

PLANNING COMMITTEE

4th October 2022

APPLICATION FOR CONSIDERATION

REPORT OF ASSISTANT DIRECTOR - GROWTH & REGENERATION

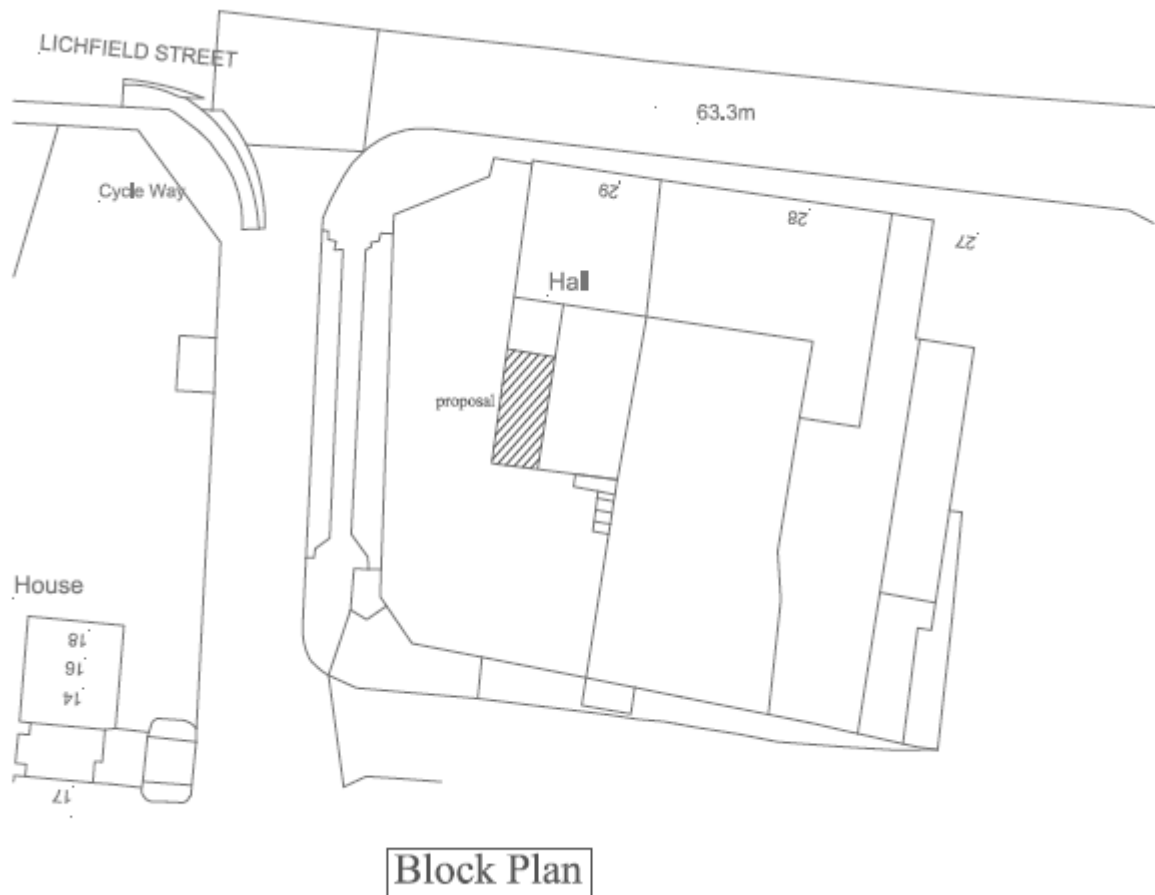


Application Number:	0308/2022
Development:	Erection of a single storey side and rear extension to a Grade II listed building
Location:	29 Lichfield Street, Tamworth, B79 7QE

1. Introduction

- 1.1 The planning application was received on 4th July 2022 to build a single storey side and rear extension on the Tamworth Masonic Rooms at 29 Lichfield Street, Tamworth.
- 1.2 The site is located approximately a quarter of a mile from Tamworth town centre at the end of an existing row of terraced buildings. It is situated in an established mixed use area including residential, offices, professional services, cafes and retail. The existing building itself is three storey in height and of facing brick walls with a tiled pitched roof. The Masonic Rooms are used for meetings, events and functions.
- 1.3 The proposed extension would provide space for two storerooms with an exit/entrance door and corridor. The extension would measure 10m wide by 4.5m deep with a height of 3.4m encompassing a flat roof. The extension includes two windows either side of a centrally located door on the west facing elevation.
- 1.4 This has been brought to committee as Councillor Paul Turner is the applicant. As this is an application by an Elected Member, in accordance with Clause 11.4 of the Code of Practice, the Monitoring Officer has reviewed the application and confirmed that referring it to committee is the appropriate course of action.

Block Plan



Block Plan

1. Policies

2.1 Local Planning Policies

Tamworth Borough Council's Community Infrastructure Levy (CIL)
 Adopted Tamworth Local Plan 2006-2031

- SS1 The Spatial Strategy for Tamworth
- SS2 Presumption in Favour of Sustainable Development
- EN5 Design of New Development
- EN6 Protecting the Historic Environment
- SU2 Delivering Sustainable Transport
- SU5 Pollution, Ground Conditions and Minerals and Soils
- IM1 Infrastructure and Developer Contributions
- Appendix C Car Parking Standard

2.2 National Planning Policies

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

3. Relevant Site History

0309/2022	Erection of a single storey side extension to a grade II listed building	Pending Consideration
T14075	Change of use to offices with rear vehicular access and use of rear land for private parking	Permit with Conditions
T16924	Refurbishment of existing building and single storey extension at rear	Permit with Conditions
T16925	Refurbishment of existing building for use as offices	Permit with Conditions

T17704	Section 53 determination: business centre	Refusal
T21945	Removal of lath and plaster partition in attic	Refusal
T23315	Three illuminated signs	Permit with Conditions
0218/2008	Installation of unisex toilet adjacent to ladies toilet	Permit with Conditions
0020/2014	Works to a Listed Building to allow refurbishment of front entrance	Permit with Conditions
0079/2016	Change of use from A2 (financial & professional) to D1 (non-residential institution) and flats above including minor internal alterations	Permit with Conditions
0080/2016	Works to a Listed Building to allow for the change of use from A2 (financial & professional) to D1 (non-residential institution) and flats above including minor internal alterations	Permit with Conditions
0081/2016	Works to a Listed Building to allow for the removal of cellar wall, floors and support beams due to Dry Rot infestation, reinstate new brick support pillars, sealing of floor and walls and installation of sump pump	Permit with Conditions
0454/2021	Listed Building Consent : Proposed new signage	Permit with Conditions

3. Consultation Responses

- 3.1 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>

TBC Environmental Protection (received 13/07/2022) – no objections subject to conditions on noise and contamination.

TBC Conservation (dated 22/08/2022) - I have assessed the character of the building in its entirety, and not only the impact of the proposal on the elevation to which it is proposed. The designation provides additional consideration for a building's fabric and its special historic interest. The character and use of the original building is relevant, as is its age, architectural detail and prominence and contribution to the historic street scene.

Consideration of Harm

It is my assessment that the proposal would result in less than substantial harm. The extension is attached to the rear of a circa 1970s extension. More detail is required on the impact of the extension to the existing side elevation. Based on information provided thus far, I consider the level of harm to be low, both to the Listed Building, and the character and appearance of the Conservation Area.

In conclusion, I make no objection to the proposal, and recommend approval with conditions for materials, window construction and construction methodology for attachment to existing side elevation.

Staffordshire Fire and Rescue (dated 15/07/2022) – general advice provided on considerations of providing fire access and sprinkler systems

The consultation responses comments are précised. If conditions are proposed these are included within the conditions at the end of the report unless stated otherwise.

4. Additional Representations

- 4.1 As part of the consultation process adjacent residents were notified and a press notice was published. Site notices were erected. No neighbour comments have been received at the time of writing this report.

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 The key issues to be considered at this stage are

- Principle of development
- Character and appearance of the extension
- Impact on Heritage Assets
- Impact on Neighbour Amenity
- Impact on parking and highway safety
- Planning (Listed Building and Conservation Areas) Act 1990

6.1 Principle

6.1.1 The Tamworth Local Plan 2006-2031 (LP) was adopted in February 2016. The most up to date national planning guidance which relates specifically to this development are contained in the adopted Local Plan Policies. As well as the local policies there is guidance within the National Planning Policy Framework (NPPF) and associated practice guidance. The National Design Guide was published in 2021 to reinforce the need for good design in development proposals.

6.1.2 The application site is located within the Tamworth urban area and as such the principle of developing the site through the erection of a side extension to further support the existing Masonic use is considered to be acceptable in principle. The site is a Grade II listed building sited within the Tamworth Town Centre Conservation Area and as such the impact on the heritage assets is an important consideration alongside other local and national planning policy which are discussed below.

6.2 Character and Appearance

6.2.1 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 utilise 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.

6.2.2 The proposed extension will only be visible from the west side and the rear of the building screened behind a brick wall boundary of similar height. The proposed extension is similar in design to a previous 1980's kitchen extension to the side of the building. The extension will have matching brickwork and flat roof and the eaves height will be the same as the existing extension.

6.2.3 In summary therefore, the proposal will not have a significant impact on the character and appearance of this locality for the following reasons;

- Its scale, design and materials are sympathetic to the existing building
- It relates well to its surroundings
- Its siting would not significantly impact on the streetscene

The development will therefore conform with policy EN5 of the Tamworth Local Plan 2006-31 and the National Planning Policy Framework.

6.3 Impact on Heritage Assets

- 6.3.1 Local Plan Policy EN6 states that development that affects designated heritage assets including conservation areas and listed buildings 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. It goes on to say that where sites are located in a conservation area, particularly the historic town centre core, proposals will be required to pay particular attention to:
- a. The scale, form, height, massing, detailing and materials of the development, the existing buildings and physical context to which it relates.
 - b. Historically significant boundaries, street layouts, open spaces, landscape features and structures identified in the conservation area appraisals including walls, railings, street furniture and paved surfaces.
 - c. Important views of listed buildings, scheduled monuments and historic townscape as identified in the conservation area appraisals.

A Heritage Statement has been submitted with this application which states that the proposal is being instigated by the building owners due to the limited storage available within the Masonic Rooms itself. The proposed storage areas will be used for the storage of equipment and furniture which are required for the various building uses. It is also stated that the new extension will help to ensure the long-term occupation and maintenance of the building which is a positive consideration. The materials matching the existing building and using a roof design that is a continuation of the current situation has been used for evidence that that there would be no harm arising to the building.

The Masonic Rooms are mentioned in the Conservation Area appraisal for Tamworth Town Centre albeit briefly as a key building in the local area. Red brick features heavily in the document as a key material in the local area and this would be maintained as part of the proposals. It is considered the proposal would not cause harm to the character and appearance of the conservation area as a result.

It is therefore considered that the proposed extension will cause less than substantial harm to the heritage assets. Finally, the Conservation Officer has provided comments not objecting to the application. The development will therefore conform with policy EN6 of the Tamworth Local Plan 2006-31 and the National Planning Policy Framework.

6.4 Impact on Neighbour Amenity

- 6.4.1 Policy EN5 – Design and New Development states that developments will be expected to 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.
- 6.4.2 The scale of the extension is considered small enough to not create a significant impact on the amenities of occupiers of neighbouring dwellings. There are no windows that face into habitable rooms. Notwithstanding this, the Tamworth Borough Council Environmental Protection team have asked for a condition relating to hours of work during the construction period as there are residential uses nearby who could be disturbed by the noise from processes and deliveries. Such a condition is considered to meet the relevant tests¹.

6.5 Impact on Parking and Highway Safety

- 6.5.1 Policy SU2 and EN5 require development proposals to have particular regard to highway safety, service requirements and the capacity of the local road network and the adopted parking standards set out in Appendix C of the Local Plan.
- 6.5.2 There will be no additional traffic generated from the proposals. Car parking spaces are retained for the Masonic Rooms on the existing off street car park and there will be no alterations to this. Furthermore, additional car parking is available on nearby public car parks. Due to the size of the extension proposed there is envisaged to be no impact loading/ delivery capabilities.

6.6 Contaminated Land

¹ <https://www.gov.uk/guidance/use-of-planning-conditions#Application-of-the-six-tests>

- 6.6.1 Policy SU5 states that development should manage the risk of air, light, noise, ground or water pollution and land instability. Relevant reports proportionate to the scale of the development will be required to assess pollution levels and mitigation measures where a risk is identified. Planning permission will be refused for any proposal where pollution would pose an unacceptable risk to public health, quality of life or the environment which is not mitigated. Proposed land uses should be appropriate to the level of ground contamination risk.
- 6.6.2 Environmental Protection have no objections to the proposal subject to a condition relating to contaminated land. This condition has been requested because a significant proportion of the Masonic Rooms property is included in the buffer zone for a known landfill site. It is recommended that this condition be included to ensure the protection of public health and compliance with policy SU5. This condition is again considered to meet the relevant tests for planning conditions (see above).

7 Conclusion

It is proposed to construct a single storey side extension on the Masonic Rooms at 29 Lichfield Street, Tamworth The Masonic Rooms are a Grade II listed building and lie within the Town Centre Conservation Area. The principle of the development is acceptable and the proposed extension replicates the adjacent existing flat roof element of the building and as such will not impact the character and appearance or the relevant heritage assets. The proposed development is considered to be of an acceptable design overall which will not have a significant adverse impact upon neighbouring amenity or highway safety. Acceptable noise and contaminated land conditions are recommended to further ensure this.

8 Recommendation

Approve subject to Conditions

Conditions / Reasons

1. The development shall be started within three years from the date of this decision. Reason: In compliance with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
2. The development hereby permitted shall only be carried out in accordance with the application form and drawings: 012205/1 and 012205/2 dated January 2022 and unless otherwise agreed in writing by the Local Planning Authority. Reason: To define the permission.
3. If during the works contamination is encountered which has not previously been identified, then the contamination shall be fully assessed, and an appropriate remediation scheme submitted to and approved in writing by the local planning authority. 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 Pollution, Ground Conditions and Minerals and Soils.
4. You must carry out any building work, operate site machinery or operate plant which can be heard at the boundary of the site only:
 - between 0800 and 1800 Monday to Friday;
 - between 0800 and 1300 on Saturday; and
 - not at all on Sundays, bank holidays and public holidays.

Reason: To protect the amenity of the locality, especially for people living and/or working nearby, in accordance with local planning policy EN5 Design of New Development.

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