

PLANNING COMMITTEE

30th March 2021

APPLICATION FOR CONSIDERATION

0014/2021

REPORT OF ASSISTANT DIRECTOR - GROWTH & REGENERATION

Tamworth
Borough Council

Application Number: 0014/2021

Development: Reserved Matters application for the re-plan of approved planning permission ref. 0433/2019 for Phase 3 layout comprising application for appearance, landscaping, layout and scale for 232 dwellings (a reduction of nine dwellings from previously approved layout).

Location: Land at Dunstall Farm, Dunstall Lane / Ventura Park Road / Meadow Road, Tamworth, Staffordshire, B78 3AX,

1. Description of Proposal

- 1.1 This is a reserved matters re-plan application for phase three of the development seeking approval for the layout, appearance, scale and landscaping relating to the grant of outline planning permission (0306/2016). The Outline application approved the construction of up to 800 dwellings; the conversion of existing buildings to create A1, A2, A3, A4, B1, C3, D1 or D2 use, the erection of commercial buildings; construction of a one and a half form entry primary school and other associated works including engineering operations to remodel the flood plain.
- 1.2 The details for phase 3 were previously approved under application reference 0433/2019, however for commercial reasons, amendments have been necessary. In main, the amendments propose a reduction of the overall number of units in the phase by 9. This reduction would be facilitated by the removal of two of the apartment blocks previously situated along the spine road. The apartments have been replaced by an alternative mix of dwellings. Aside from this, other minor changes are proposed to the positioning of plots to allow for larger external amenity areas as a result of the reduction in numbers.
- 1.3 In detail, the application proposes the erection of 232 dwellings on approximately one third of the original site. The development includes 167 private houses and 65 affordable dwellings. The private housing would comprise of 6 (3%) one bedroom dwellings, 118 (51%) two bedroom dwellings, 70 (30%) three bedroom dwellings and 38 (16%) four or more bedroomed dwellings. The 65 affordable dwellings would comprise of 6 (9%) one bedroom dwellings, 48 (74%) two bedroom dwellings, 9 (14%) three bedroom dwellings and 2 (3%) four bedroom dwellings.
- 1.4 The scheme encompasses the retention of Dunstall Lane to the north which would provide pedestrian and cycle infrastructure and linkages, along with links throughout the development from north to south. An access onto the canal towpath, adjacent to the canal bridge, would also be provided.
- 1.5 The scheme illustrates the retention of a number of trees and hedgerows along Dunstall Lane along with the retention of the hedgerow running adjacent to the canal towpath. Additional planting and landscaping is also detailed along the canal edge. The provision of sustainable drainage systems have been incorporated into the layout, utilising open space to assist in the delivery of these features where possible. The dwellings would predominantly be 2 storey's in height, with a small number being 2.5 storeys. Two blocks of 3 storey flats are also proposed. These would be situated within the eastern part of the site, adjacent to the existing industrial units. The overall design approach would be traditional, with dwellings of brick and tile construction, with some introducing render for interest.

2. Site and surroundings

- 2.1 The outline site comprised of 54.09 ha of predominantly agricultural land to the west of Tamworth town centre. This element of the scheme is adjacent to the eastern edge of the site, by the River Tame flood plan. The site then continues towards the Birmingham and Fazeley canal, to the point where it meets the adjacent logistics industrial building. To the north east lies Hopwas village and to the west lies the retail and industrial parks of Bitterscote and Venture Park.
- 2.2 The southern boundary of the site, to the south of Dunstall Lane is characterised by agricultural land and associated buildings with the canal and towpath running along the edge of the

site. To the west of the boundary lie agricultural fields, within the neighbouring borough of Lichfield. The north of the site is bounded by the stopped up Dunstall Lane which now forms a pedestrian and cycle route through the site. To the east of the site are industrial and commercial units along with residential properties along Bonehill Road. Vehicular access is currently from Dunstall Lane, which links to Ventura Park Road; this is a narrow country lane, which winds from east to west.

3. Relevant Planning History

0308/2016 – Outline planning application, with all matters reserved except for principal means of vehicular access from the highway, for residential development comprising up to eight hundred homes; the conversion of existing buildings to create a maximum of 900 square metres of floor space in A1, A2, A3, A4, B1, C3, D1 or D2 use and creation of associated curtilage; erection of commercial buildings; construction of a one and a half form entry primary school and other associated works including; engineering operations required to remodel the existing flood plain; demolition of existing agricultural buildings; "stopping up" of Dunstall Lane and re-use as pedestrian / cycleway; creation of alternative accesses to existing properties creation of noise mitigation bunds / fences; creation of public open space and leisure / recreation provision; creation of bridges / culverts across existing watercourses to access P.O.S. construction of foul and surface water drainage systems, including sustainable urban drainage; ecological mitigation works including the creation of new habitats; creation of footpath links to existing footpaths to the north and south of the site and installation of services and utilities.

0249/2018 – Reserved matters application for Phase 1 of the development. The erection of 405 residential units, including associated roads/driveways, landscaping and play areas.

0433/2019 – Reserved matters application for Phases 2 & 3 of the development. The erection of 395 residential units, including associated roads/driveways, and landscaping.

4. Policies

Adopted Tamworth Local Plan 2006-2031

- *SS1 - The Spatial Strategy for Tamworth*
- *SS2 – Presumption in Favour of Sustainable Development*
- *HG1 – Housing*
- *HG4 – Affordable Housing*
- *HG5 – Housing Mix*
- *HG6 – Housing Density*
- *EN3 – Open Space and Green and Blue Links*
- *EN4 – Protecting and Enhancing Biodiversity*
- *EN5 – Design and New Development*
- *SU2 - Delivering Sustainable Transport*
- *SU4 – Flood Risk and Water Management*
- *SU7 – Sport and Recreation*
- *Appendix C – Car Parking Standard*

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

SPG – Design

5. Consultation Responses

- 5.1 Full copies of all consultation responses received are available to view at www.tamworth.gov.uk Members of the Planning Committee as part of their consideration of this report should review these responses. A summary of the most relevant parts of the responses are provided below:

- 5.2 Tamworth Borough Council (Environmental Health)
No objections
- 5.3 Tamworth Borough Council (Tree Officer)
No objections
- 5.4 Tamworth Borough Council (Waste Department)
No objections
- 5.5 Tamworth Borough Council (Planning Policy)
No objections
- 5.6 Tamworth Borough Council (Housing Strategy)
No objections
- 5.7 Environment Agency
No objections subject to conditions
- 5.8 Severn Trent Water
No objections
- 5.9 Staffordshire Fire and Rescue
No objections
- 5.10 Lichfield District Council
No objections
- 5.11 Staffordshire Police
No objections
- 5.12 Staffordshire County Council (Minerals)
No objections
- 5.13 Staffordshire County Council (School Organisation)
No objections
- 5.14 Staffordshire County Councils (LLFA)
No objections
- 5.15 Staffordshire County Council's (Highways)

No objections subject to conditions

5.16 Staffordshire County Council's (Ecology)

No objections

5.17 Staffordshire County Council's (Public Rights of Way Team)

No objections

5.18 Staffordshire County Council's (Archaeology)

No objections

5.19 Canals and Rivers Trust

Objections echoed the concerns raised via application 0433/2019 , which centred on the landscaping scheme proposed for the canal frontage, concerns over the impacts of the development on the listed canal bridge, lack of cycle way adjacent to the existing towpath and the proximity of some dwellings to the canal edge.

5.20 Inland Waterways Association

No Response

5.21 Natural England

No objections

5.22 Cadent Gas

No response

5.23 Western Power

No response

6. Public Representations

6.1 Site notice erected, press notice placed and adjoining neighbours consulted. No objections were received from neighbouring properties.

7. Human Rights and Equality Implications

7.1 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.

7.2 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.

8. Planning Considerations

8.1 The in principle acceptability of this development has already been established through the approval

of the outline application. The overall design approach for phases 2 and 3 have also been found acceptable as per the previous reserved matters consent. (0433/2019) Therefore the matters for consideration in this re-plan principally relate to the amendments proposed to phase 3 and any impacts they may have on the wider development, these are:-

- Layout
- Scale and appearance
- Affordable Housing
- Landscaping; and
- Other issues

8.2 *Layout*

8.3 Policy HG5 'Housing Mix' requires that the types and size of houses proposed are reflective of local need. The following requirements are set out in the Local Plan:-

- 4% of new housing will be 1 bed
- 42% of new housing will be 2 bed
- 39% of new housing will be 3 bed
- 15% of new housing will be 4 bed

8.4 As a result of the re-plan, phase 3 would now propose 3% one bed, 51% two bed, 30% three bed and 16% four bed, and when taking into account the housing mix approved on other phases of the development as a whole, the development would provide, 3% one bed, 38% two bed, 40% three bed and 19% 4 bed. Notwithstanding this, the slight divergence would not result in an overall mix that would be unacceptable. The amended mix has arisen as a result of issues identified in delivering the consented layout. Furthermore, as the Local Plan is now more than 5 years old, some of its underpinning evidence base is considered to be out of date. On the issue of local need, planning policy and strategic housing have been consulted and have both confirmed that the mix proposed would be acceptable.

8.5 Policy HG6 'Housing Density' requires that new residential development will make efficient and effective use of land, while enhancing the character and quality of the area. It continues that where viable and appropriate, development will be expected to achieve a density of between 30 and 40 dwellings per hectare (calculated on the net developable area). The details provided illustrate that 35 dwellings/hectare would be achieved. The aspirations of policy HG6 are therefore considered to have been met.

8.6 In terms of the provision and layout of affordable housing, Policy HG4 requires that the Dunstall Lane SUE provides 25% affordable housing on site, with a mix of 25% intermediate tenure and 75% rented. Phase 3 would now provide 65 affordable dwellings, which equates to 28%, with the tenure split as stated. Whilst this would exceed the 25% identified within the policy, the policy applies to the development as a whole, and whilst a slightly higher percentage would be delivered on this phase, this would not be so significant to harm the character of the development and would continue to ensure that the units would be spread evenly throughout. The slight increased number would also help to address the under provision provided by phase 1.

8.7 In terms of the size of the units, the scheme would provide a majority of 1 and 2 bed dwellings, whereas the policy requires a higher provision of 3 and 4 bed units. As mentioned earlier in this report however, some evidence underpinning policies within the Local Plan are now out of date. This has been confirmed by both an RSL (provider of social housing) and the Council's Housing Strategy Manger who have stated that the current need within the borough is for 1 and 2 bedroom dwellings. Housing data that the Council holds supports this, illustrating that in Tamworth 95% of persons in band 1 and 2 (highest need) on the Housing register require 1 and 2 bedroom properties. Welfare legislation also re-enforces the need for smaller properties, as bedroom subsidy removes Housing Benefit for bedroom under occupation by 14% and 25%, meaning that larger families with children under 10 are expected to share a bedroom, thus placing further pressure on the 1 and 2 bedroom need.

8.8 In terms of both the provision and composition of the affordable housing offer proposed within this phase no objections have been raised by the Borough's Housing Strategy team or Planning Policy

and on the basis of the most up to date evidence, the proposal is considered acceptable in this regard.

- 8.9 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.
- 8.10 The amended layout would orientate the dwellings to take advantage of views over the canal and the open spaces, thus offering a high level of natural passive surveillance. Parking provision would comprise of either frontage or tandem parking and the provision would comply with the standard contained within the local plan. On this basis the layout would not result in excess “on street” parking. The road surface treatment of the private drives and the main route through the site would comprise of a varied pallet of materials resulting in a greater degree of visual interest to the streetscape and a more informal character to certain areas of the site, and to soften the appearance of the dwellings from the street scene and to add character, front gardens or landscaped areas would be provided to the frontage of properties.
- 8.11 The corner plots would be dual aspect providing connectivity to both streets, and plots sited at the end of street vistas would be of more grandeur design to aid navigation and act as landmarks. These techniques represent good urban design practices and would help to create a sense of place whilst also aiding legibility. Small independent character areas within the development would also provide a varied and interesting environment.
- 8.12 During the assessment particular consideration has been given to the potential impacts associated with overlooking and loss of privacy. The plans indicate that there would be no significant impacts associated with overlooking or loss of privacy. Plots have been positioned and houses orientated in such a way to ensure no direct overlooking and where properties would back onto one another, separation distances set out within the SPD have been adhered to and the minimum garden depths of 10.5m have also been incorporated. Orientation of windows and where required, blank elevations and window repositioning has taken place, such as on corner plots where gardens may be located to the side of properties. These measures have also ensured that overlooking and loss of privacy would not be significantly harmed.
- 8.13 Due to the positioning and orientation of the properties, there would be no significant impacts associated with any properties being overbearing or leading to a sense of enclosure or overshadowing.
- 8.14 On the basis of the above, there would be no significant impacts in terms of residential amenity and the proposed layout would comply with the requirements set out within Policy HG5 and the SPD.
- 8.15 The open spaces detailed by this application are reflective of those sought in the outline masterplan, and ensure the delivery of a balanced community where the housing does not dominate the area. In terms of open space provision and blue links, the submitted details identify the amount of open space that would be provided on phase 3 (both formal and informal), however due to the open space to the north of the site (which partially sits within the flood plain, yet is included within the sites red line) the development would provide in excess of the prescribed 2.34Ha per 1000 head of population. This overprovision is however considered to be a positive aspect of the development and no objections have been received from Planning Policy on these grounds.
- 8.16 Play facilities would also be generally in accordance with the masterplan. This included 3 formal play areas across the whole scheme. Whilst it is acknowledged that none of these will be located within Phase 3, one formal play area would be situated on the boundary between the southwestern corner of Phase 1 and the eastern boundary of Phase 3 and so all properties within Phase 3 would be within walking distance of a formal play area. The scheme provides substantial informal open space adjacent to the River Tame which will allow for the provision of more informal open space. Whilst the provision of outdoor play areas is not ideal, all properties within the development are within walking distance of some form of open space whether it be formal or informal. An additional response was sought from the EA over the usability of the open space to the north of the site throughout the year. The EA stated that due to the remodelling works that have been carried out,

the plans represent a sound proposal and one that is replicated across other developments across the country. Therefore officers are satisfied with the provision and layout of outdoor and recreation space.

- 8.17 In addition to the open space, the site sits along a canal and towpath and as such is within the vicinity of a blue link. The site would provide 2 access points onto the canal tow path and upgrades to upgrade the quality of the tow path have been secured through the S016 legal agreement attached to the outline application. On account of this, the development is considered to have capitalised on the blue links adjacent to the site, which overall would be beneficial in terms of permeability. On this basis the proposal would be compliant with Policy EN3 of the Local Plan.
- 8.18 Highways have been consulted to assess the internal road layout now proposed by phase 3. The assessment considers the network of roads spurring off from the approved spine road as well as visibility splays and off street parking provision.
- 8.19 In accordance with the Tamworth Borough Council Local Plan Car Parking Standards there is a requirement for two spaces for traditional two and three-bedroom dwellings and three spaces for four or more-bedroom houses. The standards detail that "Spaces within garages can be included when calculating the number of car parking spaces provided." The internal dimensions of the garages are appropriate for them to be counted both as car parking spaces and as cycle parking. Highways have assessed the parking provision throughout Phase 3 and have confirmed that the development complies with the required parking requirements set out within Appendix C of the Local Plan.
- 8.20 Highways have raised no objections to the proposed layout, however have sought additional details to clarify pedestrian visibility splays of two metres by 25 metres for pedestrians and cyclists on specific plots and junctions. Highways are content that this can be dealt with via preoccupation conditions that would be included on any consent.
- 8.21 The details submitted for the highway corridors leading from the spine road and onto the 'private' roads have been deemed to be acceptable in terms of their width and the manoeuvrability afforded by the bends and straights proposed. As such the layout of the roads would be compliant with highways' requirements. The specific details of the edges of the highway corridor are yet to be confirmed, however highways are content for this to be dealt with via condition.
- 8.22 There are no objections from highways in regards to the proposed layout in terms of highway or pedestrian safety. As such, subject to the recommended conditions, the development would be compliant with Policy SU2 of the Local Plan.
- 8.23 The amendments proposed would reduce the overall number of units in the scheme by 9. The most notable change would be the removal of 2 of the apartment blocks located along the main spine road. As set out above, these have been replaced by an alternative mix of dwellings, which has been deemed as acceptable. Aside from this, the other changes predominantly comprise of the slight re-positioning of plots to allow for larger external amenity areas as a result of the reduction in numbers. Overall the amended layout would continue to result in high quality design and would not result in harm on grounds of character or appearance or highway safety. On the basis the development is considered to be compliant with the applicable local and national policies and would be acceptable.
- 8.24 *Scale and Appearance*
- 8.25 Officers have fully considered the importance of policy EN5 when assessing the re-plan. Care has been taken to ensure that the design, general appearance and material finishes on properties would be in keeping with those used within Phase 1. The elevation treatment would vary across the site with the larger properties containing gable features and some plots having dormers, to provide additional accommodation within the roof spaces. The material palette proposed also varies across the site making use of a range of textures and styles of brick as well as render. This would result in a diverse mix of styles and character which would further provide identity to the site and areas within it.
- 8.26 In terms of scale, the vast majority dwellings would be two storeys, consistent with development within the vicinity of the site. However there would be 2 blocks of three storey flats. These would be

sited adjacent to the main spine road and would therefore act as a focal point, to aid with legibility. Two of the apartment blocks included within the previous scheme for phase three have been removed by this proposal and as such, the scale and massing of this phase has been reduced. This reduction has lowered the density (in comparison to that approved under the previous application 0433/2019) to a more acceptable level that would be more reflective of the local character.

- 8.27 The boundary treatment plan proposes brick built walls on the majority of the important prominent corners with landscaping strips providing a buffer towards the road. The boundary treatment between gardens would comprise of timber fencing which is considered acceptable in residential settings.
- 8.28 The scale and appearance of the site is deemed to be acceptable and compliant with Policy EN5 of the Local Plan. The proposed dwellings would be in keeping with those approved within the first Reserved Matters application for Phase 1, and would result in a development that would marry up with other elements of the wider development.
- 8.29 *Landscaping*
- 8.30 In terms of strategic landscaping, to help assimilate the development within its setting and to soften its edges, landscaped buffers along the perimeters of the site have been proposed. These would be in conformity with those identified on the masterplan submitted with the outline application.
- 8.31 High quality landscaping is also included to the north of the site. A large amount of hedgerow would be incorporated and retained along Dunstall Lane, along with mature trees. In general, soft landscaping would be used to successfully break up the massing of the development. However, again to aid permeability, a number of pedestrian accesses through to the adjacent footway are proposed, along with linkages from the informal open space to the north, linking through the linear open space to the south and to the canal. This would result in development that is of a higher quality, whilst also adding interest and variety to the development as a whole.
- 8.32 The hedgerow that runs along the southern boundary of the site adjacent to the canal would be retained, however there would be two small sections removed to aid permeability through the site and to the canal towpath, which on balance would justify the proposed removal. Overall the development would not result in a significant loss of vegetation and the landscaping details proposed have been considered acceptable by the Tree Officer and the County Ecologist. The proposed development is therefore compliant with Policy EN4 of the Local Plan.
- 8.33 The application is accompanied by a soft landscape proposal plan which demonstrates how and what planting is proposed around the development. This illustrates a variety of planting to the frontage of properties to soften the impact of the hardbound materials as well as street trees and grass verges along the avenues and highways. Trees and planting are also proposed to surround or boarder the site and are located along pedestrian and cycle ways to create tree lined 'boulevards' throughout. A hard landscaping plan has also been provided to show how the hard bound areas, including the public highways would be laid out.
- 8.34 *Other issues*
- 8.35 *Canal Frontage and Heritage*
- 8.36 An objection was received from the Canals and Rivers Trust with regards to the proposed layout of the development, in particular where the development borders the canal and Grade II listed bridges. The objections were centred on the proximity of the proposed properties and associated driveways to the towpath as well as the lack of vegetation to be planted along the site boundary to screen the development from the canal and towpath. Concerns were also raised over the width of the tow path adjacent to Phase 3 of the development. The objection also raised concerns over the potential impact that the development could have on the setting of the listed bridges. The proposed layout is not significantly altered from the previously approved layout along the canal frontage in application 0433/2019. As such the proposed layout would not have a significantly detrimental impact on the setting of the listed bridges and does not represent a significant change from the previously approved scheme.

- 8.37 During the previous application process (0433/2019), a number of revised layouts were submitted to overcome the concerns raised by the Canals and Rivers Trust and IWA, additional screening has been illustrated within the updated landscaping scheme which increases the level of natural screening of the development from the towpath. The Canals and Rivers Trust have previously stated that they see this as an improvement on the original scheme and accept that it does reduce the impact of the development on the canal and towpath slightly, however they maintain their objection on grounds that their concerns have not been fully addressed. The landscaping plans submitted with this application are consistent with those approved by application 0433/2019. As such the landscaping and screening along the canal front is deemed to be acceptable and would not result in significant harm to the character and appearance of the canal setting.
- 8.38 A further consideration when assessing the loss of parts of the hedgerow are the benefits associated with increased permeability. Whilst it is acknowledged that sections of the existing hedgerow are to be removed, these are to facilitate access points onto the canal towpath from the development. As a result permeability and connectivity from the site onto existing local sustainable transport links would be significantly enhanced. As such the proposed access onto the towpath (which will itself be significantly improved as a result of S106 contributions) would encourage the use of sustainable transport modes throughout the development and into wider areas of the borough, supporting Policy SU2 of the Local Plan. Therefore on balance the loss of sections of existing hedgerow are considered acceptable.
- 8.39 In addition to the additional landscaping proposed, the S106 secured through the outline permission has secured a financial contribution to improve the canal towpath and associated environment. Therefore the towpath and canal frontage would be directly enhanced as a result of the development (in particular Phase 3) and it is not considered that there would be significant harm to the setting of the canal corridor.
- 8.40 An objector also expressed a desire for the towpath to be widened to accommodate a designated cycle path and separate pedestrian footpath. It is deemed on balance that this is not necessary along the edge of the towpath. There is already a designated cycle and pedestrian route to be included within the development, along the stopped up Dunstall Lane which is considered to provide the required provision. The inclusion of separate cycle and pedestrian paths along the towpath would increase conflict between users as this would encourage cyclists to use the towpath, however the separate provisions could only be accommodated for a small stretch of the towpath, once the towpath meets the existing distribution centre there would no longer be room for the two lanes and so it would have to be reduced to one, increasing conflict amongst users. Therefore on balance, due to there being provision for sustainable modes of transport elsewhere within the development and the fact that the area adjacent to the site is not suitable for the two lanes on the towpath, the proposed plans are deemed acceptable.
- 8.41 The objection also raises concerns that the development does not relate to or take into account the rural setting and surrounding and as a result will harm the setting of the canal and towpath. Whilst it is acknowledged that the development would alter the rural character of the area, the principle of allowing residential development in this location has already been deemed acceptable and measures have been put in place to mitigate the environmental impacts as far as possible, and to ensure that a positive character is developed. Notwithstanding this, the canal to the east of the site is adjacent to large industrial and commercial premises and so the surrounding area is not comprise of a completely undeveloped landscape. On balance it is not felt that the proposed development would result in a significant harm to the setting of the canal beyond what has already been deemed acceptable through the outline approval. Through discussions with the developer, amended plans have been submitted which include large areas of additional landscaping to further screen the development from the canal. It is acknowledged that the development would have an impact on the setting of the towpath, however the principal of the development in this location has already been approved and the scheme seeks to minimise the impact of the development on the character of the canal and towpath as far as possible.
- 8.42 A final part of the objection relates to the impact of the development on the Grade II listed bridges that cross the canal. A heritage statement was submitted with the outline application, which appraised the impacts of the development on the historic environment. The decision was taken at the outline stage that the proposed development would not lead to significant harm to the setting of the listed bridges, and as the layout has changed little from that which was presented at the outline stage, it is not felt that the proposed layout would generate any significant harm to the setting of the

listed bridges. On this basis the proposal is not considered to harm the setting of the listed bridges and would comply with Policy EN6 of the Local Plan.

8.43 *SPD*

8.44 The Design SPD was formally adopted in July 2019 and substantial weight is now attributed to it in accordance with Paragraph 48 of the National Planning Policy Framework (2019). Supplementary planning documents are capable of being a material consideration in planning decisions, but not part of the development plan and are guidance and not policy. The proposed development within Phases 2 and 3 is largely compliant with the requirements set out within the Design SPD.

8.45 The proposed development will result in high quality urban design, with quality materials being incorporated into the design of the dwellings. Each unit will incorporate architectural detailing which will increase the quality of the developments street scene as well as add architectural interest and variety throughout the scheme. Therefore the development will generate high quality urban design and as such is compliant with the requirements set out within the SPD.

8.46 The development adheres to the required minimum separation distances (21m for a two storey property and 30m for a three storey property) as well as the minimum required garden depth (10.5m). Therefore overlooking and loss of privacy will not be significant issues that any of the properties within the development experience.

8.47 The development meets the requirements set out within the Design SPD, where external amenity space is considered. Across Phase 3 all of the units provide the required external amenity space proposed within the SPD. Therefore, the development does meet the required open space set out in Policy HG5 of the Local Plan and as such the scheme has met the Policy requirement for this area and has complied with the requirements set out within the SPD guidance.

9. **Conclusions**

9.1 The proposed development is of an acceptable layout, appearance and scale which is considered to deliver a high quality public realm for future users which offers a diverse mix of residential accommodation as well as valuable public open space. It is considered that the details of layout, landscaping, scale and appearance of Phase 3 of the development meet with expectations as set out within the masterplan agreed at the outline stage, in terms of the location of the housing, the associated open space and infrastructure required to support the development.

9.2 The layout provides a road, cycleway and path network that fully supports the development proposed, with car parking provision adequate to meet the reasonable needs of the development in accordance with standards set out in Appendix C of the adopted Tamworth Local Plan 2006-2031. However, specific conditions have been added to this application in order to further define specific elements of the highway corridor, despite this highways have no objection to the proposed layout.

9.3 It is considered that the scale and appearance of the development is in keeping with the character of the area and is of a high quality in accordance with the requirements of the policy EN5 of the Tamworth Local Plan 2006-2031.

9.4 The landscaping of the scheme has been detailed in a manner that supports the masterplan, but also recognises the importance of retaining existing trees of quality and providing the basis for improving the habitat by choosing appropriate tree, shrub and grass species. This is in accordance with policy EN3: Open Space and Green and Blue Links and policy EN4: Protecting and Enhancing Biodiversity.

9.5 On the basis of the above the development is therefore deemed to be compliant with the relevant local and national planning policies and is considered acceptable.

10. **Recommendation**

Approval subject to the conditions outlined below in accordance with the requirements outlined in this report.

11. **Conditions and Reasons**

1. The development hereby approved shall only be carried out in accordance with the following drawings and documents including the recommendations and specifications contained therein insofar as they do not prejudice the discharge of conditions attached to the original outline permission 0308/2016 or those below.

Architectural Plans

PL001A – Location Plan
PL010C – Site Layout Plan (Phase 3)
PL011 – Site Layout (highlighting amendments)
PL020 – Materials and Boundary Plan (Phase 3)
PL030 – Tenure Plan (Phase 3)
PL400 – Street Scene (Phase 3)
Design and Access Statement Rev D
Edp4421_r004 Rev A Badger Survey
P17-0864_303 Rev I – Tree and Hedgerow Retention Plan
P17-0864_301 Rev H – Tree and Hedgerow Retention Plan
P17-0864_013D Illustrative Masterplan
P17-0864_014C Phasing Plan

Elevation/Floor Plans

BWA12-PL301 - Kenley Mid
BWA12-PL302 – Kenley End
BWA12-PL303 – Palmerston End
BWA12-PL304 – Ennerdale
BWA12-PL306 – Moresby
BWA12-PL309 – Chester
BWA12-PL310 – Alderney
BWA12-PL311 – Hale
BWA12-PL313 – Ambersham-Maldon
BWA12-PL317 – Lamberton
BWA12-PL320 – T58 &59
BWA12-PL322 - T65
BWA12-PL323 – T67 End
BWA12-PL324 – T67 Mid
BWA12-PL325 – T69
BWA12-PL326 – T74
BWA12-PL329 – Ellerton
BWA12-PL330 – Kennford
BWA12-PL351 – Single Garage
BWA12-PL352 – Double Garage
BWA12-PL353 – Sub Station
BWA25-PL301 – Roseberry
BWA25-PL302 – Roseberry Variant
BWA25-PL303 – Roseberry Mid
BWA25-PL304 – Kingsville
BWA25-PL350 – Bin Store
BWA25-PL351A – Cycle Store
BWA25-PL352A – Cycle Store 2

Technical Detail

3100B – General Arrangement Layout
3101B – General Arrangement Layout
3102B – Drainage Layout
3103B – Drainage Layout
3104B – Kerbing Layout

3105B – Kerbing Layout
3107B – Section 38 Layout
3108B – Section 38 Layout
3113B – Refuse Tracking Layout
3114B – Refuse Tracking Layout
3115A – Pedestrian Visibility
3116A – Pedestrian Visibility
3117A – Private Vehicular Visibility
3118A – Private Vehicular Visibility
3119 – Pedestrian Visibility
3400A – Highway Construction Details
BWA25 PL004K – Phase 3 Garden Compliance
Reason: To define this permission.

2. Before first occupation of each dwelling hereby permitted, appropriate visibility splays in connection with the access serving that dwelling, shall be provided with nothing within those splays higher than 600 mm above the level of the adjacent footway, in accordance with the current standards of the Highway Authority and shall thereafter be so maintained. Reason: In the interests of Highway Safety in accordance with Policies EN5 and SU2 of the Tamworth Local Plan 2006-2031.
3. Before first occupation of each dwelling hereby permitted, the access serving that dwelling to the rear of the public highway shall be surfaced in a bound and porous material for a minimum distance of five metres back from the highway boundary and shall thereafter be so maintained. Reason: In the interests of Highway Safety in accordance with Policies EN5 and SU2 of the Tamworth Local Plan 2006-2031.
4. Before the first occupation of each dwelling hereby permitted, a surface water drainage interceptor, connected to a surface water outfall shall be installed across the access of the respective dwelling, immediately to the rear of the highway boundary unless otherwise agreed in writing by the Local Planning Authority. Reason: In the interests of Highway Safety in accordance with Policies EN5 and SU2 of the Tamworth Local Plan 2006-2031.
5. Secure, covered and safe cycle parking facilities for each dwelling shall be provided prior to the first occupation of that dwelling in accordance with a scheme that has first been submitted to and approved in writing by, the Local Planning Authority. The approved facilities shall be retained in perpetuity. Reason: In the interests of Highway Safety in accordance with Policies EN5 and SU2 of the Tamworth Local Plan 2006-2031.
6. Before first occupation of each dwelling hereby permitted, the parking and turning facilities for the benefit of that dwelling, as shown on the Site Plan –the Site Plan Phase 3 Drawing shall be implemented. Thereafter the onsite parking and turning provision shall be so maintained in perpetuity. Reason: In the interests of Highway Safety in accordance with Policies EN5 and SU2 of the Tamworth Local Plan 2006-2031.
7. Notwithstanding the submitted details, the flood compensation/storage area shall be constructed in accordance with the Brookbanks Flood Risk Assessment dated 01/02/2017. Reason: To reduce the risk of flooding to the proposed development and future occupants.
8. Notwithstanding the submitted details, the finished floor levels shall be set at 600 mm above the 10 year plus 30% climate change event. Reason: To reduce the risk of flooding to the proposed development and future occupants.
9. All planting, seeding or turfing comprised in the approved details of landscaping and boundary treatment approved 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 accordance with Policy EN5 Tamworth Local Plan 2006-2031.

10. Notwithstanding the provisions of Classes A, B and D of Schedule 2 Part 1 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order). Reason: To ensure adequate amenity space for the proposed dwellings in accordance with Policies EN5 and SU2 of the adopted Tamworth Local Plan 2006-2031.
11. The garages indicated on the approved plans shall be retained for the parking of motor vehicles and cycles. They shall at no time be converted to living accommodation without the prior express permission of the Local Planning Authority. Reason: In the interests of Highway Safety in accordance with Policies EN5 and SU2 of the Tamworth Local Plan 2006-2031.
12. Notwithstanding the provisions of Class A of Schedule 2 Part 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that Order), no walls, fences or other means of enclosure shall be erected forward of the principal elevations and side elevations of the dwelling, or boundary walls or fences to those dwelling, except as authorised under the submitted application, without the prior grant of planning permission on an application made in that regard to the Local Planning Authority. Reason: In order to maintain the character of street, public space and adjacent footpath as secured under the plans hereby approved in accordance with Policy EN5 Tamworth Local Plan 2006-2031.