



MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON 5th APRIL 2022

PRESENT: Councillor J Chesworth (Chair), Councillors M Bailey (Vice-Chair), D Box, C Cooke, R Ford, S Goodall, M J Greatorex, J Harper, D Maycock, K Norchi, R Rogers and J Wade

The following officers were in attendance: : Pardip Sharma (Planning Solicitor), Anna Miller (Assistant Director – Growth & Regeneration), Glen Baker-Adams (Team Leader - Development Manager), Debbie Hall (Planning Officer) and Tracey Pinton (Legal Admin & Democratic Services Manager) and Mark Evans (Highways South Staffs County Council)

52 APOLOGIES FOR ABSENCE

There were no apologies for absence

53 MINUTES OF THE PREVIOUS MEETING

The minutes of the meeting held on 18th January 2022 were approved and signed as a correct record.

(Moved by Councillor S Goodall and seconded by Councillor J Harper)

54 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

55 APPLICATIONS FOR CONSIDERATION

56 APPLICATION NUMBER: 0117/2022 LOCATION: 16 WIGGINTON ROAD, TAMWORTH, STAFFORDSHIRE, B79 8RH

Application Number: 0117/2022

Development: Re-Submission of Planning Application 0017/2021 : Proposed dwelling with detached garage and associated parking

Location: 16 Wigginton Road, Tamworth, Staffordshire, B79 8RH

RESOLVED

Refused – Reason outlined below.

The scale, bulk and massing of the proposed dwelling combined with its siting would create harm to the significance of the Grade 11* Listed building known as Spital Chapel of St James, and a designated heritage asset. The proposed development would also hinder appreciation of its significance by altering the significant relationship of the chapel to its surroundings and adversely affect its setting. The proposed works would therefore result in substantial harm to the Grade II* listed building and its setting contrary to policy EN6: Protecting the Historic Environment, as set out in the Tamworth Local Plan 2006-2031, the provisions of chapter 16, Conserving and enhancing the historic environment, of the National Planning Policy Framework (NPPF) 2021, and sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

(Moved by Councillor J Chesworth and seconded by Councillor D Maycock)

57 APPLICATION NUMBER: 0272/2021 LOCATION: LAND AT DOSTHILL ROAD, TAMWORTH

Application Number: 0272/2021

Development: Full application for the construction of 37no. dwellings and associated works, accessed from Dosthill Road.

Location: Land at Dosthill Road, TAMWORTH

Recommendation: The Committee Approved Subject to Conditions & Section 106 Legal Agreement requiring 20% on site affordable housing.
Ecology improvements of £30,000 to pay for off site ecology net gain.
Areas of incidental open space maintained in perpetuity by a suitable management company
(Moved by Councillor R Ford and seconded by Councillor S Goodall)

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

REASON: To comply with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried

out in accordance with the approved plans:

- DRT-PL-001-R Planning Layout
- DRT-PL-003-F Planning Layout-Garden Areas
- DRT-LL-001-K Landscaping Layout
- 7010 P02 Proposed Access Arrangement
- 7011 P02 Site Access SPA - Refuse Vehicle
- DRT-EF-001-I External Finishes Layout
- Existing vs Proposed Earthworks Strategy
- Proposed Dwelling Elevations

DRT-G-P/BAN-01 Rev A

DRT-G-P/NAT-01 Rev A

DRT-G-P/ADL-01 Rev A

DRT-G-P/ADL-02 Rev A

DRT-G-P/HOW-01 Rev A

DRT-G-P/MAH-01 Rev A

DRT-G-P/MAH-02 Rev A

DRT-G-P/TAT-01 Rev A

DRT-G-P/FAI-01 Rev A

DRT-G-P/FAI-02 ra

DRT-G-P/TH1-MX-01 ra

DRT-G-P/MAL-01 ra

DRT-G-P/MAL-02 ra

DRT-G-P/HEA-01 ra

DRT-G-P/GAR-01 ra

3. No above ground development shall commence on site until full details of all external materials have been submitted to and approved in writing by the Local Planning Authority. Information shall be submitted in the form of an External Materials Schedule. The Schedule shall include the following materials and information:
- a) Bricks, including brick bond and pointing and plinth bricks;
 - b) Roof tiles;
 - c) Fenestration materials and colours, including details of sills and lintels and inset
 - d) Distance for fenestration and bricked-up openings. Style to be as per the approved
 - e) Rainwater goods;
 - f) Architectural detailing
- Thereafter the development shall be carried out fully in accordance with the approved details and maintained throughout the life of the development .

REASON: In the interests of visual amenity and the character and appearance of the development and its surroundings and to accord with Tamworth Local Plan Policy EN5.

4. Prior to the commencement of any construction works, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The approved management plan shall include details relating to construction access, hours of construction, routing of HGV's, delivery times and the location of the contractor's compounds, cabins, material storage areas and contractors parking and a scheme for the management and suppression of dust from construction activities including the provision of a vehicle wheel wash. All site operations shall then be undertaken strictly in accordance with the approved CEMP for the duration of the construction programme.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase and to accord with Tamworth Local plan Policy SU2.

5. All planting, seeding and turfing comprised in the approved Landscape Plan shall be completed in the first planting and seeding season prior to, or immediately following, the first occupation of the building to which it relates. All hard landscaping comprised in the approved Landscape Scheme shall be completed prior to the first occupation of the building to which it relates.

All planting, seeding and turfing for the areas not within individual plots as comprised in the approved Landscape Scheme shall be completed in the first planting and seeding season prior to, or immediately following, first occupation of the last dwelling to be completed, or completion of the development, whichever is sooner. All hard landscaping not within individual plots as comprised in the approved Landscape Scheme shall be completed prior to the first occupation of the last dwelling to be completed, or completion of the development, whichever is sooner.

Any trees, shrubs, hedges or plants which, within a period of five years from their date of planting, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written approval to any

variation.

REASON: To ensure the landscaping is implemented and maintained in the interests of the visual amenities of the development and its surroundings having regard to Tamworth Local Plan Policies HG3 and EN5, and the National Planning Policy Framework.

6. All development on site shall be in accordance with the mitigation measures as set out in the Ecological Mitigation and Enhancement Strategy and Preliminary Ecological Appraisal_1 - Focus Environmental Consultants, January 2022. Clearance of any vegetation on site shall take place outside of the bird nesting season - March to August.

REASON: To identify and ensure the survival and protection of important species and those protected by legislation that could be adversely affected by the development, having regard to Tamworth Local Plan Policy EN4 and the National Planning Policy Framework

7. No dwelling hereby permitted shall be occupied until the parking area for that dwelling has been provided. The parking area shall thereafter be retained at all times for its designated purpose.

REASON: In the interests of highway safety and to comply with Tamworth Local Plan P

8. Where a private access falls toward the public highway a surface water drainage interceptor, connected to a surface water outfall, shall be provided across the access immediately to the rear of the highway boundary and maintained throughout the life of the development.

REASON: In the interests of highway safety and to comply with Tamworth Local Plan Policy SU2.

9. The development hereby permitted shall not be brought into use until the existing site access, which shall include the access crossing between the site and carriageway edge, made redundant as a consequence of the development hereby permitted is permanently closed and the access crossing reinstated as verge/footway.

REASON: To avoid the proliferation of redundant accesses and to comply with Tamworth Local Plan Policy SU2.

10. No dwelling hereby permitted without access to a garage shall be occupied until a secure weatherproof cycle storage facility has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Thereafter the facility shall be retained throughout the life of the Development.

REASON: In the interests of site sustainability and to comply with Tamworth Local Plan Policy SU2.

11. No development approved by this planning permission shall take place until such time as a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with approved details.

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

12. Prior to the first occupation of any of the dwellings hereby approved details of the long term maintenance of the surface water drainage system within the development shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the surface water drainage system shall be maintained in accordance with the approved details.

REASON: To establish a maintenance regime that may be monitored over time that will ensure the long-term performance, both in terms of flood risk and water quality, of the surface water drainage system (including sustainable drainage systems) within the proposed development having regard to Tamworth Local Plan Policy SU4 and the National Planning Policy Framework.

13. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA - M42960-JNP-X-XX-RP-C-1000 D – dated February 2022) and Drainage Strategy -M42960-JNP-92-XX-DR-D7002 Rev. P06) and the following mitigation measures detailed within, and other additional details

noted in the below condition.

- Surface water drainage system(s) designed in accordance with the Non-Statutory technical standards for sustainable drainage systems (SuDS), (DEFRA, March 2015).
- Limiting the surface water runoff generated by the 1 in 100 year plus 30% climate change critical duration storm, so that it will not exceed 3.5 l/s and so that it will not increase the risk of flooding off-site.
- Provision of adequate attenuation flood storage on the site to a 1 in 100 year plus 30% climate change return period standard in full accordance with the requirements specified in accordance with the requirements specified in 'Science Report SC030219 Rainfall Management for Developments'.
- Detailed design (plans, network details and calculations), in support 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, 1 in 30 year, 1 in 100 year and 1 in 100 plus 30% climate change return periods.
- Formal (Section 106) agreement with Severn Trent Water (Plc) that surface water discharge is to be accepted into the proposed ownstream network that falls under STW ownership.
- Provision of appropriate and adequate surface water treatment in accordance with CIRIA C753.
- Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system
- As attenuation tanks are proposed to be sited under the frontages of the individual properties:
 - Restricted development covenant will be required 5m either side of the tank
 - The covenant will need to be written into Land Registry and marked within the development plan
 - A PCD sign will need to be erected near location of the tanks to ensure all owners / tenants of the
 - properties are aware of the tank (or similar) like you do for Fire Stop Valves
 - Confirmation of the load bearing weight for the tanks –this will need to be displayed and written into the deeds.
- The carrying forward of any existing or necessary sewer easements to protect drainage assets on site.
- Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water systems shall be maintained and managed for the lifetime of the development.

14. REASON: To prevent the increased risk of flooding having regard to Tamworth Local Plan Policies SU4 and the National Planning Policy Framework. Prior to the commencement of development, drainage plans for the disposal of foul and surface water flows will be submitted to and approved in writing by the Local Planning Authority, in consultation with Severn Trent Water. 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 in accordance with the NNPF and Policy SU4 of the Tamworth Local Plan 2006 – 2031

15. 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.

The archaeological site work shall thereafter be implemented in full in accordance with the written scheme of archaeological investigation approved under the above.

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.

The Written Scheme of Investigation (WSI)* identified in the condition above should consider all appropriate aspects of archaeological work including post excavation and reporting. Any subsequent archaeological mitigation must be the focus of a separate WSI produced after the evaluation stage and following detailed discussions with the LPA's archaeological advisor.

Reason: To ensure satisfactory archaeological

investigation, recording, dissemination and archiving The Written Scheme of Investigation (WSI) must be prepared by an archaeological contractor acceptable to the Planning Authority. To demonstrate that the implementation of this written scheme of investigation has been secured the applicant must provide a signed contract or similar legal agreement between themselves and their approved archaeological contractor. This would demonstrate compliance with EN6 of the Tamworth Local Plan and the National Planning Policy Framework.

16. Proposed dwellings 1-4 authorised by this permission, as shown on site plan reference DRT-PL-001-R Planning Layout, shall not be occupied until such time the local planning authority has approved in writing a full scheme being first submitted of works to reduce the height of the conifer hedge planting, immediately adjacent within the curtilage of 23 Dosthill Road The occupation of proposed dwellings 1-4 shall not begin until those works have been completed in accordance with the local planning authority's approval and have been certified in writing as complete by or on behalf of the local planning authority. Thereafter the conifer hedge planting shall be maintained at the height set out in the approved scheme throughout the life of the development

REASON: In the interests of amenity to the potential occupiers of these dwellings and to confirm to policy EN5 of the Tamworth Local Plan and the National Planning Policy Framework.

17. No development falling within Part 1 Class A or B of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) shall be carried out.

Reason: In order for the Local Planning Authority to consider future proposals in the interests of the character and appearance of the area and for the future maintenance of the on-site sustainable drainage in accordance with policy EN5: Design of New developments and SU4 Flood Risk and Water Management as set out in the Tamworth Local Plan 2006-2031.

(Moved by Councillor R Ford and seconded by Councillor S Goodall)

Chair
