

**PLANNING COMMITTEE**

**7<sup>th</sup> June 2022**

**APPLICATION FOR CONSIDERATION**

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



**Application Number:** 0222/2022

**Development:** Replacement shop front and windows, demolition and replacement of single storey rear extension, installation of plant and associated works.

**Location:** 12-13 Market Street, Tamworth, B79 7LU

## 1. Introduction/ Proposals

- 1.1. These proposals are for the external alterations and refurbishment of 12-13 Market Street, which is one of the sites identified within the Future High Streets ('FHSF') Masterplan. The existing buildings at 12-13 Market Street are 'locally listed' as being of local townscape or historic interest. They comprise a pair of Georgian buildings dating from the mid to late 18th Century that contribute to the historic street scene fronting Market Street and its setting within the Tamworth Town Centre Conservation Area.
- 1.2. The application proposes the refurbishment and alteration of the buildings to provide a redesigned replacement shop front and windows and alterations to the rear. The development will retain and refurbish the original Georgian buildings while allowing their conversion to suit continued use which meets current and future needs. This includes the demolition to the rear of a poor-quality 20th century extension and its replacement with a new single storey extension.
- 1.3. Internal works are part of the project involving removal of steels and removal of the second floor and raising of the first floors including historic timberwork and remaining chimney breasts at first and second floors. However, these do not require planning permission and are not therefore considered here.
- 1.4. The main street side elevation presents a late-twentieth century shop front on the ground floor with a pair of recessed front doors each partially glazed and both with over-lights. These are between large paned glass windows. Stall risers sit below the shop windows and above is a broad fascia, all painted black with white frame to the windows. Simple twentieth century brick piers frame the shopfront at either end. The first floor has four timber windows, designed to look like a sash window. The wall is plastered and painted. The front has a smooth moulded cornice underneath a red tiled roof with two evenly spaced hipped gabled dormer casement windows. A simple central red brick chimney stack is on the east side.
- 1.5. The rear has two gable ends on the upper floor and is plastered or painted brick. On the ground floor, half of the building has a single storey extension of painted or plastered brick. A modern timber set of steps and walkway to the west is attached to the main building and provides access to the extension's flat roof for fire escape. Each gable end has a uPVC window and a further two on the first floor and an external glazed door, and a timber framed six-light window. The centre of the gable has a steel ladder to the second floor. The extension has two doors along the west side.
- 1.6. There is no change of use proposed as the former use as retail and café, together with potential future use as a bank or building society all fall within Use Class E that now combines retail and office uses, and the proposals, therefore, allow for a range of potential uses considered acceptable in policy terms within the town centre. In this case, the intention is that the buildings are proposed to be occupied by the Nationwide Building Society to maintain their presence in the heart of the town centre.
- 1.7. 12-13 Market Street, is one of the sites identified within the Future High Streets ('FHSF') Masterplan. The refurbishment of the buildings are an integral part of the objectives to enhance the environment and viability of the town centre. The works to the premises represent one of the essential first phases in delivering the objectives of the Castle Gateway within the Masterplan. The proposals allow for the existing Nationwide to be relocated to the application site, allowing the enhancement of the Castle Gateway and other elements of the masterplan to come forwards. The application, therefore, supports the wider objectives of the Masterplan.

- 1.8. The planning application comprises of the application forms and following documents:
- 1:1250 Location Plan;
  - Existing and Proposed Site/Block Plan;
  - Existing and Proposed Elevations;
  - Existing and Proposed Sections;
  - Planning Statement;
  - Design and Access Statement;
  - Heritage Statement;
  - Outline Construction and Environment Management Plan (CEMP);
  - Outline Construction and Transport Management Plan (CTMP);
  - Acoustic Report.

## 2. **Legislation and Policies**

2.1. Planning (Listed Buildings and Conservation Areas) Act 1990

2.2. National Policies:

National Planning Policy Framework (NPPF)  
National Planning Policy Guidance (NPPG)

2.3. Local Plan Policies:

Adopted Tamworth Local Plan 2006-2031

- *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'*
- *EN5 - Design of New Development*
- *EN6 – Protecting the historic environment*
- SU1 - Sustainable Transport Network
- SU2 – Delivering Sustainable Transport
- IM1 – Infrastructure and Developer Contributions
- Appendix C – Car Parking Standard

2.4. Other Policy/ Guidance:

- 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
- Tamworth Design SPD July 2019

## 3. **Relevant Site History**

UK	T02027	REFURBISHING EXISTING RETAIL STORE, AMENDMENTS TO SHOP FRONT, REMOVAL OF EXISTING FASCIA SIGN.
UK	T03054	THE HOLDING OF A MARKET ON TUESDAY OF EACH WEEK
UK	T14915	CHANGE OF USE TO TEA ROOMS
UK	T15999	REFURBISHMENT OF PREMISES AND NEW SHOPFRONT
UK	T16031	SHOP FASCIA SIGN
UK	T16038	CHANGE OF USE TO RETAIL
UK	T19313	CHANGE OF USE OF PART OF GROUND FLOOR TO COFFEE SHOP
F	0560/2002	Sites for licensed street trading
F	0688/2003	Change of use from A1 to A3 for part of ground floor
F	0047/2008	Permission to consider use of highways for street cafe trading subject to restrictions and regulations imposed in Staffs County Council control of commercial obstruction in highway

## 4. **Consultation Responses**

4.1. **TBC Conservation Officer**

No objections subject to conditions:

*The application site is located within the Tamworth Conservation Area*

*The application site is within the setting of designated heritage assets*

Comments

*I saw an earlier proposal for the shopfront and made some observations regarding the doorway and balanced frontage. The suggestions made have been incorporated into this final scheme, and I make no objection to the principle of the replacement shopfront. Positive elements are the recessed doorway and regular rhythm of the windows. It is a shame that the doorway could not be positioned centrally, but I understand the reasons for this.*

*The repair to the front elevation brickwork may allow for alternative repair options to be proposed once the existing covering is removed. There is evidence that the lintels remain, and that the windows were slightly longer, which may be an option for floor to ceiling windows to be installed on the first floor.*

*I make no objection nor comment to the proposals for alterations to the rear elevation. I can only open the first page of documents on the website, so I am unable to confirm if window, door and shopfront profiles have been submitted – if not, I suggest they are conditioned, including stall riser detailing and paint colour.*

4.2. **TBC Environmental Health Officer**

No objection subject to condition

*Environmental Protection have the following comments to make on this consultation.*

Condition:

No fixed plant and/or machinery shall come into operation until details of the fixed plant and machinery serving the development hereby permitted, and any mitigation measures to achieve this condition are submitted to and approved in writing by the Local Planning Authority. The rating level of the sound emitted from the site shall not exceed 44dBA between 0700 and 2300 hours and 40 dBA at all other times. The sound levels shall be determined by measurement or calculation at the noise sensitive receivers with all machinery operating at design duty. The measurement and/or calculations and assessment shall be made according to BC 4142:2014+A1:2019. Approved details shall be implemented prior to occupation/use of the development and thereafter be permanently retained.

4.3. **TBC Town Centre/Tourism Team**

No objection

*With regards application 0222/2022, the Economic Development and Regeneration Service at Tamworth Borough Council fully supports these plans.*

*The building is currently and has been for a number of years, vacant, and sits in a prime area of the Town Centre. The shape, condition and multi level aspect of the building are awkward and as such it has been difficult to attract appropriate end users, due to the wider implications of resolving these issues.*

*This application represents an excellent opportunity to bring back into economic use an attractive building in a street of similar properties. In turn by unlocking this site, for development, it allows the building over the road to be demolished enabling a greater view of the Castle Grounds / The Town Hall and celebrates the historical architecture surrounding the Castle Walls and former gatehouse. This in turn should create a more attractive street scene that will attract other users and uses.*

4.4. 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.

4.5.

## **5. Publicity and Additional Representations**

- 5.1. As part of the consultation process adjacent residents were notified and a press notice and site notices were erected. No comments received.

## **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**

- 7.1. The key issues to be considered at this stage are:
- Principle
  - Character & Appearance
  - Historic Environment – Consideration of harm to the character and appearance of the conservation area and the significance of the surrounding listed buildings
  - Noise and Disturbance
  - Construction Management

### **Principle**

- 7.2. The proposals are related to a town centre use that does not require planning permission. This complies with Tamworth Local Plan Policy EC1 'Hierarchy of Centres for Town Centre Uses' that defines the hierarchy for the location of development involving town centre uses, prioritising Tamworth Town Centre as the key focal point where development including retail, services and leisure uses should be concentrated.
- 7.3. Policy EC2 'Supporting Investment in Tamworth Town Centre' specifically relates to development in the Town Centre. The policy states that "the regeneration and economic development of the town centre is seen as a key Council objective and driver to the wider regeneration of Tamworth." The policy outlines the importance in the protection and enhancement of heritage assets within the town, stating that they "assist in defining Tamworth's unique streetscape, fostering local distinctiveness and preserving local character." Clearly the proposals aim to improve a heritage asset.
- 7.4. Chapter 6 of the National Planning Policy Framework 2021 (NPPF) focuses on building a strong, competitive economy. Paragraph 81 elaborates that "*significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.*"
- 7.5. Chapter 7 aims to ensure the vitality of town centres outlining that planning policies and decisions should support the growth, management and adaptation of town centres given their importance to local communities.
- 7.6. It is noted that the Council's Economic Development and Regeneration Service at Tamworth Borough Council fully supports the plans, noting that the building is currently vacant and has been for a number of years, and sits in a prime area of the Town Centre. The shape, condition and multi-level aspect of the building are awkward and as such it has been difficult to attract appropriate end users, due to the wider implications of resolving these issues. This application represents an excellent opportunity to bring back into economic use an attractive building in a street of similar properties.

- 7.7. It is also of note that in turn by unlocking this site for development, it allows the Future High Streets project to progress. The existing building society opposite can be demolished enabling a greater view of the Castle Grounds. This in turn should create a more attractive street scene that will attract other users and uses.
- 7.8. The application relates solely to the external physical works and no change of use is proposed. Although internal conversion works are also being undertaken, these do not require planning consent. The proposals are therefore fully supported by the policies above for an appropriate town centre use.

### **Character and appearance**

- 7.9. Tamworth Local Plan 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.
- 7.10. Policy EN6 – Protecting the Historic Environment indicates that the proposed development should enhance or preserve the area as a whole:

*Development that affects designated heritage assets including conservation areas, listed buildings, scheduled monuments and non-designated heritage assets including locally listed buildings and undesignated archaeology, will be required to assess the impact of the development on the asset through a heritage statement and statement of significance and clearly demonstrate how the significance, including its setting, will be protected, conserved and, where possible, enhanced. Where sites are located in a conservation area or an area of high archaeological potential, particularly the historic town centre core, the Council's Conservation Officer and Staffordshire County Council Environment Team (Historic Environment) should be consulted at an early stage. Proposals will be required to pay particular attention to: a) the scale, form, height, massing, detailing and materials of the development, the existing buildings and physical context to which it relates. b) historically significant boundaries, street layouts, open spaces, landscape features and structures identified in the conservation area appraisals including walls, railings, street furniture and paved surfaces. c) important views of listed buildings, scheduled monuments and historic townscape as identified in the conservation area appraisals..... 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. Non-designated assets, including local listing and archaeology, will be a material consideration in determining planning applications, with weight given to their significance and contribution to their environment. The Council will support the conservation and enhancement of locally listed buildings and will review the local list in consultation with the public.*

- 7.11. The works to Nos. 12-13 Market Street are listed above and essentially comprise of retention of the façade but with a redesigned conservation shopfront, retention of the roof, new windows to the rear elevation and a replacement single storey extension to the rear of the property.
- 7.12. The proposal will not have a significant impact on the character and appearance of this locality for the following reasons:
- The proposed development is largely for internal alterations to the locally listed building that do not require planning permission. The alterations for consideration are outlined above, whilst materials and joinery details of the new windows still need to be submitted and this will be conditioned, however the principle of the new frontage and windows have been assessed by the Conservation Officer and has expressed no objection to this element which will improve its appearance within the street.
  - No aspect of the proposed development will harm the historic environment and the Conservation Officer has expressed that she has no objection to any element of the proposed alterations. The proposed development is therefore considered to be acceptable and is compliant with Policies EN5 and EN6 of the Local Plan.

- Materials and details such as the finished colours and render to be used will be conditioned and will be dealt with via a further discharge planning application.

### **Historic Environment - Consideration of harm to the character and appearance of the conservation area and the significance of the surrounding listed buildings**

- 7.13. The impact on heritage is focused mainly on the designated heritage assets of the Tamworth Town Conservation Area and the Grade II\* and II listed buildings in the building's setting, and to the non-designated locally listed building itself.
- 7.14. In determining any planning application on heritage matters, special attention shall be paid to the desirability of preserving listed buildings and preserving or enhancing the character or appearance of conservation areas as set out in sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 7.15. In addition, for the determination of planning applications affecting heritage assets Chapter 16 of the NPPF 2021 supports the conservation and enhancement of historic environments where paragraphs 127 and 184-202 are relevant. In particular, paragraph 189 highlights the importance of conservation, stating that historic and heritage assets are "an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations."
- 7.16. All significant elements that make up the historic environment are termed heritage assets, defined as 'a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest'. They include 'designated assets', such as listed buildings or conservation areas, 'non-designated assets', such as locally listed buildings, (as in the application site) or those features which are of heritage value. The setting of a heritage asset provides its physical context, reflecting the townscape or landscape character around it. It can contribute both positively or negatively to the significance of a site and can provide evidence of the historic context of a place.
- 7.17. The policies within the NPPF emphasise the need for assessing the significance of heritage assets and their setting in order to fully understand the historic environment and inform suitable design proposals for change to significant buildings. The document also requires that the impact of development proposals which affect heritage assets is assessed.
- 7.18. The site is located on one of the medieval streets of Tamworth to the north-west of the Town Hall. The pedestrianised streets which go either side of the Town Hall create a triangular open area which forms the buildings' immediate setting. This includes a Grade II listed 1853 statue of Sir Robert Peel.
- 7.19. The application site is located between No.11 Market Street, Tamworth Toolbox, which is a two-storey brick building of similar age and No.14 which is a vacant 20th century brick fronted shop of one storey with a flat roof and fully glazed ground floor shop windows.
- 7.20. The proposals for the site at 12 and 13 Market Street include the removal of the current shop front. This is a late 20th century shopfront that replaced earlier versions. Its removal therefore has a negligible impact on the character of the building and the Conservation Area. The replacement shopfront has been designed to be a traditional timber shopfront in an historic style, with stall riser, fascia, flanking pilasters and corbels, and glazing subdivided by timber mullions. The shopfront will integrate with the character of surrounding historic buildings, such as Nos. 26-30 on the south side of Market Street that also have either historic shopfronts or modern shopfronts in a traditional design. This will enhance the coherency of the marketplace and have some beneficial impact.
- 7.21. As Nos. 12-13 Market Street is a locally listed building, within the Tamworth Conservation Area and in the setting of other listed buildings, the impact of any proposed development needs to be assessed. The significance of the buildings and their setting within the Conservation Area are detailed within the supporting Heritage Statement. Significance is 'an understanding of what makes a place special'. The statement also assesses the contribution to the setting of nearby listed buildings and considers the impact of the development proposed on both the conservation area and the listed buildings and other heritage assets. It concludes that the overall impact of the proposed works is positive and that the application proposals accord with the requirement to preserve or

enhance the character and appearance of the conservation area and the settings of the relevant heritage assets.

- 7.22. The re-use of historic buildings is strongly supported by heritage policy and guidance, which under the terms of the NPPF must be accorded substantial weight in any decision. Paragraph 197 states: *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.*
- 7.23. Tamworth Borough Council's Local List summarises the significance of Nos. 12-13 Market Street: *"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."*
- 7.24. As the building is not statutorily listed, there is no requirement to preserve the building, although preserving or enhancing the character of the conservation area is necessary. The proposed new shopfront and windows to the frontage will be in suitable traditional materials and of a more traditional design than the existing and as such will enhance the character of the building. The internal works have no impact and at the rear the new windows and replacement extension will serve to enhance the building and although not in view of the street, they will enhance character in the conservation area generally and tidy up a currently vacant site.
- 7.25. The submitted heritage statement in its section on significance describes Nos. 12-13 Market Street *is an example of a late-eighteenth century building which has likely been in commercial use since at least 1790 and probably much earlier, with domestic quarters above. The burgage plot form demonstrates earlier medieval town layout. The original internal structure survives in part and what remains illustrates how the building was constructed and laid out, with an interesting, mirrored layout of two properties. The upper floors retain several historic features.*
- 7.26. The rear elevation has modern deteriorating render, inappropriate uPVC windows and unsympathetic additions such as the fire escape and ladder. All these unsympathetic additions and the uPVC windows will be removed. The two second floor windows and the modern first floor door will be removed and rendered over, while other first floor windows will be replaced with new timber window frames. Two new windows to the same design will also be added on the left-hand side of the first floor and one on the right-hand side of the ground floor. The replacement timber frames to the existing windows will be a great improvement to the aesthetic appearance of the building, with the façade also being improved in terms of its decorative condition. These changes to the rear elevation will therefore have a low beneficial impact on the character of the locally listed building and Conservation Area.
- 7.27. The current rear extension is entirely modern, except for the east wall. The east wall is retained, and the rest is demolished. The new rear extension will be wider than the existing, but this has already been widened in the past and the passageway beside it and yard beyond is retained, ensuring the historic burgage plot is not completely infilled to the rear of the main building. Red brick is used as the wall material, which is more in-keeping with the typical materials of the Conservation Area than the current render. The extension will be an improvement in quality than the current range.
- 7.28. Using established methods for assessing significance, the statement suggests that these elements of significance have **medium** value overall. The aesthetic value of the building has been diluted through changes over time, with the front elevation having low value, the rear elevation neutral to detrimental, the internal ground floor detrimental value and the internal upper floors low to medium value.
- 7.29. The proposed scheme is therefore concluded to cause 'less than substantial' harm to the character and appearance of the conservation area. Paragraph 194 of the NPPF requires 'clear and convincing' justification for any harm caused with great weight given to the asset's conservation. - Paragraph 196 states: Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.



- 7.30. The above specified policies of the Local Plan and accompanying guidance also seek to preserve the character and appearance of the streetscape and ensure design and materials are appropriate for the historic environment.
- 7.31. The Conservation Officer was consulted to assess the potential impact of the alterations on the historic environment and proximity to other listed buildings. The Conservation Officer has stated she has no objections to the proposed development subject to additional information being submitted in respect of details and materials. The additional information will be provided via a pre-commencement condition.
- 7.32. The main harm caused as a result of the development is the (removal of internal walls), extension and the insertion of shopfront and new windows in a locally listed building. The proposed development has been assessed by the Conservation Officer, who has no objections, and I am satisfied that the scheme would go some way to preserving elements of architectural and historic interest and be in accordance with the requirements of Section 16 and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Policy EN6 of the Local Plan. The proposed development will generate less than substantial harm to the listed building with substantial benefits in commercial re-use. Therefore, the proposed development is deemed to be acceptable.
- 7.33. Overall, the external changes to the front elevation will serve to give the building a more attractive historic character that better blends with other historic buildings on the marketplace, as well as providing more suitable conservation materials that will ensure the long-term condition of the building. The changes will have an overall beneficial impact on the locally listed building, Conservation Area and listed buildings within the setting of the site.
- 7.34. The alterations to refurbish Nos. 12-13 Market Street will have some beneficial impact on the external character of the locally listed building, on the setting of the adjacent listed buildings and on the character and appearance of the Tamworth Town Conservation Area. Though there is some removal of historic fabric, the changes will allow the building to have a sustainable future and be brought into good condition. The external changes to the rear improve the currently unattractive rear elevation and extension, while the alterations proposed for the front elevation are sympathetically designed with a new traditional timber framed shop front, timber sash or casement windows and re-rendering in lime mortar. These are all features which are typical of historic buildings within the Conservation Area. Their improvement in appearance and quality will therefore enhance the character of the Conservation Area and the setting of the listed buildings in the vicinity.
- 7.35. In addition, Tamworth Local Plan Policy EN6 supports proposals that promote the use of vacant, under-used historic buildings, including necessary and appropriate changes. The occupation of the building also supports the objectives of the Conservation Area Management Statement 2016 which identifies the negative impact that long term vacancy can have on the condition of a heritage asset.

### **Noise and Disturbance**

- 7.36. Given the nature of the intended use as a building society, there are no impacts associated with the use that are likely to give rise to adverse environmental effects.
- 7.37. The only issue requiring assessment in this regard is the future installation of replacement rooftop plant on the rear single storey extension. This is on an area of flat roof defined in the application plans and it not likely therefore, to have any visual or other impact on the wider town centre or street scene.
- 7.38. In order to ensure that such plant does not have an adverse impact on the local noise environment for nearby residential uses identified to the rear on Church Street and further along Market Street, an acoustic assessment has been carried out and forms part of the application documents. This has assessed existing background noise levels at day and night-time and has recommended noise levels based on these background noise levels which can be secured by planning condition. This will ensure that there is no material adverse impact on the local noise environment or sensitive receptors.
- 7.39. The Environmental Health Officer has no objections subject to a condition requiring details of any plant and machinery to be approved prior to occupation or use, which would not therefore prevent refurbishment works commencing first and is in accordance with policy EN5: Design of New Development as set out in the Tamworth Local Plan 2006-2031.

7.40. Construction and refurbishment works have the potential if unmitigated, to impact on the amenities of adjacent business occupiers and local residents. Hence, a range of measures are proposed based on well recognised methods, to ensure that during construction the environmental and amenity impacts of the works are managed and minimised. The application is supported by a Framework Construction Environmental Management Plan (CEMP) and Framework Construction Transport Management Plan (CTMP). The approved contractor who carries out the work on the site will be required to prepare a detailed CEMP and CTMP under the general terms of the submitted document, in order to ensure that environmental impacts during construction are minimised. This includes elements such as working hours. A condition is therefore added below.

## **8. Conclusion**

- 8.1. The alterations to refurbish Nos. 12-13 Market Street will have a beneficial impact on the external character of the locally listed building, on the setting of the adjacent listed buildings and on the character and appearance of the Tamworth Town Conservation Area. Though there is some loss of historic fabric, the changes will allow the building to have a sustainable future and be brought into good condition. The external changes to the rear improve the currently unattractive rear elevation and extension, while the alterations proposed for the front elevation are sympathetically designed with a new traditional timber framed shop front, timber sash or casement windows and re-rendering in lime mortar. These are all features which are typical of historic buildings within the Conservation Area. Their improvement in appearance and quality will therefore enhance the character of the Conservation Area and the setting of the listed buildings in the vicinity.
- 8.2. In addition, the improvements will bring a vacant building back into a sustainable use appropriate to the town centre, whilst any harm to the amenities of any residential properties from noise and disturbance can be suitably mitigated with appropriate conditions applied.
- 8.3. . The proposed development will generate less than substantial harm to the locally listed building and Conservation Area, with substantial benefits in sympathetic refurbishment and commercial re-use.

## **9. Recommendation**

Approval subject to conditions

### **Conditions / Reasons**

#### **1. Start of development**

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. Compliance with plans/approval**

The development hereby approved shall only be carried out in accordance with the application form, the supporting letter and drawing numbers

1400 - E GF

1401 - E 1<sup>ST</sup>

1402 - E2ND

1403 – EROOF

1410 - E SECTION

1420 - E ELEVATIONS

1430 – D GF

1431 - D 1<sup>ST</sup>

1432 - D2ND

1433- DROOF

1440 – D SECTION

1450 - D ELEVATIONS

1460 - Site Location Plan

1461 – Site Block Plan

2400 - P GF  
2401 - P 1<sup>ST</sup>  
2402 - P 2<sup>ND</sup>  
2403 - P ROOF  
2410 – P SECTION  
2420 - P ELEVATIONS

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

### **3. Materials-Details**

Prior to the commencement of the proposed works, full details of the following shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and retained in perpetuity, unless further consent in writing is given by the Local Planning Authority.

- i) Full details of all external materials;
- ii) Full details consisting of sections at a minimum scale of 1:5 and elevations at 1:20, of all external joinery including fenestration and doors and proposed exterior finish;
- iii) Full details of render
- iv) Full details of rainwater goods, their materials, colour and designs.

Reason: To ensure a satisfactory external appearance to the development in accordance with policy EN5: Design of New Development as set out in the Tamworth Local Plan 2006-2031.

### **4. Noise**

No fixed plant and/or machinery shall come into operation until details of the fixed plant and machinery serving the development hereby permitted, and any mitigation measures to achieve this condition are submitted to and approved in writing by the Local Planning Authority. The rating level of the sound emitted from the site shall not exceed 44dBA between 0700 and 2300 hours and 40 dBA at all other times. The sound levels shall be determined by measurement or calculation at the noise sensitive receivers with all machinery operating at design duty. The measurement and/or calculations and assessment shall be made according to BC 4142:2014+A1:2019. Approved details shall be implemented prior to occupation/use of the development and thereafter be permanently retained.

Reason: In the interests of residential amenity in accordance with policy EN5: Design of New Development as set out in the Tamworth Local Plan 2006-2031.

### **5. Construction Vehicles**

Before development commences a Construction Environmental Management Plan (CEMP) and Construction Transport Management Plan (CTMP) shall be submitted to and approved by the Local Planning Authority. The CEMP and CTMP thereafter approved shall be adhered to for the complete duration of the construction programme.

Reason: in the interests of amenity and highway safety in accordance with Policy EN5:Design of New Development and Policy SU2: Delivering Sustainable Transport as set out in the Tamworth Local Plan 2006-2031.

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