



MINUTES OF A MEETING OF THE PLANNING COMMITTEE HELD ON 7th MARCH 2023

PRESENT: Councillors A Cooper (Vice-Chair), D Box, R Claymore, S Daniels, S Goodall, J Harper, J Jones, D Maycock, B Price, S Smith, M Summers and P Thurgood

The following officers were in attendance: Jane Cotton, Legal Advisor Glen Baker-Adams (Team Leader - Development Manager) and Tracey Pointon (Legal Admin & Democratic Services Manager)

27 APOLOGIES FOR ABSENCE

There were no apologies for absence. Councillor S Daniels arrived at 18.03 whilst the application for consideration was being presented, so was unable to vote on the application 0206/2021

28 MINUTES OF THE PREVIOUS MEETING

The minutes of the meetings held on 17th January 2023 and 7th February 2023 were approved and signed as a correct record.

(Moved by Councillor S Goodall and seconded by Councillor B Price)

29 DECLARATIONS OF INTEREST

There were no Declarations of Interest.

30 APPLICATIONS FOR CONSIDERATION

31 0206/2021 - FORMER CO-OP GARAGE, BONEHILL ROAD, TAMWORTH, B78 3JJ

Application Number: 0206/2021

Development: Full application for the demolition of existing buildings, construction of 11 no. dwellings, associated parking and access

Location: Former co-op Garage, Bonehill Road, Tamworth, Tamworth B78 3JJ

RESOLVED:

1. Approved application subject to conditions and subject to the prior approval of a S.106 Agreement for reduced education contributions.
2. Approved Payment of CIL

(Moved by Councillor S Goodall and seconded by Councillor M Summers)

Conditions / Reasons

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

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

2. The development hereby approved shall only be carried out in accordance with:
 - Site Survey and Location Plan Ref 9263.100
 - External Works and Site Layout Plan Ref 9263.101
 - Proposed elevations Plots 1, 2 3 and 4 Ref 9263.102C
 - Proposed elevations Plots 5, 6 and 7 Ref 9263.103B
 - Proposed elevations Plots 8,9,10 and 11 Ref 9263.104C
 - Proposed Steet Scenes Ref 9263.105A
 - Elevations_Sections as Proposed 2 of 3
 - Elevations_Sections as Proposed 3 of 3
 - Proposed Plans_ Elevationsunless otherwise agreed in writing by the Local Planning Authority.

Reason: To define the approval.

3. Prior to the commencement of the development hereby approved details of all materials to be used in the construction of the external surfaces of the development shall be submitted to and approved by the Local Planning Authority in writing and the development shall be carried out in accordance with the approved details.

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

4. The proposed car and cycle parking, accesses and circulation areas as shown on the approved plan Drawing Number 9263.101 REV C shall be sustainably drained, hard surfaced in a bound material and marked out prior to the first occupation of the building hereby permitted. Thereafter these parking and circulation areas

shall be retained in accordance with the approved plans for the lifetime of the development.

Reason: In the interests of highway safety and in accordance with the objectives and policies contained within the NPPF and policy SU2: of the Tamworth Local Plan 2006-2031.

5. The development permitted by this planning permission shall only be carried out in accordance with the Staffordshire SuDS Handbook with the approved Flood Risk Assessment and Drainage Strategy (07.06.22, CO21/384/10, Rev E, SuDS Strategy Report, Former Co-op MOT Centre, 1 Bonehill Road, Tamworth/ JMS Engineers) and the following measures detailed within the FRA, which shall be provided in full prior to the occupation of the development and thereafter retained in full for the lifetime of the development :
- Limiting the surface water run-off generated by the 100yr + 40% climate change critical storm so that it will not exceed 3.5l/s and not increase the risk of flooding off-site.
 - Provision of 34.3m³ attenuation flood storage on the site to a 1 in 100yr + 40% climate change standard with 300mm freeboard.
 - Finished floor levels are set to 60.4m AOD in line with Environment Agency recommendations.
 - Provision of 4 levels of treatment for surface water including permeable paving, attenuation pond, smart gully adaptors providing water treatment and an oil interceptor.
 - The management and maintenance of the private drainage network and SuDS features (including the replacement of any drainage infrastructure) will be under the responsibility of a management company.
 - The attenuation pond and permeable paving features will be lined.
 - No loading on the proposed combined pipe diversion through the site.

Reason: To reduce the impact of flooding and to protect water quality on the proposed development and future occupants. To ensure lifetime maintenance of the system to prevent flooding issues and in accordance with SU4 Flood Risk and Water Management of the Tamworth Local Plan 2006-31.

6. The development hereby permitted shall not be commenced until such time that the following additional details have been incorporated in the scheme approved under Condition 5 has been submitted to, and approved in writing by, the local planning authority.
- Provision of a finalised management and maintenance plan for surface water drainage to ensure continued performance of the system for the lifetime of the development. Details of the maintenance arrangements should be provided, to include a schedule of activities with frequencies, together with the name and

contact details of the party or parties responsible for ongoing maintenance.

- Provision of the name and contact details of the party or parties responsible for the construction phase maintenance strategy.
- Provision of drawings showing the location, dimensions, and levels of emergency overflows for piped and storage features.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority. Reason: To ensure the long term management and maintenance of the SuDS infrastructure and in accordance with SU4 Flood Risk and Water Management of the Tamworth Local Plan 2006-31.

7. 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 drainage works shall be provided in full in accordance with the approved details before the development is first brought into use.

Reason: To ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.in accordance with the NPPF and Policy SU4 of the Tamworth Local Plan 2006 – 2031.

8. . 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 part (A).of this condition.
- C) The development shall not be occupied until the site investigation and post-fieldwork assessment has been completed in accordance with the written scheme of archaeological investigation approved under part (A) above of this condition and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.
- The Written Scheme of Investigation (WSI) identified in the condition above should consider all appropriate aspects of archaeological work including post excavation and reporting. Any subsequent archaeological mitigation must be the focus of a separate WSI produced after the evaluation stage and following detailed discussions with the LPA’s archaeological advisor.

Reason: To ensure the site does not harm archaeological remains in accordance with EN6 of the Tamworth Local Plan 2006-31 and

paragraph 200 of the NPPF.

9. . Precautionary measures for avoidance of harm to wildlife set out in section 4.3b of the submitted Preliminary Ecological Appraisal (Dr S Bodnar, June 2019 (amended)) must be followed in full which include:
- Tree protection in line with BS 5837, or as specified by the LPA arboricultural advisor.
 - Details to be submitted for approval of 6 (number) swift bricks or boxes to be installed on the north elevation of the buildings towards the floodplain (plots 9 and 10) in groups of 3.
 - Submission of landscaping plan that includes native species, adds screening to the north boundary with the floodplain. This landscaping plan should also include details of proposed boundary treatments used in the development.

Reason: To protect ecological interests that may exist on the site in accordance with EN4 Protecting and Enhancing Biodiversity and the NPPF.

10. Prior to the commencement of development, a detailed tree survey report, showing root protection areas, no dig zones and no parking/vehicle zones will be submitted to and approved in writing by the Local Planning Authority. The scheme shall indicate all existing trees and hedgerows on the site and indicate those to be retained, together with the measures to be adopted to protect them during the course of the development and that the development shall be implemented in accordance with the approved landscaping scheme and retained thereafter throughout the life of the development.

Reason: In the interests of the setting and visual appearance of the development and in accordance with policy EN4: Protecting and Enhancing Biodiversity of the Tamworth Local Plan 2006-2031.

11. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives written consent to any variation

Reason: In the interests of the setting and visual appearance of the development, and in compliance with policies EN4: Protecting and Enhancing Biodiversity and EN5: Design of New development as set out in the Tamworth Local Plan 2006-2031.

12. No development falling within Part 1 Class A to E of Schedule 2 of

the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification) shall be carried out without Planning Permission on application first being granted by the Council.

Reason: In order for the Local Planning Authority to consider future proposals in the interests of the character and appearance of the area in accordance with policy EN5: Design of New developments as set out in the Tamworth Local Plan 2006-2031.

13. The integral garages must be used for the parking of motor vehicles and cycles incidental to the residential use of each dwelling and for no other purpose and to retain them for this purpose for the lifetime of the development.

Reason: To comply with Policy SU2 of the Tamworth Borough Council Local Plan 2006 -2031 and the NPPF.

Notes to applicant

The following link provides an overview of the permissions and licences required for undertaking work on or adjacent to the adopted highway:

<https://www.staffordshire.gov.uk/Highways/licences/Overview.aspx>.

Staffordshire County Council as Highway Authority would not formally adopt the proposed development, however, the development will require approval under Section 7 of the Staffordshire Act 1983. This Form X does not constitute a detailed design check. The applicant is requested to contact Staffordshire County Council to ensure that approvals and agreements are secured before commencement of works.

It will, therefore, be necessary for maintenance/management arrangements for the access road and internal layout to be submitted to the Highway Authority with a view to securing an exemption under Section 219 of the Highways Act 1980. Although the road layout will not be to adoptable standard, the roadways within the site will still need to be constructed to be 'fit for purpose

Chair