



## **MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON 4th OCTOBER 2022**

**PRESENT:** Councillor R Ford (Chair), Councillors A Cooper (Vice-Chair), D Box, R Claymore, S Goodall, J Harper, D Maycock, S Smith, M Summers and P Thurgood

The following officers were in attendance: Jane Cotton (Planning Solicitor) Anna Miller (Assistant Director – Growth & Regeneration), Sally Price (Senior Planning Officer), Debbie Hall (Planning Officer) and Tracey Pointon (Legal Admin & Democratic Services Manager)

### **10 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor B Price

### **11 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 11<sup>th</sup> July 2022 were approved and signed as a correct record.

*(Moved by Councillor S Goodall and seconded by Councillor A Cooper)*

### **12 DECLARATIONS OF INTEREST**

The Chair confirmed that under Section 33(2) of the Localism Act 2011, the act permits an authority to grant a dispensation from either or both of the restrictions not to participate and / or vote on a matter in which they have a pecuniary interest. Planning Committee Members have received a dispensation for applications relating to the Future High Street Project for a period of two years starting from 7th July 2022 until 7th July 2024. This was relevant to Item 4a on the Agenda.

Councillor J Harper declared a non-pecuniary interest in the applications 0308/2022 and 0309/2022 as a member of the masonic Lodge

Councillor D Maycock declared a non-pecuniary interest in the applications 0308/2022 and 0309/2022

Councillor M Summers declared a non-pecuniary interest in the applications 0308/2022 and 0309/2022

At the request of the Chair the Planning Solicitor gave advice to Members on interests in relation to items 4b and 4c on the Agenda

### 13 APPLICATIONS FOR CONSIDERATION

#### 14 0262/2022 CO-OP DEPARTMENT STORE, 5 COLEHILL TAMWORTH - REDEVELOPMENT TO PROVIDE NEW COLLEGE BUILDINGS

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

Steven Fidgett - Agent and Peter Marsh – Agent spoke in support of the Application

RESOLVED: Subject to the following changes to conditions  
Condition 2 Drawings List to be inserted  
Condition 9, drainage to be deleted – repetition of condition 10  
Condition 18, cycle storage to be deleted – repetition of condition 16.

The Committee approved, subject to conditions below and subject to the prior completion of a s106 Obligation 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.

*(Moved by Councillor M Summers and seconded by Councillor A Cooper)*

#### 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):

SSC ACG XX 00 DR A 2050 - Ground Floor Plan - GA 1:100 A0 P1 P2

SSC ACG XX 01 DR A 2051 - First Floor Plan - GA 1:100 A0 P1 P2

SSC ACG XX 02 DR A 2052 - Second Floor Plan - GA 1:100 A0 P1 P2

SSC ACG XX 03 DR A 2053 - Third Floor Plan - GA 1:100 A0 P1 P2

SSC ACG XX RF DR A 2054 - Roof Access Plan - GA 1:100 A0 P1 P2

SSC ACG XX B1 DR A 2055 - Lower Ground Floor Plan - GA 1:100 A0 P1 P2

SSC ACG XX RF DR A 2056 - Roof Floor Plan - GA 1:100 A0 P1 P2

SSC ACG XX ZZ DR A 4050 - GA Elevations - North & South 1:100 A0 P1 P2

SSC ACG XX ZZ DR A 4051 - GA Elevations - East & West 1:100 A0 P1 P2

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. 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

10. 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

11. 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.

12. 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.

13. 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.

14. 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.

15. 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.

16. 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

#### 14.1 0308/2022 Masonic Rooms (FULL)

Councillors J Harper, D Maycock and M Summers left the meeting at 19.30 as they had declared non pecuniary interest on application 0308/2022

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

RESOLVED: Subject to the addition of conditions 5 & 6

Approved subject to Conditions  
(Moved by Councillor R Ford and seconded by Councillor A Cooper)

#### Conditions/Reasons

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

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

2. The development hereby permitted shall 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 approval.

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.

5. Notwithstanding condition 2 above, no development shall take place until samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Tamworth Town Centre Conservation Area and to conform to policies EN5 and EN6 of Tamworth Local Plan 2006-31.

6. No development shall take place until a construction methodology has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the extension is constructed in a manner which protects the integrity and historic features of the listed building and to conform to policies EN5 and EN6 of Tamworth Local Plan 2006-31.

#### 14.2 **0309/2022 Masonic Rooms (LBC)**

Councillors J Harper, D Maycock and M Summers left the meeting at 19.30 as they had declared non pecuniary interest on application 0309/2022

Application Number: 0309/2022

Development: Erection of a single storey side and rear extension to a Grade II listed building

Location: 29 Lichfield Street, Tamworth, B79 7QE

Resolved: Subject to the addition of condition 4

Approved subject to Conditions

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

### Conditions/Reasons

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

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

2. The development hereby approved shall only be carried out in accordance with the application form and drawings: 012205/1 and 012205/2 dated Jan'22 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To define the permission.

3. Notwithstanding condition 2 above, no development shall take place until samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To make sure that the appearance of the building is suitable and that it contributes to the character and appearance of this part of the Tamworth Town Centre Conservation Area and to conform to policies EN5 and EN6 of Tamworth Local Plan 2006-31.

4. No development shall take place until a construction

methodology has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the extension is constructed in a manner which protects the integrity and historic features of the listed building and to conform to policies EN5 and EN6 of Tamworth Local Plan 2006-31.

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Chair

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