

PLANNING COMMITTEE

4th October 2022

APPLICATION FOR CONSIDERATION

REPORT OF ASSISTANT DIRECTOR - GROWTH & REGENERATION



Application Number:	0262/2022
Development:	Redevelopment to provide a new 4 storey college building (Class F) with associated servicing and plant
Location:	Co-op Department Store, 5 Colehill, Tamworth, B79 7HA

1. Site location and details

- 1.1. Planning permission is sought for the: “Redevelopment to provide a new 4 storey college building (Class F - Learning and non-residential institution), with associated access, servicing and plant”.

Location and existing site and buildings

- 1.2. The site is approximately 2,805 sqm and positioned on a prominent corner opposite St Editha’s Church and fronting St Edithas square. The site abuts the original Tamworth Co-Operative Society headquarters building at 5 Colehill, constructed in two phases in 1897 and 1903, which is three storeys and locally listed due to its original, decorative façade. The site is bounded by roads and pedestrian footways to the east, north and west formed by College Lane, Church Street and Colehill. Colehill runs north-south at the east end of Church Street. It is pedestrianised to the north of the site entrance, with the pedestrian zone including Church Street and College Lane, with the surface denoted in brick and concrete paving.
- 1.3. St. Editha’s Square lies to the west and is surrounding by other late-20th century buildings which form the Middle Entry precinct. Between St. Editha’s Square and the department store is College Lane. The former Co-operative Society headquarters is located to the east of the department store, being attached to it and linked by internal openings.
- 1.4. The existing 1950’s/60’s Co-op store is 3-storeys with an additional basement level that opens out at ground level to the south due to the steep level change across the site. The building also has a frontage onto College Lane to the west, which forms a junction with Church Street on the corner of St Editha’s Square, and facades onto Church Street and the square.
- 1.5. The ground floor has floor to ceiling glazed shopfronts. The first and second floors are a mixture of render and red brick with long horizontal ranges of metal framed windows. Detailing includes metal fins fixed to the sides of the top floors. The rear elevations to the south and east are plainer, consisting of red brick with some windows. There is a small service yard to the rear which is accessed from Colehill. Sections of the top floor of the building can be seen from Colehill adjacent to the Co-operative Society headquarters. The surrounding buildings range in 2-3 storeys. However, due to the existing site being a 3-4 storey building on high ground, the site is prominent from all sides, particularly from the historic landmarks of the Castle and the Church.
- 1.6. The existing building is unfit and inappropriate for retrofit or conversion into academic space. Therefore it will be demolished to make way for the new facilities.

Proposals

- 1.7. The proposed development comprises a new four-storey building with a floorspace of approximately 6,916 sqm (GIA) on land at the corner of College Lane and Church Street, with service access from Colehill, and will replace a previous extension of the former Co-Op store, where demolition has recently been approved.
- 1.8. This proposal is to provide a new location for the South Staffordshire College Tamworth Campus, relocating from Croft Street/Upper Gungate approximately 0.5 miles to the north of the town centre, and the automotive/construction elements of TORC campus approximately 3 miles from the town centre, to a single site. The college currently caters for school leavers and adult learners, offering a range of academic and vocational subjects, full-time and part-time courses, and evening classes. TORC Campus specialises in practical and professional subjects of the construction sector. Both the buildings are ageing and do not meet current educational needs, limiting flexibility in learning provision and are increasingly difficult and costly to maintain. The footprint of the proposed building sits on a similar line as the existing building’s north and west elevations. These elevations follow the line of the historic street frontages on Church Street and College Lane. To the south, the footprint of the building will be reduced to create service space. The proposed building has four storeys which creates a taller building than at present, however principally, the fourth floor will be set back from the main elevation and its massing broken up with pitched north-light roofs. The site will also have a basement / lower ground floor providing space for engineering and construction facilities and utilising the previous basement space.

- 1.9. The site features constraints of nearby listed buildings: St. Editha's Church (grade I listed), other neighbouring grade II listed and locally listed buildings; a conservation area; St. Editha's Church and Church Street Character Area; archaeological remains with potential archaeological interest below site; and is within a shopping area & primary shopping frontage.
- 1.10. The main considerations include the sensitive historic site context in combination with a highly prominent location in Tamworth; the wider context of the planned regeneration of the town centre – (within the Future High Streets Fund Regeneration Scheme); the opportunities to support town centre renewal and the opportunity for a building that responds positively and flexibly to changing education needs.

2. Legislation and Policies

Planning (Listed Buildings and Conservation Areas) Act 1990

2.1. National Policies:

National Planning Policy Framework (NPPF) 2021
National Planning Policy Guidance (NPPG)

2.2. Local Plan Policies:

- SS1 - The Spatial Strategy for Tamworth
- SS2 - Presumption in Favour of Sustainable Development
- EC1 – Hierarchy of Centres for Town Centre Uses
- EC2 – Supporting Investment in Tamworth Town Centre
- EC3 – Primary and Secondary Frontages
- EN5 - Design and New Development
- EN6 - Protecting the Historic Environment
- SU2 - Delivering Sustainable Transport
- SU3 – Sustainable Design
- SU4 - Flood Risk and Water Management
- SU5 - Pollution, Ground Conditions and Minerals and Soils
- SU6 - Community Facilities
- IM1 - Infrastructure and Developer Contributions
- Appendix C - Car Parking Standard

2.3. 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 Supplementary Planning Documents July 2019

3. Relevant Site History since 2000

0150/2022	Demolition of rear post-war extension of former Tamworth Co-Operative Society building – approved 28.07.2022
0236/2022	refurbishment of 5 Colehill - approved 11.07.2022

- 3.1. There have also been a significant number and variety of applications related to signage, external changes and uses on the site, which reflect minor changes over time. The only significant application relating to the way in which the land is used, is listed above.

4. Consultation Responses

- 4.1. Whilst every effort has been made to accurately summarise the responses received, full copies of the representations received are available to view at <http://planning.tamworth.gov.uk/northgate/planningexplorer/generalsearch.aspx>
- 4.2. The consultation responses comments are précised and if conditions are proposed these are included within the conditions at the end of the report unless stated otherwise.
- 4.3. **TBC Conservation Officer**

*I make **no objection** to the proposal. I have reviewed further information is provided on heights and interface with the existing building that will remain to the east elevation and consider the impact to be acceptable.*

Background

The application site is located within the Tamworth Conservation Area.

The application site is located in very close proximity to Designated Heritage Assets in the ancient part of the settlement, including the [Grade I Church of St Editha](#) and [Scheduled Ancient Monument Medieval Deanery, Lower Gungate](#)

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

Proposal

The proposal seeks permission to erect a college building within the footprint of the former Co-operative site (subject to a separate application for demolition).

Historic Environment Considerations

I have assessed the character of the proposed building in its entirety. Whilst the existing Co-op building may not be of the ideal appearance for today's requirements, it has some positive architectural details, namely:

- *The horizontal architectural focus.*
- *The attention to horizontal detailing of the original building and the incorporation of these details into the extension.*
- *The subservience of the extension to the height of the original Co-op building.*
- *The horizontal blocks of the extension, being a phase of three, roughly the same width of the original north elevation of the Co-op building; creating a horizontal rhythm.*
- *The subservience in height of the extension to the church.*
- *Whilst large, it is not a bold architectural piece. It is not competing for attention in design, materials or status. It does not dominate the square. The church remains the elevated, dramatic, architectural dominant building.*
- *There is a clarity in the entrance, 'back of house' space and relationship to the square.*

I have viewed this proposal at application stage only, and do not have the benefit of the pre application development stage. I did have some initial concerns with some of the architectural concepts. Having had a design meeting, some of my concerns have been addressed, either through discussion or with amended drawings.

Design comments:

I raised concerns about the north-west elevation corner roofline section. I understand the concept but was unconvinced by the block 'weight' in visual terms and prominence.

The interface with the existing Co-op roofline remains an aspect that I do not have full understanding of. There are many changes taking place; the height difference, the change in angles, alignment, materials, and dominance.

I take on board the comment about burgess plots and the rationale for a vertical rhythm on the north elevation facing the church. This is a design matter, more so than heritage impact, but I remain unsure by the style/shape/material. Having produced an elevation focussing on a vertical alignment, the third-floor window has horizontal emphasis.

I think it is unfortunate that the window sizes include a section of suspended ceiling or floor detail, requiring varying blank panels.

I appreciate the additional detail provided on brick detailing – allowing for light and shade and texture to the building. I consider this to a positive feature.

The recently submitted drawings have provided further clarity on the fenestration of the west elevation, thank you.

Impact on the historic environment:

I have been provided with height comparisons between the college and church. I have reviewed further information is provided on heights and interface with the existing building that will remain to the east elevation and consider the impact to be acceptable.

Consideration of Harm

It is my assessment that the proposal would result in less than substantial harm (low-medium). This takes into account the existing building, and the requirement to preserve or enhance the character and appearance of the Conservation Area.

It is my (provisional) assessment that no substantial impact would result in addition to that which results from the existing building on this site.

I remain cautious on the design concept and do consider that there is a level of harm resulting to the setting of designated heritage assets. However, I consider this to be less than substantial harm (low), given the existing building on the site (and taking into account the requirement to preserve or enhance).

Conclusion

*I make **no objection** to the proposal. I have reviewed further information is provided on heights and interface with the existing building that will remain to the east elevation and consider the impact to be acceptable.*

4.4. TBC Planning Policy and Delivery Team

The subject site is located within the designated town centre boundary, as identified on the Policies Map which accompanies the Local Plan. Under Policy EC2, we would support investment within this area, and recognise how the proposed development would contribute to the future role and viability of the town centre. The existing building has been vacant for some time, and revitalisation of the area would be supported.

We wish to note a brief reference to Policy EC3 (Primary and Secondary Frontages) in the adopted Local Plan. This policy is no longer in line with the NPPF, and as such, the requirements of Policy EC3 should not carry any significant weight in regard to this application.

*On account of the information provided, we have **no strategic objection** to the principle of the proposal, and recognise the benefits that the development would bring to the town centre area. Notwithstanding, the proposal must be able to demonstrate compliance with the wider policies of the Local Plan in order to be deemed acceptable.*

4.5. TBC Environmental Health Officer

No objections subject to conditions

Policy

The development plan for Tamworth is currently the Tamworth Local Plan 2006-31 which states that at EN5 Design of New Development:

g) Minimise or mitigate environmental impacts for the benefit of existing and prospective occupants of neighbouring land. Such impacts may include loss of light, privacy or security or unacceptable noise, pollution, flooding or sense of enclosure

Regard should also be given to the relevant part of the National Planning Policy Framework (NPPF) including: Chapter 12 – Achieving well-designed places

Chapter 15 – Conserving and enhancing the natural environment

The following reports were reviewed by Environmental Protection:

South Staffordshire College Phase 1 Study January 2022 2118-A2S-XX-XX-RP-Y-0001-00

South Staffordshire Geotechnical design report July 2022 2118-A2S-XX-XX-RP-Y-0002-00

Proposed South Staffordshire College Building College Lane Tamworth B79 7LP

Transport Statement on behalf of South Staffordshire College 2022/6546/TS01 May 2022

Proposed South Staffordshire College Building College Lane Tamworth B79 7LP

Travel Plan on behalf of South Staffordshire College 2022/6546/TS01 May 2022

Conclusion: Acceptable with conditions below.

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

No work, no construction site machinery or plant shall be operated, no process shall be carried out, and no construction related deliveries taken at or dispatched from the site except between the hours of 8am-6pm Monday to Friday and 8am-1pm Saturday and not at any time on Sundays, Bank or Public Holidays

Dust

The development shall not be commenced until a scheme specifying the provisions to be made to control dust emanating from the site has been submitted to and approved in writing by the local planning authority. The agreed scheme shall then be implemented in full.

Contaminated Land

The recommendations of South Staffordshire Geotechnical design report July 2022 2118-A2S-XX-XX-RP-Y-0002-00 should be implemented.

The specification of new water supply pipes installed as part of the proposed development should be agreed with the utility provider. PE specification pipework may not be acceptable.

Site-won soils are suitable for re-use within the proposed development without additional chemical testing. However, if import of soils and aggregates is required from off-site then only suitable materials should be incorporated into the permanent works.

No waste materials should be imported, and it may be required to develop a Materials Management Plan (MMP) in accordance

A watching brief for unexpected contamination should be implemented during the groundworks.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with local planning policy.

4.6. TBC Town Centre/Tourism Team

No objection - *As Head of Service for Economic Development and Regeneration I have the following comments about the planning application for the new college building in the Town Centre.*

I strongly support this development for the long-term opportunities it will be catalyst for. The Town Centre has not seen significant investment in buildings, both for new build or in terms of substantial reinvestment and repurposing in nearly 30 years, since the completion of phase 2 of Ankerside. This development represents a once in a generation opportunity to remove a vacant, derelict, aesthetically poor building and replace it with a use that will build vibrancy back into the town centre.

The current co-op building is unfit for any significant use in its current form and is not attractive to other uses. The College will bring a completely new building, into the heart of the Town Centre, showcasing what the town has to offer and giving confidence to other landowners and investors that Tamworth Town Centre is a place to invest. This significant show of confidence, through this investment and the direct additional footfall of students and staff, directly into the heart of the Town Centre will undoubtedly change the demographic of users, immediately increase footfall and inject a level of increased additional spend to surrounding uses classes. This investment will be a catalyst for future new business users and hopefully allow current users to improve or enhance their offer to meet the needs of the new users.

4.7. Staffordshire County Council Highways

RECOMMENDATION: There are **no objections** on Highway grounds to the proposed development subject to the following conditions being included on any approval:

SITE CONTEXT: The application site is located in Tamworth Town Centre to the east of College Lane, south of Church Street and west of Colehill. It comprises the former extension to the Co-op Department Store which is subject to demolition granted under Tamworth Borough Council (TBC) Ref. 0150/2022, granted 28/07/2022. College Lane (road number ZU6002), Church Street and Colehill (both with road number ZU6001) are unclassified roads subject to a 30mph speed limit. However, all three carriageways form part of the pedestrianised town centre area with the northern section of Colehill and both Church Street and College Lane subject to vehicle restrictions, except for loading, from midnight to 11am and 3pm to midnight. Entry to the vehicle restricted area is controlled by rising bollards; however, these are not currently operational. The carriageways are lit with footways on both sides. College Lane and Church Street lead to St. Editha's Square which amongst other events hosts market days on Tuesdays and Saturdays. Existing vehicular access to the application site is from Colehill, just south of the rising bollard system. There is also a servicing point to the existing building from College Lane. The application site is sustainably located in Tamworth Town Centre, close to town centre amenities and facilities. There are bus stops located on Victoria Road and Corporation Street, within 200m of the application site providing access to areas within Tamworth and Birmingham. Bus stops located slightly further away on Lichfield Street provide connectivity with Lichfield City Centre. Tamworth Rail Station is located approximately 750m to the north-east of the application site and provides connectivity with destinations including Stafford, Crewe, Birmingham New Street, Nottingham, Gloucester, Nuneaton, Leeds, London Euston, Bristol Temple Meads, Cardiff Central, Edinburgh and Glasgow Central.

PERSONAL INJURY COLLISIONS (PICs): Current records show that one PIC of slight severity was recorded within the vicinity of the application site for the previous five years, on College Lane. Although

all PICs are regrettable, the overall volume of collisions does not suggest there are any existing safety problems that would be exacerbated by the proposed development.

PROPOSED DEVELOPMENT: It is understood that the proposed development is for the redevelopment of the former extension to the Co-op Department Store building to form a new four-storey college building with associated servicing and plant. Ancillary facilities such as a hair dressers and café will also be included and accessible by the public. The development proposals will aid relocation of the South Staffordshire College campus from Croft Street to Tamworth Town Centre. It will also include the relocation of some of the facilities currently provided at the TORC campus which is located off Silver Link Road in Glascote Heath. Due to the town centre location of the application site, no car parking provision will be available on-site, with servicing to be provided via the existing access off Colehill. No servicing provision is proposed to be via Church Street or College Lane. The main pedestrian access to the new building would be from College Lane. Cycle storage facilities are proposed to be included adjacent to the building entrance and within the area to the rear of the building with access taken from Colehill. The development proposals include Stopping Up of a section of adopted highway on Church Street.

REVIEW OF THE PLANNING APPLICATION DOCUMENTS: The application site is located in a highly sustainable town centre location with good access by walking, cycling and public transport. It is recognised that some access to the application site will be required by car. Although there will be no car parking provision within the application site, there are several chargeable car parks located in close proximity to the application site including Spinning School Lane Car Park and NCP Gungate Car Park.

Following a review of the planning application documents, the main concerns raised were regarding the interaction of the proposed development with the adopted highway, insufficient details provided in the Travel Plan and insufficient details provided in the Outline Construction Management Plan. The drawings submitted in support of the planning application are lacking in detail although the visuals provided are helpful. Clarification was required regarding the proposed stopping up of highway (as indicated on Drawing No. 2022/6546/001 P3) as the Highway Authority generally requires pedestrian routes to be widened and not narrowed. Notwithstanding this, the applicant has provided some further detail for the need to stop up the section of highway which is related to the operational aspects of the college. As the surrounding highway is pedestrianised with vehicle restrictions in place, it is not considered that the proposed stopping up of highway would have an adverse impact on the surrounding highway, with sufficient width pedestrian routes available for use by the public and future users of the application site.

The impact of any proposed demolition and excavation activities on or adjacent the adopted highway were queried, especially a lower ground floor level is proposed and there is a concern that the footway and/ or carriageway on Church Street and College Lane may fail. No details regarding any structural surveys undertaken or how this aspect of the development was going to be address have been provided; however, it is considered that this detail can be dealt with via condition alongside the requirement for a Highway Works Agreement. Drawing No. SSC-ACG-XX-00-SK-A-2057 P1 Ground Floor Public Realm shows two new streetlights. These are the proposed relocations of two streetlights which are currently attached to the former Co-op Department Store building. The preference would be for the two streetlights to be attached to the new college building. Should this not be an option, the applicant will need to engage with our lighting contractor e-on to agree the location, specification for the lighting columns and place the order. Early ordering is required as the area will be without lighting for the duration of the demolition of the existing building, noting the reduced daylight hours over the winter period. I appreciate that the visuals provided with the planning application documents are indicative; however, several images show tables and chairs associated with the ground floor café located within the adopted highway. This would not be acceptable unless the relevant permissions from the Highway Authority were in place which the applicant is advised to obtain prior to commencement of the development. There is also reference to planting over the side of the new building and the inclusion of balconies. Any aspects of the development which overhang into the adopted highway would require approval from the Highway Authority.

A Travel Plan was submitted in support of the planning application which was considered to contain insufficient detail to be acceptable. It is imperative that a Travel Plan is fit for purpose and contains sufficient information and commitments measures to support the sustainable aspirations of a development. An updated Travel Plan has subsequently been issued by the applicant which has addressed the initial comments provided. The details provided regarding the proposed baseline mode share based on existing staff and student postcode data is welcomed.

An Outline Construction Management Plan has been submitted in support of the planning application. Initial comments have been addressed by the applicant in a subsequent revision; however, further details are required, namely the agent contact details, before the Construction Management Plan can be agreed. This can be dealt with via condition.

4.8. Lead Local Flood Authority Planning

Advice to LPA dated 16.09.2022 following submission of amended details and clarification

Whilst the LLFA is satisfied in principle that the proposed development may be approved, more detail will be required to discharge this condition. Detailed design of the proposed drainage system is to be submitted by the applicant to be reviewed and approved by the LPA in consultation with the LLFA, in order to discharge this condition.

The LLFA is satisfied that sufficient attenuation can be accommodated on site, despite various constraints, to achieve an acceptable discharge rate. Therefore in principle, **this development is acceptable**. We would like it to be noted that the LLFA is extremely supportive of the innovative SuDS design proposed by the applicant. Rainwater harvesting is to be strongly encouraged on developments, and this application is to be commended as it utilises such an innovative solution to mitigate other site constraints.

Condition

The development hereby permitted shall not be commenced until such time as a scheme to demonstrate satisfactory surface water drainage systems has been submitted to, and approved in writing by, the local planning authority. This should demonstrate:

- Submission of a full and completely satisfactory CCTV condition survey report of the surface water drainage system, particularly of all existing assets to be utilised. All significant defects with a grade defect above 2 will need to be appropriately rectified or remedied and satisfactory evidence of this remediation submitted.
- Surface water drainage system(s) designed in accordance with the Non-Statutory Technical Standards for sustainable drainage systems, (SuDS), (DEFRA, March 2015). • Sustainable Drainage Systems designed in full accordance with the Staffordshire County Council SuDS Handbook • Limiting the surface water run-off generated by all storm events up to, and including the 1 in 100 year plus 40% (for climate change) event, to 2 l/s.
- Provision of adequate attenuation flood storage on the site to a 1 in 100 year plus 40% climate change return period standard in full accordance with the requirements specified in 'Science Report Sc030219 Rainfall Management for Developments'.
- Detailed design (plans, network details and calculations), in support of any surface water drainage scheme including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus 40% (climate change), return period, critical duration storms.
- A satisfactory proposed final site levels plan, as well as a detailed pipe and manhole levels plan, indicating all appropriate cover levels and invert levels is to be submitted and approved.
- Details of the proposed rainwater harvesting system and its explicit relationship with the attenuation system, particularly levels.
- Plans illustrating the flooded areas and flow paths in the event of exceedance of the drainage system.
- Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water systems shall be maintained and managed for the lifetime of the development.
- Provision of an acceptable Construction Surface Water Management Plan or Construction Environment Plan for surface water drainage to ensure that surface water systems shall be maintained and managed during demolition and construction phases.
- Confirmation of which responsible body will maintain the surface water system over the lifetime of the development according to an acceptable maintenance schedule.
- Evidence of agreement between the applicant and Severn Trent Water Plc to discharge into the Surface Water Sewerage system.

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

4.9. **Severn Trent**

With Reference to the above planning application the company's observations regarding sewerage are as follows.

I can confirm that we have **no objections** to the proposals subject to the inclusion of the following **condition**:

The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is 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.

4.10. Historic England

Historic England Advice

The application site is located within the Tamworth Town Conservation Area in the setting of a number of statutory designated heritage assets, including the Grade I Church of St Editha, the Grade I Castle, and two scheduled ancient monuments: Tamworth Castle and the medieval deanery and college precinct north-east of St Editha's Church. Given the sensitive location we would draw your attention to the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 regarding listed buildings, conservation areas, and their settings, the Ancient Monuments and Archaeological Areas Act 1979 and sections 12 and 16 of the National Planning Policy Framework. We have also produced a detailed guidance note on setting and views that can be accessed from our web site.

As you will be aware, we met (virtually) with officers from your authority in July last year regarding the proposals for this site, and the wider aspirations for the town centre. Having considered the current proposals Historic England would have **no objection in principle** to the application. However, we would draw to your attention View 13 in the Heritage Impact Assessment, which is intended to demonstrate the view and potential impact of the proposals from Tamworth Castle. It would appear that the view used is derived from Google, and as such is over 6 years old. We would therefore recommend that you reassure yourself that this is an accurate reflection of the existing, and proposed, situation. This is obviously a very sensitive location, and the success of the final scheme will be heavily dependent on the quality of materials, architectural detailing and finishes. Furthermore, as highlighted in paragraph 135 of the NPPF, it is also important that local planning authorities seek to ensure that the quality of an approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme. We would therefore strongly recommend that your conservation and design advisers pay particular regard to this aspect of the proposals, both at this stage and as part of any future discharge of condition applications and implementation.

Recommendation Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

4.11. Rural County (Environmental Advice) Staffordshire County Council

This letter outlines the response of Staffordshire County Council's Historic Environment Team regarding the historic environment/archaeological implications of the proposals.

Historic Built Environment Interest Please note, this advice focusses on the below ground archaeological issues with regards to the application. I am happy to defer to the knowledge and experience of your Conservation Officer colleague and Historic England with regards to the potential impact of the proposals on the Tamworth Town Centre Conservation Area and nearby listed and locally listed buildings, and perhaps also provide advice on the appropriate means of protecting and enhancing the historic stone wall at the southern boundary of the site.

Archaeological Interest I have reviewed the application against the information held by the Staffordshire Historic Environment Record (HER) and associated datasets such Rural County (Environmental Advice) as historic Ordnance Survey mapping and the Tamworth Extensive Urban Survey (EUS- search for Extensive Urban Survey on the county council website for more), and the comprehensive Heritage Impact Assessment (HIA) Statement submitted in support of the application. Whilst the HER doesn't record any known heritage assets within the application site, a review of the EUS has shown that there is considerable potential for archaeological deposits of some significance of an early medieval (relating to the Mercian and burh phases of occupation), medieval, and later date being encountered by groundworks in this area, and that it may also be that survival of such archaeological deposits or islands of survival are present beneath areas of 20th century development. The EUS, which notes that the application site was occupied by burgage plots from the medieval period onwards, also highlights the potential for extant historic buildings to retain earlier fabric relating to their origins and function and thus further inform our understanding of the historic development of the town.

Historic Ordnance Survey mapping shows that the application site was occupied by a series of much smaller properties prior to the construction of the current building from the 1950s onwards. One of these is recorded as a swimming baths from the late 19th century, whilst Staffordshire Past Track identifies the building immediately adjacent to the original Co-op building as being the Old Paregoric Shop which occupied a gable jettied medieval timber-framed building.

The HIA, supported by the submitted geotechnical report, provides a very useful understanding of what the potential impact of the proposals will be on the below ground archaeological resource, and it is noted that the current building has extensive basemementing (associated with the current and previous buildings) and other areas infilled with concrete up to 700mm thick. Given the impact of the basemementing and infilling works the conclusions reached in the HIA that the evidential potential regarding below-ground archaeology is low in those areas where the basement has been excavated is generally supported. Likewise with the assessment that there is a higher potential in the section of the site that does not have a basement (albeit potentially compromised by concrete infill).

Archaeological Recommendations - Taking the above into account, and bearing in mind the scale, nature, and location of the proposals, and the demonstrable archaeological potential of the area to provide more information about the historical development of Tamworth, it is advised that an archaeological watching brief be maintained during any construction-related groundworks (a watching brief during any demolition related-ground works has been requested as part of 0150/2022) that involve excavation of existing ground, as is recommended in the HIA.

It is also recommended that a programme of historic building recording (Level 1 Photographic Record as per Historic England's 'Understanding Historic Buildings' 2016, guidance) is carried out on the basement areas relating to the former swimming baths (to include the pump identified in the submitted Desk Study). This work would be in line with the requirements of Para 205 of the NPPF (2021), and all archaeological works must be undertaken by an appropriately experienced archaeological organisation (with suitably experienced personnel) or historic environment professional/archaeologist working to the requirements of a brief prepared by this office (or approved Written Scheme of Investigation WSI), the Chartered Institute for Archaeologists (CIfA) Code of Conduct (or equivalent) and to a level commensurate with the relevant CIfA Standard and Guidance.

Suggested Condition The above works* could be most satisfactorily secured via a condition attached to any planning permission for the scheme.

This condition should read: A) "Prior to the commencement of the development hereby permitted, a written scheme of archaeological investigation ('the Scheme') shall be submitted for the written approval of the Local Planning Authority. The Scheme shall provide details of the programme of archaeological works to be carried out within the site, including post-fieldwork reporting and appropriate publication. B) The archaeological site work shall thereafter be implemented in full in accordance with the written scheme of archaeological investigation approved under condition (A). C) The development shall not be occupied until the site investigation and post excavation 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".

4.12. **Staffordshire Fire and Rescue Service**

Note required into the Decision Notice regarding fire mains, hydrants and vehicle access and sprinkler systems

4.13. **Cadent Gas**

Note required into the Decision Notice regarding gas apparatus.

4.14. **Additional Representations**

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.

One letter received in support

One letter raising concerns regarding impact on church hall and church activities, mainly in relation to demolition and construction works

- 4.15. A public consultation event was undertaken by the applicant on 26 April 2022 at a market stall in St Editha's Square which provided the applicant with valuable feedback from the public. 62 survey responses were completed by market goers on the day as well as visitors verbal feedback. Main areas of interest were:
- Land use and the principle of a further education college being located within the town centre;
 - Whether the use would achieve the objective of helping the regeneration of Tamworth or whether another use would be more appropriate;
 - Comments that other sites would be more appropriate for the

college; • The design of the building and its relationship to historic Tamworth; • The extent of the application and the relationship with St Editha's Square; • Concerns regarding anti-social behaviour; • Car parking provision and the issue of sufficient capacity within the Town Centre; • How the construction would impact on the town centre and particularly the functioning of the shops and market stalls on St Editha's Square; and • Making sure that the building would be sustainable.

5. Equality and Human Rights Implications

- 5.1. Due regard, where relevant, has been taken to the Tamworth Borough Council's equality duty as contained within the Equalities Act 2010. The authority has had due regard to the public sector equality duty (PSED). Under section 149 of the Equality Act 2010, a public authority must in the exercised of its functions, have due regard to the interests and needs of those sharing the protected characteristics under the Act, such as age, gender, disability and race. This proposal has no impact on such protected characteristics.
- 5.2. There may be implications under Article 8 and Article 1 of the First Protocol of the Human Rights Act, regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these issues have been taken into account in the determination of this application.

6. Planning Considerations

- 6.1. 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.

The key issues to be considered at this stage, in no particular order, are

- Principle
- Design
- Heritage
- Highway Matters
- Noise
- Contamination
- Drainage
- Other matters
- Planning Obligations

6.2. Principle

- 6.2.1. The Tamworth Borough Council Local Plan 2006-2031 was adopted on 23rd February 2016, and is the starting point in assessing the acceptability of this planning application.
- 6.2.2. Policy SS1: The Spatial Strategy for Tamworth seeks to provide development in the most accessible and sustainable locations, including within and around the town centre. The application seeks to deliver significant development in the centre of the town therefore the application complies with the principles of SS1.
- 6.2.3. Policy SS2: Presumption in Favour of Sustainable Development, seeks to ensure that proposals for development are in accordance with the Local Plan and are sustainable in terms of economic social and environmental credentials. The application for a college in the town centre which includes good environmental design, promotes sustainable travel, delivers a college which supports learning and skills and underpins revitalising the town centre, complies with the policy.
- 6.2.4. EC1: Hierarchy of Centres for Town Centre Uses 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. The application is located within the heart of the town in the town centre and seeks to deliver a use which will support the vitality of the town centre in the future.

- 6.2.5. The proposed development would fall within Use Class F (Learning and non-residential institution) of the Town and Country Planning Use Classes Order 2021. Whilst an education use is not expressly stated in the NPPF as a 'main town centre use', Class F contains uses such as museums and galleries which would themselves be considered 'main town centre uses'. Local Plan policy EC1 also states that uses that would attract visiting members of public should follow the hierarchy of centres for town centre uses. Although the college would not be generally open to the public, it would attract visitors from a wider area into the town centre in a similar way that an office development (which would be considered a 'main town centre use') also would. The proposal also includes some elements, such as a salon and café, that would be open to the public and would be considered 'main town centre uses' in their own right. The proposal would therefore be an acceptable use within the town centre and would comply with Local Plan policy EC1.
- 6.2.6. 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.*" The application seeks to deliver significant investment in the town centre that will generate footfall and spend. The delivery of a regenerated Co-op site into a new college will generate confidence by other investors to improve the town centre. The application will in effect be a catalyst for future long-term investment into the town centre which will halt its decline. The design and character of the new college has been determined by understanding the context within which it sits, the heritage that surrounds it and an understanding of the operational requirements of the college itself. The conservation officer has no objections to the scheme (as referred to below) and as such the application complies with policy EC2.
- 6.2.7. The site is located within the primary shopping area and is identified as primary frontage on the Polices Map accompanying the Local Plan. Policy EC3 (Primary and Secondary Frontages) states: *Within the primary frontages area, it is expected that 75% of the number of units should fall within the A1 (retail) use class. Planning applications which would result in more than 25% non-retail uses within the relevant evaluation area of the primary frontage, shown in Figure 4.2, will not be supported. Applications within primary frontages which involve the loss of a use which would have an active frontage on the ground floor will be refused.*
- 6.2.8. The proposal would see the loss of existing retail frontage, however more than 75% of the units within the relevant evaluation area would remain in a retail use, and so the proposal would comply with policy EC3. It is however worth noting that the requirement to define primary and secondary frontages was included in the 2012 version of the NPPF but was removed in 2019 in favour of a more flexible approach that can "respond to rapid changes in the retail and leisure industries". Policy EC3 therefore carries little weight in the decision-making process.
- 6.2.9. Policy SU6 (Community Facilities) states that the existing network of Tamworth wide education facilities will be protected and enhanced to meet local needs. The physical enhancement and expansion of higher and further education facilities will be supported subject to having an acceptable impact on other community and sports facilities, the immediate environment and amenity. The current college site is no longer fit for purpose and the proposal would be a significant investment by the college which would see the facility retained within the town for the future. The move to a new purpose-built building would also see an enhancement to the facility. There will be no impact on other community and sports facilities. The impacts on the environment and amenity are considered later in the report, but it is considered that the proposal would comply with policy SU6.
- 6.2.10. The proposal would comply with policies SS1, SS2, EC1, EC2, and EC3 of the Local Plan. The proposal accords with the three overarching objectives of the NPPF and Tamworth Local Plan and the need to secure additional vitality and regeneration in town centres in response to the changing economic trends. The application accords with this approach and delivers sustainable development that will have positive social, economic and environmental outcomes for the town and the community.
- 6.2.11. Paragraph 7 of the NPPF states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Apart from policy EC3 as indicated, the local plan policies are broadly in compliance with the policies of the NPPF and there are no other material considerations to indicate that the Local

Plan policies should not be complied with. The principle of the proposed development on this site is therefore considered acceptable.

6.3. Design

6.3.1. 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.

6.3.2. Tamworth Design: Supplementary Planning Document July 2019, gives general guidance on design and sustainable design matters.

6.3.3. NPPF section 12, Achieving well-designed places states that 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. Paragraph 134 states that *significant weight should be given to: a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.*

6.3.4. The new College building has been designed so that it is both 'open' and 'secure' and can connect the college to St Editha's square and the community within which it exists. The College will be a significant catalyst for the regeneration of the town centre and in the immediate environment with the refurbishment of St Editha's Square and also the added interest at ground level. Ground floors will be activated along College Lane and Church Street, with public facing teaching spaces. In addition these ground floor elevations will also comprise uses, such as a cafe and a salon where the students can experience real world trading while interacting with the public as they complete their educational training. This will create active frontages along College Lane which improves on the current situation with the CoOp building.

6.3.5. The College will form the new heart of the social and economic quarter of Tamworth with a Landmark building that sets a precedent for contemporary architecture within the historic town. The location is an opportunity to raise the profile of South Staffordshire College & improve business links with local industry

6.3.6. The footprint of the proposed building sits on a similar line as the existing building's north and west elevations. These elevations follow the line of the historic street frontages on Church Street and College Lane, thereby retaining a reference to the historic street pattern. To the south, the footprint of the building will be reduced to create service space. This is likely to improve views from Colehill into the site. The current building has three storeys above ground, and the proposed building has four. While this creates a taller building than at present, there are mitigation measures in the design to reduce massing. Principally, the fourth floor will be set back from the main elevation and its massing broken up with pitched north-light roofs. The ground floor of the west elevation will be set back creating a covered area, the western end of the north elevation will be set back from the eastern end, the windows will be set back within the brick skin and with the addition of metal sunshades and fins all these design features will create articulation, providing a more interesting and varied massing than at present.

6.3.7. Another design feature which will create articulation and also make reference to the historic streetscape is the regular rhythm of bays on the eastern section of the north façade at Church Street. Each of these narrow, tall bays is designed to reflect the medieval burgage plot layout formerly on the site and typical of the historic buildings in the town centre. They create a rhythmic façade with vertical emphasis, which better reflects the historic plot pattern, rather than the horizontal emphasis of the current building. At the same time, the parapet line of the third floor follows the line of the adjacent Co-op parapet, giving reference to this neighbouring historic building and ensuring that the additional set back floor does not overshadow it. Though being mono pitched rather than gabled, the pitched roofs give better reference to historic forms of previous buildings on the site and historic buildings in the town centre compared to the flat and uninteresting massing of the current building.

- 6.3.8. The western end of the proposed building has a more solid rectangular massing, but this is softened by the inset windows, varied roofline, undercut ground floor and projecting metal sunshades. Windows on this part of the building are positioned to relate to the functions of the spaces within, meaning they have an asymmetrical layout that again helps to break down the massing of this range. Additionally, the brick used as the main façade material will incorporate panels of textured brick to add interest and prevent a flat appearance of blank space, which is a particular negative element of mid-late twentieth century buildings in the vicinity. This will be local Staffordshire brick (a reference to the history of brickmaking in the area) in two colours: a softer red brick for most of the walling, with a darker brown/grey brick for details. Contrastingly, the metal cladding is modern and provides a high-quality contemporary material. The former shop windows at ground floor of the current building provided displays but not any activity on the frontage of the building.
- 6.3.9. The proposed building will create an active frontage, with a café area under the covered space to the west, which will engage with St. Editha's Square. The salon on the North-west corner of the building will have glazing so passers-by can see into the space, while learning spaces on the north side of the building will have windows so people can see the activity within the building. An enhanced active frontage will help to bring a better sense of place and engagement with the surrounding setting.
- 6.3.10. Amendments to design have been undertaken as a result of consultation with the applicant and as a result of discussions with the conservation officer and also with planning committee members. Initial submissions showed a north elevation with asymmetrical window pattern and a predominance of brick to the façade. However, discussion and consultation has led to revisions to the façade and resulted in improvements. In particular, more information has been supplied regarding the way in which the bricks will be used, specifically having two tones to create a pattern and relief that breaks up what was perceived as a monotonous brick façade. Windows on the elevations that project into St Editha's square have been repositioned and some enlarged to a) further mitigate the amount of brick façade and b) to provide a more 'open' design so that the building is more sympathetic to the St Editha's public space. The architects have provided more information on the way in which light will react with the design of the building and specifically how light will spill out into the square when it is dark which creates an inviting and inclusive feel to the design. Changes have also been made to the columns that support the protruding element at the entrance giving the building more substance. The columns were considered too thin, which gave an overall presence that the elevation was floating which appeared incongruent in the street scene. The redesigned columns, which are also a different colour, provide a more robust approach and a design which is more relatable to the massing of the building above.

Views

- 6.3.11. The building has been designed to present a comfortable sense of proportion in key views within the town centre and in particular along Church Street and College Lane and also to present a varied and interesting form in views of the roofscape from the Castle. The footprint of the proposed building sits on a similar line to the existing building's north and west elevations. To the south, the footprint of the building will be reduced to create a larger service space.
- 6.3.12. The design approach is a contemporary reflection of the heritage of Tamworth, providing a modern building in terms of the flexible working spaces within, but acknowledging and respecting the traditional materials, detailing and form of traditional buildings that characterise the town centre. This is explained fully in the design and access statement which sets out the design principles, features, layout and materials precedents that make the proposals a building which offers a respect for the past while providing for the future educational needs of the town. The overall approach by the architects has been to design a building that makes a statement but that at the same time does not overwhelm the historical location of the site. The building is trying to find a balance between creating a design that is contemporary and different/better than the existing building whilst at the same time being subservient to the heritage assets that surround it. In particular, the view of St Editha's church remains the focus when walking from the bottom of College Lane to St Editha's square. The college is set back and plain in its detail on this elevation so as not to detract from the Grade 1 Listed Building. The same can be said in St Editha's square. The height of the church and its dominance in this space means that the views towards the college do not detract from the heritage assets.

- 6.3.13. The historical character of the site has been a key driver in developing the design from early stages. The proposal aims at delivering a contemporary building which enhances the historical context and engages with the historical landmarks of Tamworth town centre. The building establishes a respectful architectural dialogue with St. Editha's Church through careful design moves such as carving the North-western corner of the College to open up the vista towards St. Editha's Church. The design is also restrained to ensure that the church is the prominent feature within the vicinity of the college with the college design providing as few distractions as possible, significantly as you walk towards St. Eds Square from George Street and along Church Street.
- 6.3.14. The impact of the proposal on nearby heritage assets has been scrutinised throughout the design process to mitigate potential negative effects on their significance. A series of views have been developed to explore the silhouette of the proposed College against the existing building. Although the proposed building is one storey taller than the existing building, the top floor is set back to minimise the impact from street level and open up the view of the old Co-op cupola from St. Editha's Church and the Square. The view to the rear of the existing building from Colehill is further enhanced by setting back the south facade and mitigating any display of utilitarian elements. The proposal will use local reclaimed bricks which will facilitate a contextually integrated building and promote conservation of the local historical character.
- 6.3.15. The proposal is designed to conserve and enhance the context of the development by breaking up the building into three smaller volumes. Taking inspiration from the historic burgage plots, a new framed facade is proposed on College Lane whilst the roofscape aims at providing a contemporary take on the historical pitched roofs found in the area. The proposal is outward facing by strategically placing public spaces on the north-western corner of the site. The northern and western facades feature interactive spaces intended to further enhance the vibrance of the nearby streets.
- 6.3.16. The new College building minimises the impact on existing daylight levels for the neighbouring buildings through setting back the top floor on the northern side of the site. Specialist teaching spaces which represent potential noise sources are located at lower ground level towards the rear of the building hence mitigating acoustic pollution for neighbouring sites.
- 6.3.17. Given the location and nature of the site, there is no opportunity for soft landscaping. However, the proposed hard landscaping respects its context and seeks to enhance the existing landscape through appropriate materials. The prominent north-western corner facing St. Editha's Square represents an opportunity for designing a visually impactful landmark which will enhance legibility and navigation within the town centre.
- 6.3.18. Due to the nature and size of the site, there is no opportunity for on-site open space provision. However, the design seeks to secure key physical and visual links with the wider infrastructure. The main entrance provides direct access to St. Editha's Square and maximises the social potential of the prominent north-west corner.

Design Review

- 6.3.19. An independent Design Review has been carried out which concludes that this is an exciting proposal that not only removes a longstanding empty building that occupies a strategic position within the town centre but also introduces a range of different uses and users into the heart of Tamworth. The introduction of a campus would create vibrancy and activity and should prove to be an excellent component of the masterplan. The proposals themselves demonstrate a clear logic and consideration of the challenges set by the location adjacent to the Grade 1 Listed St Editha's Church, as well as the requirements for an urban block in such a location. The Project Drivers and Ambition set out in the Design and Access Statement (DAS) are also well articulated and flow through to the latest iteration of the proposals.
- 6.3.20. The DAS sets out a series of initial options that the design team has explored and there is a strong commentary attached to these that sets out the pros and cons for each. The preferred approach – setting the building to the edge of the site facing the square with active uses at ground floor – seems the correct approach. The strategy to break the building down into a series of volumes also seems convincing, and how these will be articulated, and the transition between them will be extremely important in helping to support this logic and to express it so that it reads as intended. The intention to further break the massing through the approach to the roofscape is also strong, and this could lend an iconic, contemporary and distinctive legibility to the building and the College. I can't help but almost think that the roof diagram

almost acts as a logo. One side aspect of the move to a deep plan building is the consequent need to get natural light into the central core space to make this useable and attractive and less dependent on artificial lighting. There are a couple of large lightwells that appear to run through the core to achieve this.

6.3.21. The design team have really thought about the different elements and how they work together and the proposals have a real potential to add something special to the town. Holding onto the quality depicted in the CGI's, and even exploring how to extend it where possible will be a key task, making sure that whatever might get approved develops through with the same level of quality when built.

Public realm

6.3.22. The site does not include any of the open areas in front and is tightly constrained at the edges of the building. However some of the visuals show changes to the square including paving, seating and various street furniture. This will be part of a separate scheme which is currently under preparation and will come forward as a separate application in due course.

Sustainable design

6.3.23. The NPPF Chapter 14 supports new developments that incorporate sustainable methods, such as low carbon methods of construction and greener building fabric in order to reduce negative impact on the environment that contributes to climate change. Appendix B of the Tamworth Design SPD refers to Climate Change Considerations. Policy SU3 Climate Change Mitigation, states that *Where appropriate proposals for new development will be expected to demonstrate how they will address the causes of climate change and limit greenhouse gas emissions with an aspiration of achieving zero carbon development* through a range of measures such as promoting efficient and effective use of land, ensuring development is located in accessible locations which promote the use of sustainable modes of transport, appropriate sustainable design, layout, orientation and use of construction materials and methods that reduce embodied energy in their production energy performance improvement in the fabric of buildings and supporting opportunities for renewable and low carbon energy generation.

6.3.24. The development proposes to adopt sustainable methods within its construction and design to create a low-carbon building throughout its lifespan. The construction of, and design of the proposed development will incorporate sustainable practices to reduce its carbon footprint. The existing extension requires demolition and rebuild as it is not fit for purpose and retrofitting is not achievable for the project. To reduce the impact of construction, the development will employ a 'fabric first' approach, which maximises the performance of the building fabric itself before the requirement of mechanical or electric building service systems. The design will also consider energy and water efficiency, to achieve a low-carbon, sustainable building that is comfortable for its users. To regulate and maintain building temperatures, daylight and thermal comfort analysis, low U-values and low air tightness are proposed to achieve quality air ventilation, reduce heating demand and heat losses. An analysis of the sustainable strategies and aims of the development are set out in further detail within the submitted Energy and Sustainability Statement.

6.3.25. Therefore, it is considered that the scheme complies with policy SU3 of the Tamworth Borough Council Local Plan 2006-2031 and NPPF as indicated.

6.4. Heritage

6.4.1. In respect of the Historic Environment, the heritage assessment gives consideration of harm to the character and appearance of the conservation area and the significance of the surrounding listed and locally listed buildings. The application site is located within the Town Centre Conservation Area and within close proximity of several designated and non-designated heritage assets. Careful consideration of the impact of the proposal upon the historic environment is therefore required.

6.4.2. 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.

6.4.3. The impact on heritage is focused mainly on the designated heritage assets of the Town Centre Conservation Area and the Grade I, II* and II listed buildings and their setting, and to the non-designated locally listed building adjoining the proposal site itself. 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.

6.4.4. The overarching duty set out in the Act is to **preserve or enhance** the historic or architectural character or appearance of the conservation area. The statutory definition of a conservation area is an 'area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'.

6.4.5. In addition, for the determination of planning applications affecting heritage assets Chapter 16 of the National Planning Policy Framework (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." 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.

6.4.6. Also relevant is Local Plan policy EN6 – Protecting the Historic Environment, which indicates that the proposal should enhance or preserve the area as a whole.

6.4.7. *"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.*

6.4.8. *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:*

- *the scale, form, height, massing, detailing and materials of the development, the existing buildings and physical context to which it relates.*
- *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.*
- *important views of listed buildings, scheduled monuments and historic townscape as identified in the conservation area appraisals...*

6.4.9. *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." Reference should be made to the Historic Environment Record for up-to-date information and the Extensive Urban Survey to identify potential for archaeology. Where potential for archaeology exists, the heritage statement should incorporate an archaeological desk-based assessment that evaluates surviving above and below ground archaeological remains and where necessary, a field-based evaluation by an appropriate professional. An appropriate mitigation strategy will also be required, where necessary. Where archaeology may be lost through development, there will be a requirement for archaeological recording to be undertaken by an appropriate professional and entered in the Historic Environment Record. Where practical and viable, development should address issues identified in the historic environment evidence, in particular the Extensive Urban Survey and, Conservation Area Appraisals. Particular attention will be paid to enhancing key buildings in the town centre, the Creative Quarter initiative, positive redevelopment or enhancement of negative features, public realm improvements and proposals that will enhance buildings classed as 'at risk' and 'vulnerable' in the Heritage at Risk Survey. 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.

- 6.4.10. Section 16 of the National Planning Policy Framework (NPPF) provides the national policy on conserving and enhancing the historic environment. In determining applications, paragraph 194 of the NPPF requires an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. Paragraph 195 of the NPPF also requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal, including by development affecting the setting of a heritage asset.
- 6.4.11. Paragraph 197 states that in determining applications local planning authorities should take account of: the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and the desirability of new development making a positive contribution to local character and distinctiveness.
- 6.4.12. Paragraphs 199-202 of the NPPF require great weight to be given to the conservation of designated heritage assets when considering the impact of a proposed development on its significance, for any harm to the significance of a designated heritage asset to have clear and convincing justification, and for that harm to be weighed against the public benefits of a proposal.
- 6.4.13. Paragraph 203 states that the effect of an application on the significance of non-designated heritage asset should be taken into account when determining the application. In weighing up 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 of the significance of the heritage asset.
- 6.4.14. Local planning authorities should look for opportunities for new development within Conservation Areas, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably (paragraph 206).
- 6.4.15. A detailed Heritage Statement has been submitted to accompany the planning application, and therefore it is considered that the requirements of the relevant section of Policy EN6 of the Tamworth Local Plan and paragraph 194 of the NPPF have been met. The assessment as required by the local planning authority has been undertaken in the body of these comments meeting the requirements of paragraph 195 of the NPPF.
- 6.4.16. 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.*
- 6.4.17. The Town Centre Area appraisals are also relevant. The 2007 and 2017 Tamworth Town Centre Conservation Area appraisals both mention the proposal site as a negative feature within the Conservation Area and one that should seek to be improved. The appraisal refers to the loss of built up C18 frontage of Church Street to create St Editha's Square, and the negative impact of the 1960s buildings. The 2017 document suggests that new development should respond and consolidate historic character- it also requires a specific design solution for each site to include careful use of materials and detailing, to maintain important views of listed building and open spaces, to strengthen any frontage where it has become fragmented, that foundations should take into account potential for below ground remains, to be informed by desk based archaeological assessment and fieldwork if necessary, and to take the opportunity to restore and enhance heritage assets. The appraisal also highlights the area as one of opportunity for a replacement paving scheme, the reinstatement of stone copings and railings to St. Editha's Church boundary wall and landscaping scheme for church precinct, and for the sympathetic redevelopment of Middle Entry & St.Editha's Square.
- 6.4.18. As the site is located within the Tamworth Town Centre Conservation Area and within the setting of several listed buildings, the impact of the development therefore needs to be assessed to ensure it

protects the special architectural and historic interest of these heritage assets in accordance with legislation.

- 6.4.19. A detailed heritage statement is submitted, prepared by specialist heritage consultants which gives a detailed background context to the site and description of its character including heritage assets affected by the proposals, Conservation Area, Grade 1 listed St Edithas Church and other listed and locally listed buildings, and history and development of the building and how the town centre has evolved over time. To the rear, 36 and 36a, 37, Market Street are Grade II listed buildings. Southeast of the site, 1 Colehill is Grade II listed. To the east of the site are a number of listed buildings on Colehill that are Grade II listed (numbers 8, 9, 10, 11). To the north is Old Stone Cross Public House, which is Grade II listed, Shorehouse Monument which is Grade II listed, the former Tamworth Arts Centre (now an auction house) which is Grade II Listed. St Editha Church is Grade I listed. Further north is the Medieval deanery by lower Gungate, which is scheduled for designation. The former Co-op headquarters at 5 Colehill is a locally listed building, which adjoins the application site. Beyond on College Lane is St.Edithas Church hall and a shop unit at no. 5 College Lane are also locally listed.
- 6.4.20. These heritage assets are assessed in terms of significance as advised in the NPPF and other guidance, and an impact assessment gives an assessment of appropriateness of the design in relation to the heritage values of the heritage assets within its setting. Any mitigation measures to reduce harm to heritage is also identified.
- 6.4.21. The National Planning Policy Framework (NPPF) defines the setting of a heritage asset as “the surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.” The setting of a heritage asset provides its physical context, reflecting the townscape or landscape character around it. Historic England provide advice on the setting of heritage assets in their Good Practice in Planning Note 3 (2015), with the guidance identifying that the extent and importance of setting is often expressed by reference to visual considerations.
- 6.4.22. The Heritage Impact Assessment (HIA) submitted to accompany the application provides a thorough description and assessment of the setting of the application site and identifies a number of key views of the site accompanied with an assessment of their contribution to the significance of the site.
- 6.4.23. The HIA identifies that the contribution of the surrounding townscape and landscape within the setting of the department store is varied. Positive contributors to the site include the predominant feature of St. Editha’s Church (grade I listed) immediately to the north, with its dramatic tower, pinnacles and tall gothic arched windows; the Georgian buildings Colin Grazier Hotel and 21-22 Church Street (both grade II listed) to the north-west of St. Editha’s Square; the pleasant setting of the greenery of the churchyard to the north and north-east; the locally listed building No.29 Church Street and 18th century buildings the Old Stone Cross Public House and former Baptist Chapel (both grade II listed) to the north-east; the key landmark and richly detailed Co-operative Society’s former headquarters (locally listed building) on the corner of Church Street and Colehill; and a good level of survival of historic buildings along Colehill to the east of the site.
- 6.4.24. St Editha’s Church Hall and No.5 College Lane to the south of the site are historic buildings (locally listed) but are in a poor condition so are a neutral element of its setting. The bland public realm of St. Editha’s Square to the west, unattractive late-20th century commercial buildings of Middle Entry that flank the square, and unattractive modern buildings along College Lane and service yards to the rear of the store are poor elements of the setting of the site.
- 6.4.25. Due to its corner position the department store becomes prominent in channelled views when travelling eastwards along Church Street. When passing the Colin Grazier Hotel and entering the expanse of St. Editha’s Square the department store forms the centre of the view so is quite prominent, though it is not an attractive building. St. Editha’s Church dominates to the left, towering above the Square. From the churchyard the department store lines Church Street but it is unattractive and bulky. The decorative façade of the Co-operative Society headquarters is an attractive building at the end of the range.

6.4.26. In views towards the department store looking westwards from various positions along Colehill the Co-operative Society headquarters are the focal point due to the corner position and attractive detailing of the building, with the facades of the department store bland and flat in comparison. The view north from College Lane terminates at the Church of St. Editha but the foreground is a disappointing setting for the church with the buildings surrounding it being poorly designed, which includes the department store, or in a poor condition.

6.4.27. There is good visibility of town centre from the Tamworth Castle (grade I building and scheduled monument) roof looking north-east. The tower of St. Editha's Church stands out as the key dominant feature, towering above the rest of the buildings. The red brick and grey/blue roof materials of both historic and modern buildings is a key feature. There are attractive and varied pitched rooflines associated with groups of historic buildings, but modern buildings are typically flat roofed and have a monotonous, bulky and massy appearance. Greenery in amongst the town centre buildings and beyond the town centre creates an attractive verdant setting to the built development. From this position the department store is c.200m distant, with the white render and flat roof form of the store being incongruous and out of keeping with surrounding materials and built form.

Significance of the application site and its setting

6.4.28. In heritage terms, significance has been defined as 'The value of a heritage asset to this and future generations because of its heritage interest' and as 'The sum of cultural and natural heritage values of a place'. What this largely equates to is that significance is an understanding of what makes a place special. Therefore, the following assessment of significance is intended to form the foundation for understanding the heritage values of the Co-op Department Store and heritage assets within its setting. The assessment of significance is based on the characteristics of 'heritage values' as expressed by Historic England in Conservation Principles (2008), which defines value as 'an aspect of worth or importance...attached by people to qualities of place' and separates heritage values into four categories:

- Evidential: The potential of a place to yield evidence about past human activity.
- Historical: The ways in which past people, events and aspects of life can be connected through a place to the present. This can be both illustrative and associative.
- Aesthetic: The ways in which people draw sensory and intellectual stimulation from a place.
- Communal: The meanings of a place for the people who relate to it, or for whom it figures in their collective experience or memory.

6.4.29. The NPPF defines significance as the value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, artistic, architectural or historic. Historic England's guidance Conservation Principles (2008) has also introduced the heritage values of evidential (see archaeological in terms of the NPPF), aesthetic (see artistic and architectural in terms of the NPPF) and communal (which is a component of historic interest).

6.4.30. A summary of the history of Tamworth and the application site is provided within the HIA. The Co-operative Department Store comprising of the application site was constructed in phases during the 1950s and 1960s, being attached to the Co-operative Society headquarters dating from 1897-1903 and replacing densely packed buildings from the medieval period onwards that were situated within thin burgage plots.

6.4.31. The Co-operative Department Store was built in four phases which can be discerned from the built fabric and plans and maps. The building is located on a site with a very long history in the heart of the historic settlement. However due to excavations to create basements for the store and other associated engineering works the evidential potential regarding below ground archaeology is low. Overall, it is considered that the application site is of **neutral evidential value**.

6.4.32. The department store is illustrative of mid to late-20th century architecture with the bulky style of the building typical of that time. It is of **low historic illustrative value**. It has an association with the Tamworth Co-operative Society up until its closure in 2021 giving it a **medium historic associative value**. Much of the historic setting to the building was lost with creation of Middle Entry and St. Editha's Square which altered the historic settlement pattern of the town. Much of the site setting therefore has a **neutral historic value**. There are however buildings of high historic value within the immediate setting of the site, including St. Editha's Church and the Co-operative headquarters, and other buildings within the wider setting of the site which demonstrate their original form and often Georgian style typical of the town centre.

- 6.4.33. The department store's design is of no aesthetic value as it is detrimental to the character and appearance of the conservation area and setting of adjacent historic buildings. St. Editha's Square has a bland and dated public realm giving it neutral aesthetic value. The buildings surrounding the Square, similarly to the department store itself, are detrimental to the setting of neighbouring historic buildings. St. Editha's Church is of very high aesthetic value. Other historic buildings within the vicinity of the site, such as the Colin Grazier Hotel and No.21-22 Church Street have high aesthetic value through their elegant Georgian designs or being representative of a high-quality local vernacular. The decorative Co-operative Society headquarters building is also of high aesthetic value. Those buildings described as being of detrimental aesthetic value are typically elements which impact negatively in views of the application site, whilst the aesthetically attractive buildings are those which contribute positively to views.
- 6.4.34. The department store is likely to be known to local people as a place they visited and which they used for shopping and leisure. However today the building is generally regarded as a detriment to the town centre, so the communal value of the building is likely neutral.
- 6.4.35. The significance of the Co-op Department Store and heritage assets within its setting has been assessed by the heritage consultant using a scale of significance ratings ranging from high, through medium, low, neutral to intrusive, which is detrimental. For more detail on how the modern Co-op building score is derived, this is included in the heritage statement.
- 6.4.36. The heritage statement identifies that the design of the modern Co-op department store is detrimental to its setting. Many features of the setting are also of detrimental aesthetic value, particularly the other modern buildings around St. Editha's Square. The setting has lost much of its historic value through the sweeping away of the historic street pattern and buildings in the twentieth century. However, buildings of high and very high historic and aesthetic value survive as integral parts of the setting of the site, particularly St. Editha's Church and the original Co-op building on Colehill which is locally listed.
- 6.4.37. Therefore, the assessment meets with policy EN6 Protecting the Historic Environment, and the requirements of the NPPF chapter 16.

Impact Assessment

- 6.4.38. The heritage statement states that the removal of the department store has a medium beneficial impact on the Conservation Area, because its unattractive and boxy design currently detracts from the character and appearance of the area and surrounding Listed and Locally Listed Buildings.
- 6.4.39. It notes that there are some minor negative impacts to heritage from the design of the new building, namely the increased height and the slight restriction of the view of the cupola on the neighbouring Co-operative Society headquarters building in some views from St. Editha's Square, however, design features help to mitigate any negative impacts, with pitched roofs and narrow bays that reflect historic roofscapes and medieval burgage plots. The enhanced active frontage and use of predominantly local red brick, in keeping with Tamworth's heritage, will also provide positive improvements to the setting of the neighbouring heritage assets, in particular to St. Editha's Church and the Conservation Area as a whole and in views of the surrounding area.
- 6.4.40. Overall, any minor negative impacts are certainly less-than-substantial harm, and these should be considered in the light of the beneficial impacts that the enhanced design-quality of the new building brings to the area in comparison to the current building, which overall means that there is a **low beneficial heritage impact** on character and appearance of the setting of the surrounding heritage assets.
- 6.4.41. As the current department store is an unattractive building its demolition will have a beneficial impact upon the character and appearance of the Tamworth Conservation Area and the setting of adjacent historic listed building and local heritage assets. If the application is approved no demolition should take place until a phasing programme or similar is agreed to ensure that a gap site is not left within the town centre, which would be detrimental to the character of the conservation area.
- 6.4.42. The footprint of the proposed building is positioned on a similar line as the existing building's north and west elevations which follow the line of historic street frontages on Church Street and College Lane, thereby retaining a reference to the historic street pattern of the town. To the south the footprint of the building will be reduced to create an outdoor parking and service space which will improve the character of the limited views from Colehill into the site.

- 6.4.43. The current building has three above ground storeys whilst the proposed building has four. This will create a slightly taller building than at present, but the fourth storey is set back from the main elevation and its massing broken up with pitched north-light style roofs. Sections of the ground floor elevations are set back within the brick skin and have design features including metal sunshades and fins to create a more interesting and varied massing than the current building.
- 6.4.44. The regular rhythm of the bays on the eastern section of the northern elevation is designed to reflect the medieval burgage plot layout formerly on the site and typical of the historic streetscape of the town centre. This also provides a vertical emphasis to the façade which better reflects the historic plot pattern rather than the horizontal emphasis of the current building. The parapet line of the third storey follows the eaves line of the adjacent Co-operative Store headquarters giving reference to the neighbouring historic building and ensuring the additional set back fourth floor does not overshadow it. The pitched roofs give better reference to the form of the historic roofscape of the previous buildings on the site and the wider town centre in comparison to the uninteresting flat roof and massing of the current building.
- 6.4.45. The western end of the proposed building has a solid rectangular massing softened by inset windows, varied roofline, undercut ground floor and projecting metal sunshades. The windows on this elevation have an asymmetrical layout which relates to the function of the internal spaces, but they again assist in breaking down the mass of this range. The proposed material for the main elevations is to incorporate panels of textured brick which adds interest and prevents a flat appearance of blank space which is a negative element of the mid-late 20th century buildings within the setting of the site. The brick for the walling will be a local Staffordshire brick of soft red stretchers and darker brown/grey headers, with this local material contrasting with elements of metal cladding as a high-quality contemporary material.
- 6.4.46. There is a proposed café area within the covered space of the west elevation to engage with St. Editha's Square and the north-west corner of the building and northern elevation have windows and glazing so passers-by can see the internal activities. It is considered that the building will have more active frontages than the current building ensuring better engagement with the surrounding setting of the site.
- 6.4.47. The principal view of the new building will be across St. Editha's Square. The new building will be a key aspect in the view but due to the design of the proposed building, with its fourth storey set back, considered rhythm, varied roof line, and use of a local red brick, it is considered that it will be positive contributor to the setting of the Square and the nearby historic buildings. Due to the three-storey scale of the proposed building, with the fourth storey set back, St. Editha's Church will comfortably remain the tallest and the most predominant feature facing into the Square and within the wider area. The proposed building will be a considerable improvement to the character of the views southwards from the churchyard and northwards along College Lane. Due to the matched parapet and eaves lines with the Co-operative Society headquarters this existing building and the new building would sit comfortably next to each other in conjunction in views along Church Street and from Colehill.
- 6.4.48. In the view from the Castle roof the incongruous white rendered massing of the current building will be removed and replaced with a red brick building which better blends in with the other historic buildings within a red brick townscape, whilst the series of pitched roofs on the building sits more comfortably in the roofscape of the rest of the town centre where pitched roofs and gables were more common historically. Due to the considered and appropriate scale, form and materials of the proposed building St. Editha's Church would remain the key dominant feature in views north-west from the Castle.
- 6.4.49. The evidential potential regarding below-ground archaeology is low in those areas where the basement of the existing building has been excavated and while there is higher potential in the section which does not have a basement, this too may have been compromised. As this lies beneath the existing building archaeological investigation is not possible prior to demolition. It is recommended that prior to the determination of the application advice is sought from the Borough Council's Archaeological advisors to determine if archaeological investigation is necessary, and if so to determine a programme of such investigation.
- 6.4.50. A section of historic stone wall is located on the southern boundary of the site. The wall is currently sat beyond a concrete fence. The fence should be retained in order to provide protection to the historic wall during the construction phase of the development if approved. It should be determined if this protection be achieved via a planning condition, such as being incorporated into a Construction Method

Statement which is assumed likely to be required for the demolition of the existing building and erection of the new building.

6.4.51. The proposed demolition of the existing unattractive and incongruous Co-operative Department Store provides an opportunity for the enhancement of the character of a site situated within the historic core of Tamworth town centre. The design of the replacement College building reflects historic roofscapes and medieval burgage plots, enhances activity along the frontage and would utilise local red brick building materials. By virtue of the appropriate scale, form, height, massing, design, detailing and materials of the proposed new college building, it is considered that it will sit comfortably within the historic townscape of the Tamworth Conservation Area and the setting of listed and locally listed buildings and the scheduled monument Tamworth Castle, and thus it complies with Policy EN6 of the Tamworth Local Plan and NPPF.

Archaeology

6.4.52. Policy EN6, Protecting the Historic Environment, refers to the need for archaeological assessment: *Where potential for archaeology exists, the heritage statement should incorporate an archaeological desk-based assessment that evaluates surviving above and below ground archaeological remains and where necessary, a field-based evaluation by an appropriate professional. An appropriate mitigation strategy will also be required, where necessary. Where archaeology may be lost through development, there will be a requirement for archaeological recording to be undertaken by an appropriate professional and entered in the Historic Environment Record. Where practical and viable, development should address issues identified in the historic environment evidence, in particular the Extensive Urban Survey and, Conservation Area Appraisals. Particular attention will be paid to enhancing key buildings in the town centre, the Creative Quarter initiative, positive redevelopment or enhancement of negative features, public realm improvements and proposals that will enhance buildings classed as 'at risk' and 'vulnerable' in the Heritage at Risk Survey. 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.*

6.4.53. Staffordshire County Council Heritage Environment Team have advised the following in respect of archaeology: Church Street was formerly the location of the heart of the Mercian settlement and later of the medieval town. Until the mid-twentieth century the site was lined with medieval buildings that were demolished to make way for the current Department Store. It is possible that some archaeology remains under the building, especially as urban centres can have deep layers of archaeology due to ground building up over time. The current building has extensive basements and areas infilled with concrete and therefore it is likely that much evidence has been truncated by the construction of the previous building. The evidential potential regarding below-ground archaeology is low in those areas where the basement has been excavated and while there is higher potential in the section which does not have a basement, this too may have been compromised. All of this lies beneath the present building and hence archaeological investigation is not possible prior to demolition.

6.4.54. As such it is recommended that during the construction process any areas of excavation of existing ground should occur under an archaeological watching brief. A section of historic stone wall is located on the southern boundary of the site. This is currently set beyond a concrete fence. This fence will be retained in order to provide protection to the historic wall during the construction phase.

6.4.55. The assessment is therefore in compliance with Policy EN6, Protecting the Historic Environment, of the Tamworth Borough Council Local Plan 2006-2031.

Heritage conclusion

6.4.56. It is considered that the proposal has no adverse impact upon the significance of affected heritage assets but is rather a positive development of the site that places it into a viable use consistent with its conservation and would result in a new development that makes a positive contribution to local character and distinctiveness which also better reveals the significance of the conservation area due to the historic references in the proposed design. The new development makes a positive contribution to local character by virtue of its more appropriate local materials, improved rhythm influenced by historic plot patterns and varied roof line inspired by the roofscape of historic buildings in the town centre. It is therefore considered that the proposal meets the aims of paragraphs 197a, 197c and 206 of the National Planning Policy Framework.

6.4.57. The proposal would result in the replacement of the modern former department store which is itself a modern addition that has a 'low' rated contribution to the historic fabric. The submitted heritage statement has determined the value of the heritage assets and as a result of this, an understanding of the level of harm has been established, considered to be 'less than substantial', and therefore planning consent should only be approved where public benefits can be identified. A robust justification has been provided and together with the refurbishment of the adjoining locally listed building, the new high-quality structure will ensure the long-term use of the historic site and in turn both preserve and enhance the Town Centre Conservation Area. The benefits would outweigh any harm identified to heritage assets and therefore accord with NPPF and policy EN6.

6.4.58. Overall, it is considered that the proposal would be in accordance with Policy EN6 of the Tamworth Borough Council Local Plan and section 16 of the NPPF and meet the statutory duties of Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.

6.4.59. If the application is approved, it is recommended that consideration be given to the necessity for the following conditions:

- To ensure the preservation of the character of the conservation area and safeguarding of the amenities of the area no demolition of the existing building is to take place until a phasing programme or similar be agreed confirming construction of the replacement building to commence a short period of time after demolition
- Incorporate within a Construction Method Statement or similar details of how the section of historic wall to the south of the application site will be protected and conserved during the demolition of the existing building and construction of the replacement building
- To seek advice from the Borough Council's Archaeological advisors to determine the necessity of archaeological investigation, and if so to determine a programme of such investigation.
- Prior to the commencement of the development provide samples and details of the materials to be used on all external elevations of the replacement building to ensure they have a satisfactory appearance that preserves the significance of affected heritage assets and the amenities of the area.

6.5. Highways

6.5.1. Policy SU2 Delivering Sustainable Transport, states that Development should be accessible by walking, cycling and public transport and proposals should prioritise access by these modes of transport above the private car. Planning permission should only be granted where development would ensure adequate highway safety, suitable access for all people and where feasible reduce the impact of travel up on the environment. A Transport Assessment and comprehensive Travel Plan must accompany all major development proposals as set out in Appendix E, and the Council will require the provision of sufficient, safe, weatherproof, convenient and secure cycle parking within development s to assist in promoting cycle use where viable and appropriate.

6.5.2. The NPPF encourages the location of development likely to generate significant trips to town centre locations where a greater choice of public transport options is available, as part of the commitment to sustainable forms of development. this encourages walking, cycling and public transport over use of the private car. Local Plan Policy SU2 aligns with this guidance, highlighting that developments should be accessible by all forms of transport to reduce pollution, manage highway safety and road capacity.

6.5.3. The need to manage transport in new developments is embedded within national, regional and local policy, with the need to reduce car dependency, increase travel choices and encourage sustainable travel supported by the National Planning Policy Framework (NPPF) which states that all developments which will generate significant amounts of movement should be required to provide a Travel Plan (Paragraph 113). The application submission includes a transport statement and travel plan as required by policy.

6.5.4. The Travel Plan is a strategy for monitoring multi-modal access to the site with a focus on sustainable modes. The Travel Plan forms an agreement between Tamworth Borough Council (TBC) as Local Planning Authority, Staffordshire County Council (SCC) as Local Highway Authority and South Staffordshire College to promote and provide facilities to encourage a modal shift towards alternative non-car modes of transport. Travel Plans should identify the specific required outcomes, targets and measures, and set out clear future monitoring and management arrangements all of which should be proportionate. They should also consider what additional measures may be required to offset unacceptable impacts if the targets should not be met. Future monitoring is therefore a requirement.

- 6.5.5. Tamworth town centre is pedestrianised, with vehicular access restricted to emergency vehicles and out of hours servicing. The site has its primary frontage onto the pedestrianised College Lane and Church Street which facilitates an immediate connection with the street movement and square activity. The site also has a vehicular access off Colehill, which can be used for servicing such as refuse, cycle storage, and to support the automotive course aspect that the college provides. The nearest parking is a short walk to Lower Gungate car park and the nearest existing town centre disabled parking bay provision is on St Editha's Close across St Edithas Square. Tamworth bus station lies to the north of the town centre, and various main pick-up points are in Victoria Road and Corporation Street close by, and the train station lies approx. 10 mins walk to the northeast, both of which connect the town with Birmingham and surrounding towns.
- 6.5.6. While the existing college is some distance from the centre, the proposed development is within the town centre and close to a wide range of services, amenities and public transport networks. Given its location, the development will encourage campus users to utilise sustainable transport methods, which are also promoted in the NPPF and Tamworth Local Plan. The greater accessibility options available within the town centre will help drive more sustainable transport choices. Staff and students will be encouraged to walk, cycle or use public transport and given the greater levels of accessibility in the town centre, reliance on car use is likely to be reduced. This will in turn reduce related congestion and carbon emissions. Sustainable transport options will be integrated into the development physically through connections with the existing public realm, pedestrian walkways and cycle networks. For campus users that require public transport, there is a regular bus network and Tamworth train station a 10-minute walk from the site.
- 6.5.7. The site is in a highly sustainable location and the application is supported by a transport statement that concludes that the majority of users will travel by means other than the private car. Parking provision is neither provided nor required in a location where aspirations for the highest levels of walking and cycling are encouraged. This is a clear improvement in sustainability terms over the current sites.
- 6.5.8. Other highway matters, such as interaction with highway boundary and street furniture, can be dealt with satisfactorily by adding appropriate conditions. A travel plan is provided, and monitoring can be secured by a unilateral undertaking to secure payment. Highways officers are also in negotiations to secure a stopping up order on land within their ownership.
- 6.5.9. There are no objections on Highway grounds to the proposed development subject to conditions being included on any approval.
- 6.5.10. Due to the town centre location of the application site, no car parking provision will be available on-site, with servicing to be provided via the existing access off Colehill. No servicing provision is proposed to be via Church Street or College Lane. The main pedestrian access to the new building would be from College Lane. Cycle storage facilities are proposed to be included adjacent to the building entrance and within the area to the rear of the building with access taken from Colehill. The development proposals include Stopping Up of a section of adopted highway on Church Street.
- 6.5.11. Following a review of the planning application documents, the main concerns raised were regarding the interaction of the proposed development with the adopted highway, insufficient details provided in the Travel Plan and insufficient details provided in the Outline Construction Management Plan. The applicant has provided some further detail for the need to stop up the section of highway which is related to the operational aspects of the college. As the surrounding highway is pedestrianised with vehicle restrictions in place, it is not considered that the proposed stopping up of highway would have an adverse impact on the surrounding highway, with sufficient width pedestrian routes available for use by the public and future users of the application site.
- 6.5.12. The impact of any proposed demolition and excavation activities on or adjacent the adopted highway were queried, especially a lower ground floor level is proposed and there is a concern that the footway and/ or carriageway on Church Street and College Lane may fail. No details regarding any structural surveys undertaken or how this aspect of the development was going to be addressed have been provided; however, it is considered that this detail can be dealt with via condition alongside the requirement for a Highway Works Agreement. Any aspects of the development which overhang into the adopted highway would require approval from the Highway Authority.

- 6.5.13. An updated Travel Plan has addressed the initial comments provided. The details provided regarding the proposed baseline mode share based on existing staff and student postcode data is welcomed. In addition an Outline Construction Management Plan has been submitted in support of the planning application. This can be dealt with via condition.
- 6.5.14. In light of the above information and assessments, the proposals are considered acceptable from a highways and transport perspective and are in accordance with national and local transport planning policies and guidance, in particular policy SU2 of the Tamworth Local Plan 2006-2031.

6.6. Drainage

- 6.6.1. Policy SU4 (Flood Risk and Water Management) requires all development to demonstrate that there is no increased risk of flooding to existing properties and to seek to improve existing flood risk management. Proposals are also expected to incorporate appropriate Sustainable Urban Drainage (SUDS) techniques to manage flow routes on site and limit surface water run-off and discharge to the sewer network.
- 6.6.2. The proposal incorporates SUDS through the use of a rainwater harvesting system. The system uses a below ground storage tank to collect surface water which is then pumped to a header tank in the basement of the building. From there the water is circulated around the building to serve the WCs and washdown points.
- 6.6.3. The Lead Local Flood Authority (LLFA) have considered the proposal and provided the Staffordshire County Council Flood Risk Management position. The LLFA is extremely supportive of the innovative SUDS design proposed by the applicant to overcome site constraints and are satisfied that sufficient attenuation can be accommodated on site, despite various constraints, to achieve an acceptable discharge rate. However, whilst they are satisfied that the proposed development is acceptable in principle, more detail will be required on the design of the proposed drainage system to ensure that it is appropriate. They have therefore proposed a condition to ensure that the detailed designs are submitted by the applicant to be reviewed and approved in consultation with the LLFA prior to the commencement of the development.
- 6.6.4. Severn Trent Water have also confirmed that they have no objections to the proposals subject to the inclusion of an appropriate condition requiring plans for the disposal of foul and surface water flows to be submitted and approved prior to commencement of the development.
- 6.6.5. The suggested conditions have been included in the draft proposed conditions at the end of this report. Subject to the inclusion of the proposed conditions, it is considered that that proposal would comply with policy SU4 of the Tamworth Local Plan 2006-2031.

6.7. Other Matters

Noise, Dust and Contamination etc

- 6.7.1. *Policy EN5, Design of New Development states that proposals should g) Minimise or mitigate environmental impacts for the benefit of existing and prospective occupants of neighbouring land. Such impacts may include loss of light, privacy or security or unacceptable noise, pollution, flooding or sense of enclosure*
- 6.7.2. *The relevant reports were reviewed by Environmental Protection who have concluded that the proposals are acceptable subject to conditions as indicated at the end of this report regarding hours of construction activity in respect of noise, a scheme of dust control measures.*
- 6.7.3. *In relation to Contaminated Land, a Materials Management Plan (MMP) and a watching brief for unexpected contamination is required to protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with local planning policy.*
- 6.7.4. Therefore the proposal would comply with policy EN5 and policy SU5 of the Tamworth Local Plan 2006-2031.

Planning obligations

- 6.7.5. Policy IM1 (Infrastructure and developer contributions) states that new development will only be granted if it is supported by appropriate infrastructure at a timely stage, and that developer contributions will be sought where needs arise as a result of new development.
- 6.7.6. A Travel Plan fee is required to support the developer's Travel Plan Coordinator and audit annual monitoring reports to ensure the Travel Plan outcomes are being achieved. The Travel Plan fee is £10,000 (ten thousand) and can be secured through a Unilateral Undertaking which has been agreed with the applicant. No further planning obligations are required in relation to the proposal.
- 6.7.7. The Community Infrastructure Levy (CIL) was adopted in August 2018 and since that point developments that are liable for CIL have been subject to the charging schedule. The proposed development would be liable for CIL; however, it would fall within the 'All other development' category which currently carries a levy of £0 per square metre of floorspace. The total CIL liability for the proposed development would therefore be £0.
- 6.7.8. Subject to the applicant providing a unilateral undertaking for the Travel Plan fee, it is considered that the proposal would comply with policy IM1.

7. Planning Balance and Conclusion

- 7.1. This application proposes the development of a purpose-built educational facility for South Staffordshire College. The consolidation of learning into a single, centrally located campus and within a modern, purpose designed space will substantially benefit the educational experience of students, improve sustainability and better connect students with local business. The proposal provides general & specialist teaching spaces, learning & study spaces, support & administrative spaces and public-facing training spaces in a single building. In addition to meeting the College's current and future needs, the ambition is that this proposal will act as a catalyst for regeneration within Tamworth town centre and will set a precedent for future development in high quality design.
- 7.2. The current co-op building is unfit for any significant use in its current form and is not attractive to other uses. The College will bring a completely new building, into the heart of the Town Centre, showcasing what the town has to offer and giving confidence to other landowners and investors that Tamworth Town Centre is a place to invest. This significant show of confidence, through this investment and the direct additional footfall of students and staff, directly into the heart of the Town Centre will undoubtedly change the demographic of users, immediately increase footfall and inject a level of increased additional spend to surrounding uses classes. This investment will be a catalyst for future new business users and hopefully allow current users to improve or enhance their offer to meet the needs of the new users.
- 7.3. The proposal accords with the three overarching objectives of the NPPF and Tamworth Local Plan and the need to secure additional vitality and regeneration in town centres in response to the changing economic trends. The application accords with this approach and delivers sustainable development that will have positive social, economic and environmental outcomes for the town and the community.
- 7.4. The development of the college proposed will:
- provide a high-quality educational campus with modern, flexible, state of the art facilities
 - secure the positive reuse of an existing previously developed brownfield site
 - regenerate a site that detracts from nearby heritage assets and its setting within the Conservation Area with a building that is sympathetic to its surroundings and historical setting
 - secures high-quality, accessible design, which combines low carbon technologies, with modern, flexible educational facilities and high-quality design that contributes positively to a strong sense of place
 - places education at the heart of the community, enabling better integration with the community and local businesses
 - represents a substantial investment in the town centre that will in the short-term support construction jobs and lead to a long-term increase in spending on goods and services in the town centre, supporting the local economy
 - ensures that the impacts of the development are minimised through a CEMP, Travel Plan and other controls during construction to ensure the protection of the environment and amenities.

- 7.5. It is concluded that the proposed development accords with the development plan and represents sustainable development in accordance with policy SS1 and SS2 that should be permitted in accordance with paragraph 11 of the NPPF.
- 7.6. The principle of redevelopment of the site for educational purposes is consistent with policy EC1, and EC2 in that it is a use identified as suitable for the town centre location.
- 7.7. The proposed new building is considered to be respectful and in keeping with the previous retail use of the site and architectural and historic qualities of the nearby listed buildings, and together with the high-quality contemporary design and palette of materials a strong case is made for supporting the scheme in accordance with policies EN5 and EN6 of the Tamworth Borough Council Local Plan 2006-2031.
- 7.8. The proposal would result in the replacement of part of a locally listed building which is itself a modern addition that has a low rated contribution to the historic fabric. The submitted heritage statement has determined the value of the heritage assets and as a result of this, an understanding of the level of harm has been established, considered to be 'less than substantial', and therefore planning consent should only be approved where public benefits can be identified. A robust justification has been provided and together with the refurbishment of the adjoining locally listed building, the new high-quality structure will ensure the long-term use of the historic site and in turn preserve and enhance the Town Centre Conservation Area. The benefits would outweigh any harm identified to heritage assets. Archaeology has been assessed and conditions will ensure that any future findings are properly managed and recorded and therefore accords with the requirement of the NPPF and policy EN6 of the local plan.
- 7.9. The site is in a highly sustainable location and the application is supported by a transport statement that concludes that the majority of users will travel by means other than the private car. Parking provision is neither provided nor required in a location where aspirations for the highest levels of walking and cycling are encouraged. Other highway matters, such as interaction with highway boundary and street furniture, can be dealt with satisfactorily by added appropriate conditions. A travel plan is provided, and monitoring can be secured by a unilateral undertaking to secure payment. Overall this complies with policy SU2 of the Tamworth Borough Council Local Plan 2006-2031.
- 7.10. Drainage proposals are satisfactory and accord with policy SU4 of the Tamworth Borough Council Local Plan 2006-2031.
- 7.11. Noise and disturbance would not differ substantially from the previous retail use and contamination has been fully investigated with appropriate conditions added and accord with policy EN5 and SU5 of the Tamworth Borough Council Local Plan 2006-2031.
- 7.12. The scheme is a significant part of the Future High Street funding programme of enhancements to the town centre designed to structurally transform the built environment thus diversifying the towns offer to ensure that decline is halted and fortunes are turned around. There would be significant social, economic and environmental benefits for the town and students and a sustainable solution and location for a high-quality place of learning.
- 7.13. The Town Centre has not seen significant investment in buildings, both for new build or in terms of substantial reinvestment and repurposing in nearly 30 years since the completion of phase 2 of Ankerside. This development represents a once in a generation opportunity to remove a vacant, derelict, aesthetically poor building and replace it with a use that will build vibrancy back into the town centre.
- 7.14. On balance, and on the basis of the content of this appraisal and the submitted application documents, suggested conditions and planning obligations it is considered that the development would be acceptable and in accordance with the adopted Tamworth the Tamworth Borough Council Local Plan 2006-2031 and the National Planning Policy Framework 2021.

8. Recommendation

Approval, subject to conditions below and grant delegated authority to the Assistant Director Growth and Regeneration to conclude negotiations on and complete an agreement under section 106 of the Town and Country Planning Act 1990 so to secure the planning obligations outlined in this report.

9. Conditions / Reasons

Time

- 1. The development hereby approved shall be begun before the expiration of three years from the date of this permission.

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

Plans Compliance

- 2. The development hereby permitted shall be carried out in accordance with plan(s)/drawing(s):

Details to be advised

DRAWING TITLE	DWG No	REVISION
Site Location Plan		
Existing Site Plan		
Existing Site Sections		
Proposed Site Plan		
Proposed Site Sections		

Unless as otherwise required by condition attached to this permission or following approval of an application made pursuant to Section 96A of the Town and Country Planning Act 1990.

Reason: For the avoidance of doubt and in the interests of achieving sustainable development.

Materials-Details

- 3. 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.

Full details of all external materials;

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.

Archaeology

- 4. Prior to the commencement of the development hereby permitted, a written scheme of archaeological investigation ('the Scheme') shall be submitted for the written approval of the Local Planning Authority. The Scheme shall provide details of the programme of archaeological works to be carried out within the site, including post-fieldwork reporting and appropriate publication. B) The archaeological site work shall thereafter be implemented in full in accordance with the written scheme of archaeological investigation approved under condition (A). C) The development shall not be occupied until the site investigation and post excavation assessment has been completed in accordance with the written scheme of archaeological investigation approved under condition (A) and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured".

Reason: 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.

Noise

- 5. 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.

Reason: In the interests of amenity, in accordance with local planning policy EN5 of the Tamworth Borough Council Local Plan 2006-2031.

- 6. No work, no construction site machinery or plant shall be operated, no process shall be carried out, and no construction related deliveries taken at or dispatched from the site except between the hours of 8am-6pm Monday to Friday and 8am-1pm Saturday and not at any time on Sundays, Bank or Public Holidays

Reason: In the interests of amenity, in accordance with local planning policy EN5 of the Tamworth Borough Council Local Plan 2006-2031.

Dust

7. *The development shall not be commenced until a scheme specifying the provisions to be made to control dust emanating from the site has been submitted to and approved in writing by the local planning authority. The agreed scheme shall then be implemented in full.*

Reason: In the interests of amenity, in accordance with local planning policy EN5 of the Tamworth Borough Council Local Plan 2006-2031.

Contaminated Land

8. *The recommendations of South Staffordshire Geotechnical design report July 2022 2118-A2S-XX-XX-RP-Y-0002-00 should be implemented. The specification of new water supply pipes installed as part of the proposed development should be agreed with the utility provider. PE specification pipework may not be acceptable.*

Site-won soils are suitable for re-use within the proposed development without additional chemical testing. However, if import of soils and aggregates is required from off-site then only suitable materials should be incorporated into the permanent works.

No waste materials should be imported, and it may be required to develop a Materials Management Plan (MMP) in accordance

A watching brief for unexpected contamination should be implemented during the groundworks.

Reason: To protect the health of future occupiers of the site from any possible effects of contaminated land, in accordance with local planning policy SU5 of the Tamworth Borough Council Local Plan 2006-2031 and paragraphs 178 and 179 of the National Planning Policy Framework.

Drainage

9. *Notwithstanding the details provided No development shall commence until a detailed surface and foul water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority in consultation with the Lead Local Flood Authority and Severn Trent Water. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme to be submitted shall demonstrate:*

- *Surface water drainage system(s) designed in accordance with the non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015).*
- *Provision of surface water run-off attenuation storage in accordance with the requirements specified in 'Science Report SC030219 Rainfall Runoff Management for Developments'.*
- *Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus climate change return periods.*
- *Plans illustrating flooded areas and flow paths in the event of exceedance of the drainage system.*
- *Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water drainage systems shall be maintained and managed for the lifetime of the development.*

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface and foul water from the site in accordance with policy SU4 and SU5 of the Tamworth Borough Council Local Plan 2006-2031.

10. *The development hereby permitted shall not be commenced until such time as a scheme to demonstrate satisfactory surface water drainage systems has been submitted to, and approved in writing by, the local planning authority. This should demonstrate:*

- *Submission of a full and completely satisfactory CCTV condition survey report of the surface water drainage system, particularly of all existing assets to be utilised. All significant defects with a grade defect above 2 will need to be appropriately rectified or remedied and satisfactory evidence of this remediation submitted .*
- *Surface water drainage system(s) designed in accordance with the Non-Statutory Technical Standards for sustainable drainage systems, (SuDS), (DEFRA, March 2015).*
- *Sustainable Drainage Systems designed in full accordance with the Staffordshire County Council SuDs Handbook*

- *Limiting the surface water run-off generated by all storm events up to, and including the 1 in 100 year plus 40% (for climate change) event, to 2 l/s.*
- *Provision of adequate attenuation flood storage on the site to a 1 in 100 year plus 40% climate change return period standard in full accordance with the requirements specified in 'Science Report Sc030219 Rainfall Management for Developments'. • Detailed design (plans, network details and calculations), in support of any surface water drainage scheme including details of any attenuation system, and outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 1 year, 1 in 2 year, 1 in 30 year, 1 in 100 year and 1 in 100 year plus 40% (climate change), return period, critical duration storms.*
- *A satisfactory proposed final site levels plan, as well as a detailed pipe and manhole levels plan, indicating all appropriate cover levels and invert levels is to be submitted and approved.*
- *Details of the proposed rainwater harvesting system and its explicit relationship with the attenuation crate, particularly levels.*
- *Plans illustrating the flooded areas and flow paths in the event of exceedance of the drainage system.*
- *Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water systems shall be maintained and managed for the lifetime of the development.*
- *Provision of an acceptable Construction Surface Water Management Plan or Construction Environment Plan for surface water drainage to ensure that surface water systems shall be maintained and managed during demolition and construction phases.*
- *Confirmation of which responsible body will maintain the surface water system over the lifetime of the development according to an acceptable maintenance schedule.*
- *Evidence of agreement between the applicant and Severn Trent Water Plc to discharge into the Surface Water Sewerage system.*

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

Highways

11. *Notwithstanding the submitted details, the development hereby permitted shall not be commenced until details of any works within the adopted highway have first been submitted to and approved in writing by the Local Planning Authority, which shall thereafter be constructed in accordance with the approved details.*

Reason: In the interests of pedestrian and highway safety accordance with policies EN5 and SU2 and Appendix C of the Tamworth Borough Council Local Plan 2006-2031.

12. *The development hereby permitted shall not be commenced until details of structural surveys undertaken to determine the impact of any required excavation activities on or next to the adopted highway have first been submitted to and approved in writing by the Local Planning Authority. Any excavation activities shall thereafter be carried out in accordance with details agreed in writing with the Local Planning Authority.*

Reason: In the interests of pedestrian and highway safety accordance with policies EN5 and SU2 and Appendix C of the Tamworth Borough Council Local Plan 2006-2031.

13. *The development hereby permitted shall not be commenced until highway rights have been extinguished for the area of land shown in dark purple on submitted plan Drawing No. 2022/6546/001 P3 Boundary Overlay Plan.*

Reason: In the interests of pedestrian and highway safety accordance with policies EN5 and SU2 and Appendix C of the Tamworth Borough Council Local Plan 2006-2031.

14. *Notwithstanding the submitted details, the development hereby permitted shall not be commenced until details of replacement street lighting have first been submitted to and agreed in writing by the Local Planning Authority. The replacement streetlighting shall thereafter be delivered in accordance with the approved details.*

Reason: In the interests of pedestrian and highway safety accordance with policies EN5 and SU2 and Appendix C of the Tamworth Borough Council Local Plan 2006-2031.

15. *Notwithstanding the submitted details, no phase of the development shall take place, including any demolition or excavation works, until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. The approved Construction Management Plan shall be adhered to throughout the construction period. The Construction Management Plan shall include: -*

Details of construction access - Arrangements for the parking of site operatives and visitors - Location of the contractors compounds, cabins and materials storage areas - Construction hours - Delivery hours and routeing - Recorded daily inspections of the private road/ adopted highway leading to the site access - Measures to remove mud or debris carried onto the private road/ adopted highway - Agent contact details.

Reason: In the interests of pedestrian and highway safety accordance with policies EN5 and SU2 and Appendix C of the Tamworth Borough Council Local Plan 2006-2031.

16. *Notwithstanding the submitted details, the development hereby permitted shall not be brought into use until full details of safe, secure and weatherproof cycle parking, changing and locker facilities for staff and students, have first been submitted to and approved in writing by the Local Planning Authority. The cycle parking, changing and locker facilities shall be constructed in accordance with the approved details and thereafter be retained for the life of the development.*

Reason: In the interests of pedestrian and highway safety accordance with policies EN5 and SU2 and Appendix C of the Tamworth Borough Council Local Plan 2006-2031.

17. *Upon commencement of the development the Travel Plan (Final Rev A, dated 16/09/2022) shall be implemented and monitored accordingly to the targets and timescales contained therein.*

Reason: To avoid indiscriminate parking and obstruction of the highway in the interests of pedestrian and highway safety in accordance with policy SU2 of the Tamworth Borough Council Local Plan 2006-2031

18. *Prior to occupation, the associated parking and cycle storage areas, indicated on submitted Drgs xxxxx., shall be provided with the parking bays clearly delineated and thereafter retained at all times for their designated purpose.*

Reason: In the interests of pedestrian and highway safety accordance with policies EN5 and SU2 and Appendix C of the Tamworth Borough Council Local Plan 2006-2031.

Informative Notes:

Highways

1. The proposed development shall require a Highway Works Agreement with Staffordshire County Council. The applicant is requested to contact Staffordshire County Council to secure the Agreement. The link below is to the Highway Works Information Pack including an application form. Please complete and send to the address indicated on the application form or email to highway.agreements@staffordshire.gov.uk. The applicant is advised to begin this process well in advance of any works taking place to meet any potential timescales.
<https://www.staffordshire.gov.uk/Highways/highwayscontrol/HighwaysWorkAgreements.aspx>
2. This Form X is issued on the assumption that the developer enters into a Legal Agreement to secure an acceptable Full Travel Plan and the Travel Plan Fee (£10,000). The Travel Plan fee is required to support the developer's Travel Plan Coordinator and audit annual monitoring reports to ensure the Travel Plan outcomes are being achieved. The works required within condition 3 relates to land which is currently adopted highway and will need to be formally stopped up before works can commence. Please note that permission is required from the Highway Authority before any works can commence. Please visit Staffordshire County Council's website for further information on termination of highway rights at <https://www.staffordshire.gov.uk/Highways/highwayscontrol/Land-Charges/Termination-of-highwayrights.aspx>
3. Conditions requiring off-site highway works shall require a Highway Works Agreement with Staffordshire County Council. The applicant/developer is requested to contact Staffordshire County Council in order to secure the Agreement. The link below is to the Highway Works Information Pack, including an application form. Please complete and send to the address indicated on the application form, or email to nmu@staffordshire.gov.uk. The applicant/developer 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>

Cadent Gas

4. Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.
5. If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions
6. Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Your responsibilities and obligations

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement. This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Fire Service

7. **FIRE MAINS, HYDRANTS AND VEHICLE ACCESS**
Appropriate supplies of water for firefighting and vehicle access should be provided at the site, as indicated in Approved Document B Volume 2 requirement B5, section 15 and 16. I would remind you that the roads and drives upon which appliances would have to travel in order to proceed to within 45 metres of any point within the property, should be capable of withstanding the weight of a Staffordshire firefighting appliance (G.V.W. of 17800 Kg).
8. **AUTOMATIC WATER SUPPRESSION SYSTEMS (SPRINKLERS)** I wish to draw to your attention Staffordshire Fire and Rescue Service's stance regarding sprinklers. Staffordshire Fire & Rescue Service (SFRS) would strongly recommend that consideration be given to include the installation of Automatic Water Suppression Systems (AWSS) as part of a total fire protection package to:
 - Protect life, in the home, in business or in your care.
 - Protect property, heritage, environment and our climate;
 - Help promote and sustain business continuity; and
 - Permit design freedoms and encourage innovative, inclusive and sustainable architecture.
 - Increase fire fighter safetyThe use of AWSS can add significant protection to the structural protection of buildings from damage by fire. Without this provision, the Fire and Rescue Service may have some difficulty in preventing a complete loss of the building and its contents, should a fire develop beyond the stage where it cannot be dealt with by employees using first aid firefighting equipment such as a portable fire extinguisher.
SFRS are fully committed to promoting Fire Protection Systems for both business and domestic premises. Support is offered to assist all in achieving a reduction of loss of life and the impact of fire on the wider community.
Early consultation with the Fire Service when designing buildings which incorporate sprinklers may have a significant impact on reducing financial implications for all stakeholders.

