Authority. The development shall be implemented in accordance with the approved site levels and finished floor levels.

**REASON** In the interests of the visual and the residential amenity of future occupiers of the site.

9. The development hereby permitted shall not be commenced until such time as a fully detailed development scheme Drainage Strategy has been submitted to, and approved in writing by, the local planning authority. This submitted Drainage Strategy shall accord with the details outlined in Tetra Tech's Preliminary Drainage Strategy – Ref No. B031799-TTE-XX-XX-RP-C-00510 - Revision Status - S4 - Dated 29/10/2024. 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).
- Sustainable Drainage Systems designed in full accordance with the Staffordshire County Council SuDS Handbook, and all relevant policies and standards within.
- Limiting the surface water run-off generated by all storm events up to, and including the 1 in 100 year plus 40% (for climate change) rainfall event to 33 l/s (for the western drainage catchment).
- As a proportion of the site is proposed to be drained by soakaway-to-ground, full and complete infiltration testing is to be carried out. This is to be in full accordance with BRE 365 best practice guidance, in order to confirm the viability of infiltration in this area of the proposed development. A testing report and log document, demonstrating complete concordance with BRE 365 best practice guidance, is to be submitted for

review by the LLFA to demonstrate that

- infiltration via soakaway is a viable means of surface water discharge and that satisfactory infiltration rates have been proven and evidenced.
- Provision of adequate attenuation surface water run-off attenuation storage in accordance with the requirements specified in 'Science Report SC030219 Rainfall Management for Developments'.
- The incorporation of adequate surface water treatment in accordance with CIRIA C753 – The Simple Index Approach, to mitigate water quality pollution.
- Detailed design (plans, network details and calculations), in support of any surface water drainage scheme, including details of any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations, inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus 40% (climate change) return periods.
- Formal (Section 106) agreement with Severn Trent Water (Plc) that confirms surface water discharge is to be accepted into the proposed downstream network that falls under STW ownership.
- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.
- Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water systems shall be maintained any managed for the lifetime of the development.
- Provision of a satisfactory Construction Environment Management, or Construction Surface Water Management Plan detailing that measures will be in place to appropriately manage surface water runoff flows and mitigate against pollution (e.g. sediment mobilisation), and flood risk from inception of any site activities through to project completion- from which time the above referenced Management and Maintenance Plan will take full effect.

**REASON** To prevent flooding by ensuring the satisfactory storage and disposal of surface water from the site.

- 10.** No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on drawing reference B030155 TTE 00 XX PL D 011 P05 have been implemented in full.

**REASON** To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with the National Planning

Policy Framework.

11. Notwithstanding details contained within the approved documents, no dwellings hereby permitted shall be occupied across the development site until parking and turning areas have been provided and implemented in accordance with the approved details. The parking and turning areas shall be available for use and retained thereafter.

**REASON** In the interests of highway safety and to conform to EN5 and SU2 of the Tamworth Local Plan 2006-31.

12. No dwelling shall be occupied until such time as the associated driveway has been surfaced in a bound material and sustainably drained in accordance with details to be agreed in writing by the Local Planning Authority.

**REASON** In the interests of highway safety and to conform to EN5 and SU2 of the Tamworth Local Plan 2006-31.

13. Notwithstanding details contained within the approved documents, prior to the commencement of development under any reserved matters consent hereby permitted, a Construction and Environmental Management Plan relating to a) Construction access, b) Hours of construction, c) Routing of HGV's, d) Delivery times e) Location of the contractors compounds cabins, material storage areas and contractors parking f) Scheme for the management and suppression of dust and mud from construction activities including the provision of a vehicle wheel wash. g) Method of demolition and restoration of the site. The development shall thereafter be carried out in accordance with the approved details and be retained thereafter.

**REASON** In the interests of highway safety and to conform to EN5 and SU2 of the Tamworth Local Plan 2006-31.

14. The development hereby permitted shall be carried out in accordance with the submitted Biodiversity Net Gain Assessment prepared by WSP and dated December 2023.

**REASON** In the interests of biodiversity and the protection and enhancement of habitats and to conform to policy EN4 of the Tamworth Local Plan 2006-31.

15. Notwithstanding the details contained within the approved documents, prior to occupation of dwellings under reserved matters consent, a Landscape and Habitat Management Plan for that reserved matters consent to include details of; a) Accordance with the principle Biodiversity Impact Assessment; b) Planting and maintenance of all new planting; c) Species used and sourcing of plants; d) Invasive plant species eradication and biosecurity for invasive plant species; e) Habitat

enhancement/creation measures and management, such as native species planting, wildflower grassland creation, woodland and hedgerow creation/enhancement; f) Provision of habitat for protected and notable species (including location, number and type of bat and bird boxes, location of log piles, hedgehog shelters and passes); and g) Programme of delivery.

Shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter

**REASON** In the interests of biodiversity and the protection and enhancement of habitats and to conform to policy EN4 of the Tamworth Local Plan 2006-31.

- 16** A) 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 the programme of archaeological works to be carried out within the site, including post-fieldwork 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 condition (A). C) The development shall not be occupied until the site investigation and post-fieldwork assessment has been completed in accordance with the written scheme of archaeological investigation approved under condition (A) and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

**REASON** In the interests of protecting archaeological interests and to conform to policy EN6 of the Tamworth Local Plan 2006-31.

- 17.** Notwithstanding the details contained within the approved documents, prior to commencement of development under any reserved matters consent, an external lighting scheme designed in accordance with Bat Conservation Trust / Institution of Lighting Professionals Guidance Note 08/18 Bats and artificial lighting in the UK and including; a) Lighting contour plan demonstrating minimal impact on receptor habitats such as trees, shrubs and landscape planting; b) Site-wide integration measures; and c) Program of delivery Shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.

**REASON** In the interests of biodiversity and the protection and enhancement of habitats and to conform to policy EN4 of

the Tamworth Local Plan 2006-31.

- 18** . Notwithstanding the details contained within the approved documents, prior to occupation of dwellings on the site, details of biodiversity enhancement measures to include; a) Five groups of three swift boxes on or integrated into north or east facing brickwork of the new buildings; b) Ten house sparrow terraces on or integrated into north or east facing brickwork of the new buildings; and c) boundary fence details for gardens that include gaps of minimum 130mm square at ground level at least every 10m running length or that do not seal to the ground at all between posts with a 120mm gap from fence base to ground. Shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.

**REASON** In the interests of biodiversity and the protection and enhancement of habitats and to conform to policy EN4 of the Tamworth Local Plan 2006-31.

- 19** Notwithstanding the details contained within the approved documents, prior to commencement of development under any reserved matters consent, a Method Statement for the protection of species to include; Measures for the protection of nesting birds, hedgehogs, reptiles and badgers; Details of a role for an on-site ecologist; and If trees TN3 and TN10 (ref. Preliminary Ecological Appraisal (Tetra Tech, May 2023)) are to be removed, details of a soft felling technique which must be used

Shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.

**REASON** In the interests of biodiversity and the protection and enhancement of habitats and to conform to policy EN4 of the Tamworth Local Plan 2006-31.

- 20** Notwithstanding details contained within the approved documents, prior to commencement of development under any reserved matters consent, a plan showing a buffer of 30m from the badger sett shall be submitted to and approved in writing by the Local Planning Authority. The buffer shall be implemented with no heavy machinery and vegetation clearance being operated within this area thereafter.

- 21** Notwithstanding the details contained within the approved documents, prior to commencement of development under any reserved matters consent, a Remediation Statement Scheme to include; Post demolition and remediation supplementary site investigation as detailed in section '8.0 Conclusions' of



the supplied Remediation Strategy (784-B031799). Shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved details and retained thereafter.

**REASON** To ensure the site is suitable for its intended use and to protect the quality of the water.

- 22.** Notwithstanding details contained within the approved documents, in the event that any phase of future development requires land remediation agreed through an approved method statement; a) Upon completion of the remediation a report shall be submitted to the Local Planning Authority providing verification that the required works regarding contamination have been carried out in accordance with the approved method statement; and b) Post remediation sampling and monitoring which shall be included in the report to demonstrate that the required remediation has been fully met. Any future monitoring proposals and reporting shall also be detailed in the report.

**REASON** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors

- 23.** . Notwithstanding details contained within the approved documents, no soil or soil forming materials is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development. Should importation of soil be required, a suitable methodology for testing this material including; a) Details of sampling frequency; b) Details of testing schedules; c) Criteria against which the analytical results will be assessed (as determined by the risk assessment); and d) Source material information Page 26 Shall be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The analysis shall then be carried out and validity evidence submitted to and approved in writing to by the Local Planning Authority.

**REASON** To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors

- 24** No work completed, no construction site machinery or plant shall be operated, no process 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-1pm Saturday and not at any time on Sundays, Bank or Public Holidays
- REASON** To protect the health of site workers, neighbours, offsite receptors, and future occupiers of the site, in accordance with EN5 of the Tamworth Local Plan
- 25** Notwithstanding the details contained within the approved documents, prior to commencement of development under any reserved matters consent, a Method Statement and Risk Assessment shall be submitted to and approved in writing by the Local Planning Authority. Shall be submitted to Network Rail for review and agreement.
- REASON** To ensure that the construction and subsequent maintenance of the proposal can be carried out without adversely affecting the safety, operational needs or integrity of the railway. To prevent any piling works and vibration from de-stabilising or impacting the railway.
- 26** Notwithstanding the details contained within the approved documents, no dwellings hereby permitted shall be occupied across the development site until details of a suitable trespass proof fence have been the Local Planning Authority and Network Rail for agreement.
- REASON** To protect the adjacent railway from unauthorised access
- 27** Notwithstanding details contained within the approved documents, no dwellings hereby permitted shall be occupied across the development site until a suitable trespass proof fence adjacent to the boundary with the railway is implemented. The boundary fencing shall be retained thereafter.
- REASON** To protect the adjacent railway from unauthorised access
- 28** Notwithstanding details contained within the approved documents, no scaffolding works shall take place within 10m of the railway boundary without prior details having been submitted to the Local Planning Authority and Network Rail and approved in writing.
- REASON** In the interests of protecting the railway and its boundary from over-sailing scaffolding
- 29** Notwithstanding details contained within the approved documents, prior to commencement of development under any reserved matters consent, details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to and approved in writing by the Local Planning Authority, and submitted to Network Rail.
- REASON** To protect the adjacent railway and its boundary.
- 30.** Notwithstanding details contained within the approved documents, prior to commencement of development under any reserved matters consent, details of vehicle safety protection measures along the boundary with the railway shall be submitted to and approved in writing by

the Local Planning Authority.

**REASON** To prevent the design and layout of the road and parking spaces from impacting the adjacent operational railway with accidental vehicle incursion.

**31** Prior to the commencement of the proposed development, details of the glazing & mechanical ventilation specification, to be incorporated into the construction of the development to ensure that the noise levels detailed in the noise assessment accompanying the application 0363.2023 can be Page 27 achieved, shall be submitted to the Local Planning Authority for prior approval. Thereafter, the approved details shall be implemented in full prior to the development becoming occupied.

**REASON** To mitigate, and reduce to a minimum, adverse impacts on health and quality of life arising from noise as described within paragraphs 183-188 of the National Planning Policy Framework 2024 and EN5 - 'Design of New Development' of the Tamworth Borough Council Local Plan 2006-2031.

## **42 UPDATES TO COMMITTEE FROM PLANNING OFFICERS**

No formal updates for the committee and following a recent discussion on installation of tele comms masts more information will be provided at a later date.

Reform of Planning Committees in pre-consultation stage when it does come out for consultation there will be engagement with planning committee members.

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Chair