

APPLICATION NO: 18/00840/OUTMEI

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
TOWN AND COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017

REFUSAL OF OUTLINE PLANNING PERMISSION

APPLICANT:

Summix BLT Developments Ltd
C/o Summix Planning Limited
Berkeley Square House 3rd Floor
Berkeley Square
Mayfair
London
W1J 6BU

AGENT:

Summix Planning Limited
Berkeley Square House 3rd Floor
Berkeley Square
Mayfair
London
W1J 6BU

LOCATION OF DEVELOPMENT:

Land North Of Browns Lane, Tamworth, Staffordshire,

DESCRIPTION OF DEVELOPMENT:

Outline application for up to 210 dwellings, public open space, landscaping, sustainable urban drainage, access, and associated infrastructure. (All matters reserved except access).

Planning Permission is hereby **REFUSED** for the above development in accordance with the application, plans and drawings listed below and for the following reason(s).

REASON(S) FOR REFUSAL:

1 The site is not allocated for development and is located outside of any defined settlement boundaries within the adopted Lichfield Local Plan Strategy. Furthermore, the level of housing growth from this development would be contrary to the spatial strategy as set out in the adopted Local Plan Strategy which seeks to concentrate a proportionate level of growth to the North of Tamworth in line with the settlement hierarchy of approximately 1,000 units. Whilst the housing figure is an approximate, it is considered important to maintain the general thrust of the adopted Local Plan Strategy. To date the current committed development and completions in this location equates to 1,165 units and it is considered that an additional 210 units would result in an alteration to the proportionate level of growth set out within the adopted Local Plan. Whilst the proposed housing would provide affordable units, there is no evidence to conclude that such housing is necessary in this location and could not be provided within more sustainable locations where there is an evidenced need. The proposed scheme of development is therefore contrary to the spatial plan for new housing and requirements set out in policies CP1 (The Spatial Strategy), CP3 (Delivering Sustainable Development), CP6 (Housing Delivery), Policy Rural 1: Rural Areas of the Local Plan Strategy 2015, Policy NT1 (North of Tamworth Housing Land Allocations) of the Local Plan Allocations Document and the National Planning Policy Framework.

2 The proposed development would extend the northern edge of Tamworth much closer to the village of Wigginton, of which the historic part is a designated Conservation Area. The proposed development would cause less than substantial harm to the significance of the Conservation Area by virtue of causing detriment to its setting, in particular with regard to views in and out of the Conservation Area, which make a positive contribution to its setting. None of the public benefits associated with the proposal would outweigh this harm. The proposals are therefore contrary to policies CP1 (Spatial Strategy), CP3 (Delivering Sustainable Development), CP14 (Our Built and Historic Environment), BE1 (High Quality Development) and NR5 (Natural and Historic Landscapes) of the Local Plan Strategy 2015, Policy BE2 (Heritage Assets) of the Local Plan Allocations Document, the Historic Environment SPD, the Sustainable Design SPD, Policies W1, WHC1 and WHC3 the Wigginton Hopwas & Comberford Neighbourhood Plan (2016) and the National Planning Policy Framework.

NOTES TO APPLICANT:

The Local Planning Authority has taken a positive approach to decision-taking in respect of this application concluding, however, that it is an unsustainable form of development which conflicts with relevant development plan policies and material planning considerations including the National Planning Policy Framework. Although it has not been possible to approve this application, possible solutions were proactively considered in an attempt to secure a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of paragraph 38 of the National Planning Policy Framework.

REFUSED PLANS

1:7500 Location Plan dated as received 07 June 2018
 Environmental Statement and Appendices dated as received 07 June 2018
 Planning Policy Update Statement dated as received 25 February 2022
 Gungate Corridor stage 1&2 Road Safety Audit dated as received 17 March 2022
 Gungate Corridor Improvement Scheme dated as received 17 March 2022
 GGLE-HAD-OF-DR-CE-SKO6 Gungate Improvements dated as received 17 March 2022
 GG-LE-HAD-OF-DR-CE-121 Rev C S278 Vehicle Tracking Sheet 1 dated as received 17 March 2022
 GG-LE-HAD-OF-DR-CE-100 Rev D S278 Overview Layout dated as received 17 March 2022
 GG-LE-HAD-OF-DR-CE-101 Rev D S278 General Arrangement dated as received 17 March 2022
 GG-LE-HAD-OF-DR-CE-121 Rev C S278 Vehicle Tracking Sheet 1 dated as received 17 March 2022
 211019_Traffic Flows_REV3_DTA_mode (traffic flow diagrams) dated as received 17 March 2022
 Highways Technical Note 21017 dated as received 17 March 2022
 Highways Technical Note (Response to SCC Highways Comments) dated as received 17 March 2022
 Residential Travel plan dated as received 22 March 2022
 J32-4320-PS-001 Site Access Arrangements dated as received 18 March 2022
 Environmental Statement- Updated Cover Report (Transport) dated as received 12 September 2022
 Environmental Statement-Figure 2.1 Updated Off Site Junction Locations dated as rec 12 Sept 2023
 Environmental Statement- Updated Highways and Transport Tech Note 002, 003, 004 Rev C 20/09/23
 Environmental Statement- updated Air Quality Information dated as received 15 November 2022
 Environmental Statement- Updated Cover Report (Air Quality) dated as received 15 November 2022
 Planning Statement Addendum dated as received 31 October 2023.
 Planning Statement Addendum Appendix A- Platform Housing dated as received 31 October 2023.
 Planning Statement Addendum Appendix B- Affordable Housing Supply dated as received 31/10/23
 Planning Statement Addendum Appendix C- Proposed Parameter Plan dated as rec 31/10/23.
 Planning Statement Addendum Appendix D- Sketch Layout dated as received 31 October 2023.
 Biodiversity Net Gain Update reports dated as received 11 April 2023

Signed

DATE OF DECISION: 28th November 2023

On behalf of Lichfield District Council

PLEASE SEE IMPORTANT ADVICE TO APPLICANTS

IMPORTANT ADVICE TO APPLICANTS

PLEASE READ

If the applicant is aggrieved by the decision of the Local Planning Authority to refuse planning permission they may appeal to the Secretary of State under Section 78 of the Town and Country Planning Act 1990, within six months of date of this notice.

Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN (Tel: 0303 444 5000) or online at <https://acp.planninginspectorate.gov.uk>

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

The Secretary of State need not consider an appeal if it seems to the Secretary of State 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 directions given under a development order.

The Inspectorate will publish details of your appeal on the internet (<https://acp.planninginspectorate.gov.uk>). This may include a copy of the original planning application form and relevant supporting documents supplied to the Local Authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Inspectorate website.