

Anna Miller

Assistant Director (Growth and Regeneration)



Application number : 0409/2019
Please ask for : Katie Johnson 01827 709283
E-mail : planningadmin@tamworth.gov.uk

Stride Treglown
350 Bournville Lane
Bournville
Birmingham
B30 1QY
United Kingdom

24 June 2020

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990

Reference: 0409/2019

Demolition of 3No. Timber Classrooms and Erection of Single Storey Classroom Block (6No. Classrooms), Temporary Permission for Haul Road and a Permanent 2.4m Boundary Fence

Dosthill Primary Academy, High Street, Dosthill, TAMWORTH, B77 1LQ

I enclose the decision notice in respect of the above application under the Town and Country Planning Act 1990.

Your attention is directed to the conditions/reasons stated on the attached decision notice.

Yours faithfully

Katie Johnson

Planning Officer

DECISION NOTICE

**TOWN AND COUNTRY PLANNING ACT 1990
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE)
(ENGLAND) ORDER 2015**

GRANT OF PLANNING PERMISSION

Reference: 0409/2019

Demolition of 3No. Timber Classrooms and Erection of Single Storey Classroom Block (6No. Classrooms), Temporary Permission for Haul Road and a Permanent 2.4m Boundary Fence

Dosthill Primary Academy, High Street, Dosthill, TAMWORTH, B77 1LQ

Tamworth Borough Council GRANT PLANNING PERMISSION for the above development subject to the following conditions:-

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 the following drawings and documents:

SK191129.01 P01

DPS-STL-XX-00-DR-A-X-9000 REV P08

DPS-STL-00-ZZ-DR-A-X-0910 REV P04

DPS-STL-XX-XX-DR-A-XXXX-X002 REV P03

DPS-STL-XX-XX-DR-A-XXXX-X003 REV P03

DPS-STL-XX-00-DR-A-XXXX-0920 REV P02

DPS-STL-00-ZZ-DR-A-X-1901-REV P01

DPS-CAL-00-XX-DR-C-200 REV P04

DPS-CAL-00-XX-DR-C-200-P04_S4_Proposed Haul Road

DPS-CAL-00-XX-DR-C-201-P04_S4_Proposed Haul Road

DPS-CAL-00-XX-DR-C-202-P04_S4_Proposed Haul Road

DPS-CAL-00-XX-DR-C-203-P04_S4_Proposed Haul Road

DPS-CAL-00-XX-DR-C-204-P01_S4_Proposed Haul Road

Reason: To define this permission.

- 3 No development shall commence until details and samples of all external materials, and details and colour of the fencing, have been submitted to the Local Planning Authority and approved in writing. The development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenity of the area and to accord to policy EN5 of the adopted Tamworth Local Plan 2006-2031.

- 4 No development shall commence on the site until such time as a revised tracking manoeuvres for articulated lorry plan, revised proposed haul road crossover plan, construction traffic management plan (CMP), including as a minimum details of the routing of construction Heavy Goods Vehicles, wheel cleansing facilities, vehicle parking facilities, details of any temporary signs, a timetable for their provision and deliveries, and the method for using the Banksman for the safe provision of pedestrians in relation to the PRow and the safe access and egress of vehicles using the haul road has been submitted to and approved in writing by the Local Planning Authority. Details of the following are to be supplied although this list is not exhaustive of all elements: construction working hours, delivery times, delivery access and storage of materials, designated waiting areas for delivery vehicles,

method of dust suppression, construction noise management, details of phasing of the development and a routing plan for HGVs. The construction of the development shall thereafter be carried out in accordance with the approved details and timetable.

Reason: To reduce the possibility of deleterious material (mud, stones etc.) being deposited in the highway and becoming a hazard for road users, to ensure that construction traffic does not use unsatisfactory roads and lead to on-street parking problems in the area in accordance with NPPF 2019 and to comply with policies EN5 and SU2 of the adopted Tamworth Local Plan 2006-2031.

- 5 No development, including demolition, shall commence until the contractor vehicle parking and contractors compound areas have been provided in accordance with the Section One Drawing (No. DPS -STL-XX-XX-DR-A-XXXX-X002 Rev. P03) and the Section Two Drawing (No. DPS-STL-XX-XX-DR-A-XXXX-X003 Rev. P03), for the relevant phase.

Reason: To ensure that construction traffic does not lead to on-street parking problems in the area in accordance with NPPF 2019 and to comply with policies EN5 and SU2 of the adopted Tamworth Local Plan 2006-2031.

- 6 No development shall commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority. The scheme shall be implemented 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 and to comply with policy SU4 of the adopted Tamworth Local Plan 2006-2031.

- 7 No development shall commence until intrusive site investigations have been carried out on site to establish the exact situation in respect of coal mining legacy features (location of the high wall/location and condition of the mine entry). The findings of the intrusive site investigations shall be submitted to the Local Planning Authority for consideration and approval in writing. The intrusive site investigations shall be carried out in accordance with authoritative UK guidance.

Reason: In the interests of public safety and to comply with policy SU5 of the adopted Tamworth Local Plan 2006-2031.

- 8 During the periods of demolition and construction, all Heavy Goods Vehicle construction traffic shall use the routing detailed on the Construction Vehicle Movements Drawing (No. DPS-STL-00-ZZ-DR-AX-0910 Rev. P04) at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that construction traffic does not use unsatisfactory roads in accordance with NPPF 2019 and to comply with policies EN5 and SU2 of the adopted Tamworth Local Plan 2006-2031.

- 9 The measures to prevent the deposition of deleterious material onto the highway set out on page seven of the revised Construction Management Statement (dated 12/12/2019) shall be adhered to throughout the demolition and construction periods.

Reason: To reduce the possibility of deleterious material (mud, stones, etc.) being deposited in the highway and becoming a hazard for road users in accordance with NPPF 2019 and to comply with policies EN5 and SU2 of the adopted Tamworth Local Plan 2006-2031.

- 10 No part of the development hereby permitted shall be occupied until such time as the access arrangements shown on the Proposed Haul Road Crossover Drawing (No. DPS-CAL-00-XX-DR-C-201 Rev. P05) have been implemented in full. Within one month of the completion of the construction phase, the footway and full height kerb shall be reinstated in accordance with details first submitted to and agreed in writing by the Local Planning Authority.

Reason: To ensure that vehicles entering and leaving the site may pass each other clear of the highway, in a slow and controlled manner, in the interests of general highway safety and in accordance with paragraph 108 of the NPPF 2019 and to comply with policies EN5 and SU2 of the adopted Tamworth Local Plan 2006-2031.

- 11 Where the findings of the intrusive site investigations (required by condition 7) identify that coal mining legacy on the site poses a risk to surface stability, no development shall commence until a detailed remediation/mitigation scheme to protect the development from the effects of such land instability has been submitted to the Local Planning Authority for consideration and approval in writing. This should include the submission of the approved layout plan illustrating the location of the high wall (if found present) and the location and stand-off zones of the recorded mine entry: 421299-003. Following approval, the remedial/mitigatory

works shall be implemented on site in complete accordance with the approved details.

Reason: In the interests of public safety and to comply with policy SU5 of the adopted Tamworth Local Plan 2006-2031.

- 12 No development shall commence on the site until a report, including photographic evidence, of the current state of the land on which the temporary haul road is to be located is submitted to, and approved in writing by, the Local Planning Authority.

Reason: To protect the visual amenity of the area, and to comply with policies EN4 and EN5 of the adopted Tamworth Local Plan 2006-2031.

- 13 Within 2 months of the demolition of the three existing timber classroom blocks, the playing field should be reinstated to useable playing field; this includes the removal of the haul road, the site compound area, the spoil area and the temporary fencing. The land on which the temporary haul road was situated will be returned to the state it was in prior to the commencement of works, as evidenced in the report and photographic evidence submitted in condition 12. If any required planting, seeding or turfing which within a period of 5 years from the completion of the development dies, is removed, or becomes seriously damaged or diseased, this shall be replaced in the next planting season with other of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To comply with policies EN3 and SU7 of the adopted Tamworth Local Plan 2006-2031.

- 14 Prior to occupation of the new classroom block, the five concrete structures as indicated on plan SK191129.01 P01 are to be removed.

Reason: To comply with policies EN3 and SU7 of the adopted Tamworth Local Plan 2006-2031.

- 15 Prior to occupation of the new classroom block, a Community Use Agreement for the school playing field and ancillary facilities will be submitted to, and approved in writing by the Local Planning Authority.

Reason: To comply with policies EN3, SU6 and SU7 of the adopted Tamworth Local Plan 2006-2031.

This permission does not grant any other approval other than under Section 57 of the Town and Country Planning Act 1990.

INFORMATIVE NOTES:

1. Tree Protection Order (TPO)

It should be noted that there are Tree Preservation Orders on the site, TPO No.1 2018 and TPO No. 9 2019 which should be maintained in perpetuity unless formal written consent from the Local Planning Authority is gained.

2. Highways

The conditions requiring off-site highway works shall require a Highway Works Agreement with Staffordshire County Council (SCC). The Applicant is requested to contact SCC in order to secure the Agreement. The link below is to the Highway Works Information Pack and an application form for the Agreement. Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire ST16 2DH (or email to nmu@staffordshire.gov.uk). The Applicant 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](https://www.staffordshire.gov.uk/transport/staffshighways/highwayscontrol/highwaysworkagreements.aspx)

3. Waste Storage

If the new classroom block requires new bins, that waste is securely contained in suitable and sufficient containers which cannot be vandalised, kicked over or interfered with and transferred to a suitable licenced person for transport and disposal. Provision must also be made to remove recycling material from their Waste.

Sally Price

Sally Price
Senior Planning Officer
24 June 2020

Your Rights of Appeal Explained

If the applicant is aggrieved by the decision of the Borough Council in respect of:-

- (a) refusal of planning application; or
- (b) the granting of permission subject to conditions

an appeal may be made to the Planning Inspectorate. The time periods for making an appeal vary according to the type of application and are set out in the table below.

Type of application	Time period to appeal
Householder	12 weeks* (see over)
Minor Commercial Application	12 weeks
Advertisement Consent	8 weeks
Tree Preservation Order	28 days
Listed Building / Conservation Area Consent	6 months
Lawful Development Certificate	6 months
All other cases	6 months

Please note that the time period starts from the date on the decision notice.

If the applicant wishes to exercise the right of appeal, forms are available from:

Initial Appeals
The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN
Tel: 0303 444 5000
E-mail: enquiries@planning-inspectorate.gsi.gov.uk
Online: www.planningportal.gov.uk/planning/appeals/online/makeanappeal

*Householder development

Appeals must be made within **12 weeks** of the date of the decision notice, and must be made using a form which you can get from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN, alternatively an appeal can be submitted online at www.planningportal.gov.uk/planning/appeals/online/makeanappeal

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in given notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any direction given under a development order. In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

What to submit (with any appeal)

The appeal form should be returned to the **Planning Inspectorate**, along with the following:

- (a) the application made to the Borough Council;
- (b) all plans, drawings and documents sent to the Borough Council in connection with the application;
- (c) all correspondence with the authority relating to the application;
- (d) any notices or any certificates provided to the authority in accordance with the provisions of a development order made under S65 of the Act;
- (e) any other plans or drawings relating to the application which were not sent to the authority;
- (f) a copy of the decision notice;
- (g) if the appeal relates to an application for approval of reserved matters, the application for outlined planning permission, the plans submitted with that application and the outline planning permission granted.

The applicant must also send a copy of the notice of appeal and any plans or drawings mentioned in (e) above to the Borough Council. These must be sent the same day that the appeal is sent to the Planning Inspectorate.

An explanatory booklet should be sent to you from the Planning Inspectorate. If you have any queries regarding the appeal process, please contact the Planning Inspectorate (contact details overleaf).

Relevant legislation

Town and Country Planning Act 1990, Section 78
Town and Country Planning Act 1990, Section 195
Planning (Listed Building and Conservation Areas) Act 1990, Section 20
Town and Country Planning (Control of Advertisements) (England) Regulations 2007, Section 78
Town & Country Planning (Development Management Procedure) Order