

PLANNING COMMITTEE

30th March 2021

APPLICATION FOR CONSIDERATION

0012/2021

REPORT OF ASSISTANT DIRECTOR - GROWTH & REGENERATION

Tamworth
Borough Council

Application Number:	0012/2021
Development:	Variation of condition 2 of planning permission 0409/2019: revised drawings and documents submitted relating to the repositioning of the haul road.
Location:	DOSTHILL PRIMARY SCHOOL, High Street, Dosthill, TAMWORTH, B77 1LQ

1. Description of Proposal and Site

- 1.1 This is an application to vary condition 2 (plans) of application reference 0409/2019 to allow for an amendment to the site to accommodate a revised position for part of the approved haul road. The original planning permission was for the demolition of 3No. timber classrooms and the erection of a single storey classroom block (providing 6No. classrooms) along with temporary permission for a haul road and the erection of 2.4m high fencing. This was heard by the planning committee on the 23rd June 2020 where it was resolved to approve the application subject to 15 conditions. The decision notice was issued on the 24th June 2020. Two separate applications have subsequently been applied for to approve the conditions relating to the consent. Under reference 0296/2020 approval was sought and granted for the discharge of conditions 3 (external materials), 4 (construction management plan), 5 (contractor parking and compounds), 6 (drainage) and 12 (dilapidation survey) and under reference 0451/2020 approval was sought for conditions 7 (site investigations) and 11 (site mitigation works), however this application was subsequently withdrawn.
- 1.2 This variation of condition application has arisen to address issues that were raised by the Coal Authority during the approval of conditions application 0451/2020. Conditions 7 and 11 both related to historic coal mining legacy issues. During this application concerns were raised that the proposed haul road would cross over an existing mine shaft and that this would not be acceptable on safety grounds. To overcome this, it was suggested that the haul road would need to be re-routed slightly to avoid crossing the shaft. The varied route of the haul road would however fall just outside of the red edge of the application site. To overcome this and so allow the development to proceed, this application seeks to extend the original application site slightly to accommodate the revised position of the haul road.
- 1.3 Currently on site is the existing school building, Dosthill Primary Academy and associated buildings, open space, play grounds and car park. The existing school building has a Victorian element fronting High Street (Dosthill) and smaller buildings to the rear.
- 1.4 The school is accessed via School Lane, also known as Pick Lane, to the north of the site, which is accessed from the main High Street, Dosthill. The immediate area mainly consists of residential dwellings, with a Co-op shop to the north of the site. The school is adjacent to a large area of public open space known as 'The Broom', which lies to the east and south of the site. There is a public right of way to the south east of the site.
- 1.5 The site is located within a High Risk coal mining area and has a legacy of coal works on, and surrounding the site.

2.0 Relevant Site History

0409/2019 - Demolition of 3No. Timber Classrooms and Erection of Single Storey Classroom Block (6No. Classrooms), Temporary Permission for Haul Road and a Permanent 2.4m Boundary Fence – Approved

0296/2020 Discharge of conditions relating to planning permission 0409/2019: Condition 3 (external materials); Condition 4 (Construction Management Plan); Condition 5 (contractor parking and compounds); Condition 6 (drainage) and Condition 12 (Dilapidation survey) – Approved

0451/2020 Discharge of conditions relating to planning permission 0409/2019: Condition 7 - site investigations (coal) and Condition 11 - site investigation mitigation works (ref. Condition 7 (coal)) – Withdrawn

3.0 Policies

Adopted Tamworth Local Plan 2006-2031

- *SS1 - The Spatial Strategy for Tamworth*
- *SS2 – Presumption in Favour of Sustainable Development*
- *EN3 – Open Space and Green and Blue Links*
- *EN4 – Protecting and Enhancing Biodiversity*
- *EN5 – Design and New Development*
- *SU2 - Delivering Sustainable Transport*
- *SU4 – Flood Risk and Water Management*
- *SU5 – Pollution, Ground Conditions and Minerals and Soils*
- *SU6 – Community Facilities*
- *SU7 – Sport and Recreation*
- *Appendix C – Car Parking Standard*

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

4.0 Consultation Responses

Whilst every effort has been made to accurately summarise the responses received, full copies of the representations received are available to view at www.tamworth.gov.uk.

4.1 Staffordshire County Council Highways

No objection subject to conditions

4.2 Staffordshire County Council Rights of Way

Comments made and addressed. No objection

4.3 Coal Authority

No objection

4.4 Tamworth Borough Council – Tree Officer

Comments made and addressed. No objection

4.5 Tamworth Borough Council – Environmental Protection

5.0 Additional Representations

5.1 As part of the consultation process adjacent residents were notified and a press notice and site notices were erected. Whilst every effort has been made to accurately summarise the responses received, full copies of the representations received are available to view at www.tamworth.gov.uk. Three objections (from two separate addresses) have been received making the following points in respect of the application:

- There need to be discussions in regards to impacts on gardens and fences

- There needs to be assurances that the haul road will be removed at the end of the development and the land re-instated
- There will be impacts on on-street parking – there needs to be adequate parking for developers
- The developer should work with the residents to agree hours of operation
- What do we do if there is out of hour's disruption?
- How will noise, dust, vibration and disturbance be mitigated?
- There appear to be trees missing from the plan
- There are concerns about heavy machinery using the haul road and damaging nearby buildings and infrastructure
- There will be increased noise, pollution and vibration
- Traffic generation as a result of the proposal will increase – impacting on road safety
- The land where the road is proposed is open space and the development will remove the ability for this to be enjoyed.
- As a result of the development the risk of Covid -19 may increase
- There will be additional impacts on privacy.
- The electricity sub0station is nearby – what do we do if there are power cuts? And what will we do if there is an electricity supply issue?
- The haul road will result in the removal of trees
- There will be an increase in artificial light, causing light pollution
- The development will likely adversely impact on people working from home.

6.0 Equality Implications 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 would have no significant 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. These issues have been taken into account in the determination of this application.

7.0 Planning Considerations

- 7.1 Taking into account the application made, the documents submitted (and supplemented and/or amended where relevant) and the site and its environs; the main issues central to the determination of this application are:

- Principle of development
- Coal Mining Legacy
- Highway safety
- Impact on neighbouring properties
- Siting and Design of the proposed development;
- Trees
- Planning Conditions

7.2 *Principle*

- 7.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires all planning decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material planning consideration. Both the Local Plan (LP) and the NPPF contain a presumption in favour of sustainable development. Policy SS2 (presumption in favour of sustainable development) of the LP makes reference to the presumption contained within para 11 of the NPPF, which states:-

*Plans and decisions should apply a presumption in favour of sustainable development.
For decision-taking this means:*

- c) *approving development proposals that accord with an up-to-date development plan without delay; or*
- d) *where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
 - i. *the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed;*
 - ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

7.2.2 The principle of this development has already been established by the previous planning permission (0409/2019) and this report should be read in conjunction with that of the earlier application in which the in principle acceptability of the proposal is considered at depth.

7.3 Coal Mining Legacy

7.3.1 Policy SU5 of the LP requires that all new development consider site characteristics.. including land stability and that applications should be supported by an appropriate risk assessment where such issues are present, and para 170 e) of the NPPF seeks to ensure that new and existing development is not put at unacceptable risk from, or is adversely affected by ... land instability.

7.3.2 Coal mining legacy is a material planning consideration and the actual, or possible associated risks should be established. The application site falls within the Development High Risk Area, therefore, within the site and surrounding area there are coal mining features and hazards which need to be taken into account during the determination of the application.

7.3.3 This variation of condition application specifically seeks to address issued raised by the Coal Authority in relation to the approval of conditions 7 and 11 on the original consent. The Coal Authority has been consulted on this application and is satisfied that the revised position of the haul road will address their concerns. They have specifically commented that the revised haul road layout will allow for a safety area of 2m radius from the coordinates provided by the Coal Authority records (in relation to the location of the mine shaft) and that appropriate safety fencing has been illustrated to mitigate any risk during the use of the temporary road.

7.3.4 Therefore, following guidance from the Coal Authority, the proposal is considered acceptable and in accordance with policy SU5 of the adopted Tamworth Local Plan 2006 and the NPPF.

7.4 Highway Safety

7.4.1 Policy SU1 of the LP seeks to ease and improve the quality of access within the Borough through a range of policy criteria (a – i) of specific relevant to this application criterion i) requires improvements and traffic management measures as required to mitigate the impact of development traffic, with the Policy continuing to state that contributions towards infrastructure will be required where proportionate and necessary. In addition, Policy SU2 of the LP requires development to be accessible by walking, cycling, and public transport... and that planning permission should only be granted where development would ensure adequate highway safety, suitable access for all. The Policy continues that Planning Permission will be refused where travel to and from the development would be likely to cause harmful levels of pollution, highway safety or capacity issues. In regards to new roads, design advice is provided, in that they should result in a high quality public realm and finally a section on parking requirements is included, supplemented by Appendix C.

The NPPF at para 108 states that:- *in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;

b) safe and suitable access to the site can be achieved for all users; and

c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.

And para 109 continues that:- Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 7.3.2 As part of the original application a temporary haul road was proposed to allow for the access and egress of construction vehicles during the building phase of the proposed classroom block. The haul road is proposed from Rosebery Road to the application site, following the eastern edge of The Broom, adjacent to properties on Sefton Road. The haul road would be one way only and would have a banksman at the entrance.
- 7.3.3 The haul road is a temporary road for the sole use of construction and delivery vehicles. Condition 13 of the original consent required that that the road is removed and the land re-instated once construction work had ceased. Revised vehicle tracking details, a haul road crossing plan and a construction management plan was also required under condition 4, to ensure the proposed road would not have a significant or detrimental impact upon highway safety and that impacts on residents would be mitigated as far as possible. The details within this application were subsequently approved (reference 0296/2020).
- 7.3.4 This variation application seeks to slightly re-position the layout of the haul road along its section closest to Rosebery Road.
- 7.3.5 The County Highways Authority (CHA) have been consulted on the application and have raised no objection subject to a condition that the revised plans be listed on the decision notice. Within their response they did however acknowledge that condition 4 of Planning permission 0409/2019 required that "No development shall commence on the site until such time as a revised tracking manoeuvres for articulated lorry plan" and "revised proposed haul road crossover plan...has been submitted to and approved in writing by the Local Planning Authority. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable. They continued that as part of the discharge of conditions application (0296/2020) the applicant detailed that the tracking is such that articulated vehicles would not in fact be able to enter and exit the site. In the circumstances, on the basis of the submitted plans, it was acceptable to the Highway Authority (HA) for the deliveries by articulated vehicles to be made from within the carriageway of the existing highway on Rosebery Road.
- 7.3.6 The CHA have confirmed that the applicant has clarified that articulated vehicles will still not enter the site, as per 0296/2020 and so on this basis have considered that the variation proposed would not result in any harmful impacts on either pedestrian or highway safety.
- 7.3.7 As the temporary haul road would cross a Public Right of Way (PRoW), Staffordshire County Council Public Rights of Way have been consulted. They responded suggesting that the PRoW was not shown on the submitted plans in the context of the revised position of the haul road. This matter was discussed with the applicant who has identified the plan on which this detail is shown. On this basis the comments raised in this regards are considered to have been addressed.
- 7.3.8 On the basis of the above, the development would therefore continue to be compliant with Policies EN5 and SU2 of the Local Plan and in this regard would be acceptable.

7.4 Impact on the amenity of neighbouring properties

- 7.4.1 Criterion g of Policy EN5 of the LP seeks to minimise or mitigate environmental impacts for the benefits of the existing and future occupiers of adjacent land. Notable impacts identified include loss of light, privacy or security, unacceptable noise, pollution and flooding and a sense of enclosure and Criterion e of Para 170 of the NPPF states that LPA's should:- prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans.
- 7.4.2 Paragraph 180 of the NPPF outlines the need to consider the impact of noise resulting from new development on health, quality of life and areas of tranquillity.

- 7.4.3 Whilst the minor amendments proposed by this submission to the application site and the alignment of the haul road would re-site the initial section of the road closer to part of the rear boundary of No.34 Sefton Road, the changes are not considered to result in any further materially harmful impacts in terms of residential amenity. Conditions imposed on the original application to protect and limit the impacts on amenity will be re-imposed on this application. (The relevant conditions relate to the construction management plan and to ensure that the haul road is temporary).
- 7.4.4 Subject to the suggested conditions the proposal would not have a harmful impact upon neighbouring properties and would be in accordance with policy EN5 of the adopted Tamworth Local Plan.

7.5 Siting and Design of the proposed development

- 7.5.1 An important consideration in determining the acceptability of the proposal are impacts of the proposed design on the character and appearance of the site and the surrounding area.
- 7.5.2 The importance of design is highlighted in policy EN5 of the LP. This seeks to ensure that high quality buildings and places are achieved across Tamworth and includes specific criteria (a – j) to ensure such. The criteria seeks to specify requirements relating to architectural style, mass, layout and scale, materials and landscaping, the incorporation of active frontages and measures to aid legibility, minimise or mitigate environmental impacts, pay regard to highways safety and secure health benefits.
- 7.5.3 Furthermore, para 124 of the NPPF sets out that: - *The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.*
- 7.5.4 The changes proposed to the application would be minor in scale and would not therefore result in any material impacts on the design of the scheme or in terms of character and appearance over and above those that were originally considered and deemed acceptable.
- 7.5.5 The proposal would therefore be in accordance with policy EN5 of the Local Plan.

7.6 Original Planning Conditions

- 7.6.1 Planning permission ref: 0409/2019 was subject to 15 conditions, one of which (condition 2 - plans) is subject to variation under this application.
- 7.6.2 Two applications have been submitted for the approval of conditions on the original consent. Under reference 0296/2020 approval was sought and granted for the discharge of conditions 3 (external materials), 4 (construction management plan), 5 (contractor parking and compounds), 6 (drainage) and 12 (dilapidation survey). Under reference 0451/2020 approval was sought for conditions 7 (site investigations) and 11 (site mitigation works), however this application was subsequently withdrawn.
- 7.6.3 As a result of this submission some of the originally imposed conditions are no longer necessary, whilst the wording of others needs to be updated to reflect the approved documentation.

The full break-down is as follows:-

Condition 1 - Time - remains the same and shall be carried forward

Condition 2 - Plans - is hereby varied

Condition 3 - Materials – shall be amended to reflect the approved details.

Condition 4 – Construction Management Plan – shall be amended to reflect the approved details

Condition 5 – Contractor parking compounds - shall be amended to reflect the approved details

Condition 6 – Drainage – shall be amended to reflect the approved details

Condition 7 – Site investigations – no longer necessary. Investigations were undertaken and this variation application seeks to address the issues raised. The Coal Authority have not requested that any conditions be re-imposed on this application.

Condition 8 – Routing of construction vehicles – shall be re-imposed

Condition 9 – Prevention of material entering the highway – shall be re-imposed

Condition 10 – Access arrangements – shall be amended to reflect the amended plan

Condition 11 – remediation/mitigation scheme (relating to condition 7) to be removed as no longer necessary.

Condition 12 – Dilapidation survey – shall be amended to reflect the approved details

Condition 13 – Re-instatement of land etc. - shall be re-imposed

Condition 14 – Removal of concrete structures – shall be re-imposed

Condition 15 – Community use agreement - shall be re-imposed

7.7 Other considerations

7.7.1 The Tree Officer originally commented that the details of the root protection area for trees with roots going under the haul road could not be identified and that some of trees on the boundary of the park were not shown on the plans. The agent has confirmed that these details have previously been submitted and approved under the original application. It has further been confirmed that no trees will be removed as part of the development. In relation to comments referencing trees on the boundary of the park, this area is not impacted on by the variations subject of this application and are therefore not a relevant consideration at this stage. The originally approved plans and details not subject to this proposed variation will be reiterated on the decision notice. On the original application the Tree Officer responded with no objection to the proposal and that the method statement and tree protection plan were considered appropriate. Therefore, the proposal is in accordance with policy EN4 of the adopted Tamworth Local Plan 2006-2031.

7.7.2 The issues raised within the letters of representation, not addresses elsewhere in the report will be considered below:-

It has been requested that there needs to be discussions in regards to impacts on gardens and fences – this is private matter which needs to be addressed between the developer and the affected property owners. It is not a material planning consideration.

It has been stated that there needs to be assurances that the haul road will be removed at the end of the development and the land re-instated – this issue is addressed by the planning conditions imposed.

It has been stated that there will be impacts on on-street parking – there needs to be adequate parking form developers – this matter was appraised within the consideration of the original application and the amendment proposed under this application would result in no further issues in this regard. Notwithstanding this however, a condition is imposed to address these matters.

The developer should work with the residents to agree hours of operation –this is a private matter to be agreed between the developer and the residents.

What do we do if there is out of hour's disruption? - This is not a material planning consideration and should initially be addressed with the site manager or the Council's Environmental Protection department.

How will noise, dust, vibration and disturbance be mitigated? - this is set out within the conditioned Construction Management Statement

There appear to be trees missing from the plan – This matter has been raised with the developer who has confirmed that all works/surveys relating to the trees were agreed as part of the original application. It has been further confirmed that no trees are to be removed as part of the development.

There are concerns about heavy machinery using the haul road and damaging nearby buildings and infrastructure – This is not a material planning consideration and should such occur, it would be a private matter between the developer and persons affected.

There will be increased noise, pollution and vibration – as a result of the minor changes proposed by this application, there would be no further harmful impacts caused in relation to the above over and above those which were raised and considered acceptable during the consideration of the original application.

Traffic generation as a result of the proposal will increase – impacting on road safety – the amendments proposed by this application will result in no materially harmful impacts in terms of highway safety.

The land where the road is proposed is open space and the development will remove the ability for this to be enjoyed – this matter was considered comprehensively during the determination of the original application, and no overriding harm was raised in relation to this. The amendments proposed by this application would not result in any further impacts in this regard.

As a result of the development the risk of Covid -19 may increase – this is not a material planning consideration.

There will be additional impacts on privacy – this has been addressed in the main body of the report. The electricity substation is nearby – what do we do if there are power cuts? And what will we do if there is an electricity supply issue? – this is not a material planning consideration, but is a private matter which should be taken up with the appropriate bodies/relevant people should such occur.

The haul road will result in the removal of trees – it has been confirmed that no trees will be removed as a result of the development.

There will be an increase in artificial light, causing light pollution – There is no evidence that this will occur and no objections/concerns have been raised by Environmental Protection in this regard.

The development will likely adversely impact on people working from home – this is not a material planning consideration. Residential amenity impacts have however been considered and have been found acceptable.

8.1 Conclusion

The principle of this development has already been established through the earlier grant of planning permission (ref: 0409/2019). The variations proposed have arisen principally to address concerns raised by the Coal Authority relating to the developments impact (and associated safety concerns) on an existing mine shaft. The amendments have addressed the concerns raised and overall, by virtue of the scale and nature of the proposed changes, there would be no further significant material impacts upon highway safety, residential amenity or design, character or appearance. Furthermore, there are no other relevant material planning considerations that indicate planning permission should not be granted. The proposal is considered to accord with relevant guidance and policy provided by the National Planning Policy Framework and the adopted Tamworth Local Plan. Accordingly it is recommended that planning permission be granted, subject to the imposition of the previous planning conditions, which have been amended, removed or re-worded, where applicable.

9.0 Recommendation

1. Approval subject to the conditions outlined below in accordance with the requirements outlined in this report.

Conditions / Reasons

1. The development hereby permitted shall be begun before the expiration of three years from 24.06.2020 the date of the original permission (Ref: 0409/2019). Reason: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby approved shall only be carried out in accordance with the application form, the supporting letters/reports and drawing numbers:

DPS-STL-00-ZZ-DR-A-X-0910 Rev. P04
DPS-STL-XX-XX-DR-A-XXXX-X002 Rev. P03
DPS-STL-XX-XX-DR-A-XXXX-X003 Rev. P03
DPS-STL-XX-00-DR-A-XXXX-0920 Rev. P02
Site Location plan (Drawing No. 1901 Rev. C02)
DPS-CAL-00-XX-DR-C-200 Rev. P04
Proposed Haul Road Site Plan (Drawing No. 200 Rev. P08)
Proposed haul road crossover (Drawing No. 201 Rev. P08)
DPS-CAL-00-XX-DR-C-202-P04_S4_Proposed Haul Road
DPS-CAL-00-XX-DR-C-203-P04_S4_Proposed Haul Road
DPS-CAL-00-XX-DR-C-204-P01_S4_Proposed Haul Road

Unless otherwise agreed in writing by the Local Planning Authority. Reason: To define the approval.

3. The development shall be constructed/finished in accordance with the materials as set out in the 'Dosthill Primary School - External Materials Schedule August 2020' Reason: In the visual interest of the building(s) and the surrounding area.
4. The development shall adhere to the requirements and details as set out within the Construction Management Plan Report No. 'Dosthill B2203-MID-00-DRH-0001,Rev00 12-08-2020, Articulated Lorry Drawing No. 207 Rev P04 and the storage compound and vehicle parking facilities as shown on Drw Nos. DPS-STL-XX-XX-DR-AXXXX-X002Rev P03 and X003 Rev P03. Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area and in the interests of residential amenity in accordance with NPPF 2019 and to comply with policies EN5 and SU2 of the adopted Tamworth Local Plan 2006-2031.
5. No development, including demolition, shall commence until the contractor vehicle parking and contractors compound areas have been provided in accordance with the Section One Drawing (No. DPS -STL-XX-XX-DR-A-XXXX-X002 Rev. P03) and the Section Two Drawing (No. DPS-STL-XX-XX-DR-AXXXX-X003 Rev. P03), for the relevant phase. Reason: To ensure that construction traffic does not lead to on-street parking problems in the area in accordance with NPPF 2019 and to comply with policies EN5 and SU2 of the adopted Tamworth Local Plan 2006-2031.
6. The development shall be constructed in accordance with the 'Proposed drainage and external layout' Drawing No. DPS CAL 00XX DR C100 Rev p04 and 010 P02. The scheme shall be implemented in accordance with the approved details before the development is first brought into use. Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution and to comply with policy SU4 of the adopted Tamworth Local Plan 2006-2031.
7. During the periods of demolition and construction, all Heavy Goods Vehicle construction traffic shall use the routing detailed on the Construction Vehicle Movements Drawing (No. DPS-STL-00-ZZ-DR-AX-0910 Rev. P04) at all times, unless otherwise agreed in writing by the Local Planning Authority. Reason: To ensure that construction traffic does not use unsatisfactory roads in accordance with NPPF 2019 and to comply with policies EN5 and SU2 of the adopted Tamworth Local Plan 2006-2031.
8. The measures to prevent the deposition of deleterious material onto the highway set out on pages 8, 9 and 10 of the revised Construction Management Statement (dated 12/08/2020) shall be adhered to throughout the demolition and construction periods. Reason: To reduce the possibility of deleterious material (mud, stones, etc.) being deposited in the highway and becoming a hazard for road users in accordance with NPPF 2019 and to comply with policies EN5 and SU2 of the adopted Tamworth Local Plan 2006-2031.
9. No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on the Proposed haul road crossover drawing (No. DPS-CAL-00-XX-DR-C-201 Rev. P08) have been implemented in full. Within one month of the completion of the construction phase, the footway and full height kerb shall be reinstated in accordance with details first submitted to and agreed in writing by the Local Planning Authority. 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 paragraph 108 of the NPPF 2019 and to comply with policies EN5 and SU2 of the adopted Tamworth Local Plan 2006-2031.

10. The development shall adhere to the requirements and details as set out within the report ref '0409/2019 – Dosthill Primary Academy Dilapidation Survey for Access Road'. Reason: To protect the visual amenity of the area, and to comply with policies EN4 and EN5 of the adopted Tamworth Local Plan 2006-2031.
11. Within 2 months of the demolition of the three existing timber classroom blocks, the playing field should be reinstated to useable playing field; this includes the removal of the haul road, the site compound area, the spoil area and the temporary fencing. The land on which the temporary haul road was situated will be returned to the state it was in prior to the commencement of works, as evidenced in the report and photographic evidence submitted in condition 10. If any required planting, seeding or turfing which within a period of 5 years from the completion of the development dies, is removed, or becomes seriously damaged or diseased, this shall be replaced in the next planting season with other of a similar size and species, unless the Local Planning Authority gives written consent to any variation. Reason: To comply with policies EN3 and SU7 of the adopted Tamworth Local Plan 2006-2031.
12. Prior to occupation of the new classroom block, the five concrete structures as indicated on plan SK191129.01 P01 are to be removed. Reason: To comply with policies EN3 and SU7 of the adopted Tamworth Local Plan 2006-2031.
13. Prior to occupation of the new classroom block, a Community Use Agreement for the school playing field and ancillary facilities will be submitted to, and approved in writing by the Local Planning Authority. Reason: To comply with policies EN3, SU6 and SU7 of the adopted Tamworth Local Plan 2006-2031.

INFORMATIVE NOTES:

1. Tree Protection Order (TPO)

It should be noted that there are Tree Preservation Orders on the site, TPO No.1 2018 and TPO No. 9 2019 which should be maintained in perpetuity unless formal written consent from the Local Planning Authority is gained.

2. Highways

The conditions requiring off-site highway works shall require a Highway Works Agreement with Staffordshire County Council (SCC). The Applicant is requested to contact SCC in order to secure the Agreement. The link below is to the Highway Works Information Pack and an application form for the Agreement. Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire ST16 2DH (or email to nmu@staffordshire.gov.uk). The Applicant is advised to begin this process well in advance of any works taking place in order to meet any potential timescales.

<https://www.staffordshire.gov.uk/transport/staffshighways/>

[Highwayscontrol/highwaysworkagreements.aspx](https://www.staffordshire.gov.uk/transport/staffshighways/highwayscontrol/highwaysworkagreements.aspx)

3. Waste Storage

If the new classroom block requires new bins, that waste is securely contained in suitable and sufficient containers which cannot be vandalised, kicked over or interfered with and transferred to a suitable licenced person for transport and disposal. Provision must also be made to remove recycling material from their Waste.