



Land North of Browns Lane, Tamworth
Appeals by Summix BLT Developments Limited
Reference numbers APP/Z3445/W/24/3340094 and APP/K3415/W/24/3340089
Representations by Bellway Homes

Cerda Planning Ltd is instructed by Bellway Homes to object to the appeal proposals; an outline application for up to 210 dwellings, public open space, landscaping, sustainable urban drainage, access, and associated infrastructure. (All matters reserved except access) for the reasons set out within this statement.

Background

The application site is cross boundary, and separate planning applications were made to Lichfield District Council and Tamworth Borough Council accordingly. The Lichfield planning application number is 18/00840/OUTMEI and the decision notice cites 2 reasons for refusal as follows:

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 (the Spatial Strategy), CPS (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 close 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 of the Wigginton Hopwas & Comberford Neighbourhood Plan (2016) and the National Planning Policy Framework.

The proposals were reported to Lichfield District planning committee on 6th February 2023. The Committee Report expands on the concerns around the provision and amount of affordable housing proposed at the appeal site and discusses the likely impact upon the local highway network.

On reading the appellants supporting reports, draft Statement of Case and the Committee reports it is apparent that the proposals were amended from a scheme originally proposing 40% affordable housing to one which would deliver a 100% affordable scheme in collaboration with Platform Housing Group. The Planning Statement Addendum was accompanied by a report by Ridge which undertook a review of supply of affordable dwellings against a recognised need within both local authority areas concluding there was a significant, unmet shortfall arising over the next five years. Lichfield DC disagreed with its conclusions and came to the view that whilst the provision of affordable homes is usually supported, in this case, was of the view that the identified need for affordable housing in this locality is significantly less than the number of dwellings proposed, which may result in affordable properties coming forward which are not needed. The Council's housing team had confirmed that whilst there are 409 people listed on the Lichfield Housing Register, only 14 people have advised that Wigginton is their first area of preference. Tamworth BC provided comments to Lichfield DC as a consultee (15th November 2023) – a summary is provided below:

“The applicant argues that there is a significant need for affordable housing within Tamworth, and that this should be given very significant weight in decision making on their application. This argument hinges on a need for 170 affordable dwellings per annum in Tamworth, derived from the 2019 HEDNA. It should be noted that this document is now over four years old and does not currently inform any policies of an emerging plan. The current annual target for affordable housing, as set out in policy HG4 of the adopted local plan, is 40 per annum.

The number was arrived at through a combination of a needs assessment, and an assessment of viability of the plan as a whole. Since the adoption of the plan in 2016, delivery against this target has been consistently good and, it would appear that this is a different scenario to the appeal examples given. We would therefore disagree with the applicant's assertions that there is a significant shortfall in affordable housing delivery and that the fact that the scheme would be 100% affordable housing should be given very significant weight.

Additionally, we also have concerns that a 100% affordable scheme would be eligible for relieve from CIL, which would mean there are no funds available to mitigate the impact of the additional pressure of infrastructure within Tamworth Borough that a 210 dwelling scheme on the border would generate.”

Staffordshire County Council (local highway authority) raised NO objection to the proposals which included a mitigation scheme and travel plan, subject to conditions and a S106 agreement to provide a construction management plan, a masterplan, bus stop locations and off site highway works. An

objection was received from solicitors acting for Barwood Land (developers of the nearby Arkall Farm development). They asserted that there was no rational justification for the response raising no objection. In particular, they consider that this response is based on false information which fails to take into consideration all of the committed development. It is their view that the scheme would result in a severe impact on the highway network and therefore be in conflict with the NPPF. Counsel's advice was sought which sets out that they disagree with the stance taken by the Highways Authority and on highways matters also question the conclusions of Officers. The Council sought their own opinion from Counsel which confirmed that the decision made relating to the highways is not flawed and the evidence does not confirm that the proposed scheme would undermine the delivery of the Arkall Farm development. Various conditions were attached to the approval requiring various evidence, information, and mitigation to be provided upon the completion/occupation of 200, 300 and 500 houses. The Arkall Farm developers have submitted a S73 application (24/00457/OUTMEI) to remove conditions 24, 25, 26, 28, 30 and vary conditions 27 and 29 of outline consent 14/00516/OUTMEI which propose to remove the Monitor and Manage Mitigation Strategy and agree, via the Highway Authority, the package of highways mitigation measures required to deliver the full extent of consented development at Arkall Farm. T

The Tamworth planning application reference is 0241/2018 and the decision notice cites one reason for refusal as follows:

1. The area of the site within the boundary of Tamworth Borough Council is connected to a wider development which is not allocated for development. Approving this part of the development where Lichfield refuse their application would potentially permit an access road to a development site with no planning permission. The development therefore would be out of character with the surrounding area and not conform to Tamworth Borough Council Policy EN5 and the NPPF.

Bellway Homes interest in the appeal site and local plan position

Bellway Homes are objecting to the appeal proposals and wish to support the Councils in their decision to refuse the proposed development.

Ordinarily Bellway Homes does not comment on planning applications made by other developers. However, they wish the Inspector to be aware that they are promoting a site through both the Emerging Local Plans for Lichfield DC and Tamworth BC, within close proximity to the appeal site.

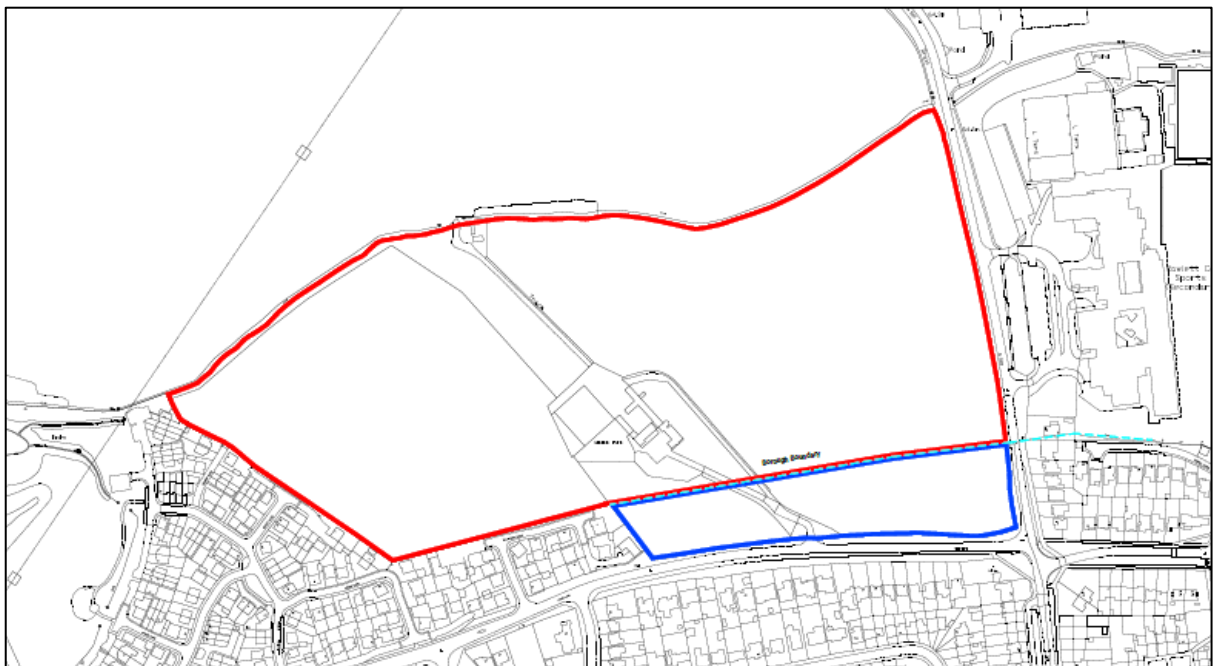
As the Inspector is aware the previous draft Local Plan for Lichfield (2040) was withdrawn from examination in October 2023, and the LPA has begun the Plan review again and announced a Call for Sites from January to March 2024. The current LDS (March 2024) sets out that a consultation on the Issues and Options (Reg 18) will take place September/October 2024 with an anticipated adoption date of January or February 2027.

The Bellway site at Land North of Coton Lane has been submitted to the new Call for Sites at Lichfield and confirms that the 12.8 hectares site could deliver up to 300 units and is available for development immediately. Bellway intend to promote the site through each stage of the ELP. They recognise that

the planning system should be genuinely plan-led and provide a positive vision for the future of each area; a framework for meeting housing needs and addressing other economic, social, and environmental priorities as indicated at paragraph 15 of the NPPF. They want to work with the LPA and other stakeholders to bring forward the right sites at the right time and believe that the allocation of sites should be made through the plan-making process to ensure this happens.

As the ELP is at such an early stage, there is not yet any indication of the Direction of Travel on the proposed spatial strategy, but Bellway maintain the view that their site at Coton Lane should be seriously considered as a housing allocation and would be more suitable for residential development than the appeal site at Browns Lane. Should the Inspector allow the Browns Lane appeal, it is considered likely that the Bellway site would be discounted in the ELP. (possibly due to over-provision of dwellings in this area)

A location plan and extract from Google Maps are provided below for context; the appeal site is located to the east of Main Road and the Bellway site is located to the west of the A513 Comberford Road, opposite Rawlett School.



All of the land identified in red and blue above at Coton Lane on the above OS plan is controlled by Bellway.



The Bellway site is highlighted in red and the appeal site in purple above.

The Bellway site was referenced as SHLAA ID 370 in the Strategic Housing Land Availability Assessment (Lichfield) July 2023 and Bellway Homes have assessed the site against the previous SHLAA Methodology, in terms of its suitability, availability and achievability for development.

Suitability

The site is not constrained by any physical problems or limitations, although the 2023 SHLAA suggested the possibility of groundwater flooding, an FRA and Drainage Note was submitted with the new Call to Sites confirm that the risk from ground water is very low.

The SHLAA highlights potential negative impact on the local highway network. This is questioned by Bellway, as no objection has been raised to the Browns Road appeal site. A Transport and Accessibility Appraisal submitted with the Call for Sites submission evidences that the development would only generate 3 vehicles per minute and that the majority of traffic would head west towards the A51. In respect of the Gungate Corridor to the south, the evidence suggests only 24 vehicles pass through the junction in the peak hour and this would not lead to a severe impact.

The site has no landscape, heritage or ecological designations and does not fall within the setting of any heritage assets nor within the zone of influence of the SACs.

There is no evidence that the site is not suitable for residential development.

Availability

Bellway Homes can confirm that there are no legal or ownership problems preventing the land from being made available for development, and that development could come forward within the first five years of the Plan period. The site is available.

Acheivability

Bellway Homes is the fourth largest housebuilder in the country and has the resources and capacity to bring the site forward through the planning process quickly and deliver homes as soon as possible. Assuming the site was allocated, and the new plan adopted, a full planning application would be made to avoid unnecessary delays. Once planning permission is secured, development would be expected to commence within 6 months and achieve first completions within 12 months, with an annual build out rate of 50-60 dwellings per annum (including affordable housing).

Tamworth BC have committed to a Plan review and are also within the early stages. Their LDS currently indicates that the Reg 19 consultation will take place in early 2025, with submission for Examination expected in June 2025, with adoption by 31st December 2026.

It is worth noting that the land within Tamworth Borough Council is located within the “Planned Urban Area” (shown on Figure 5.4 of the adopted LP) and therefore development of this part of the site should be accepted in principle.

Bellway have made representations to the Council’s Issues and Options consultation in relation to their site at Coton Lane – it is one of the limited opportunities within the Borough’s boundary to support non Green-Belt growth where there are no constraints to development coming forward. The

site has also been submitted to their Call for Sites. This part of the site is 1.7 hectares and could deliver up to 50 homes.

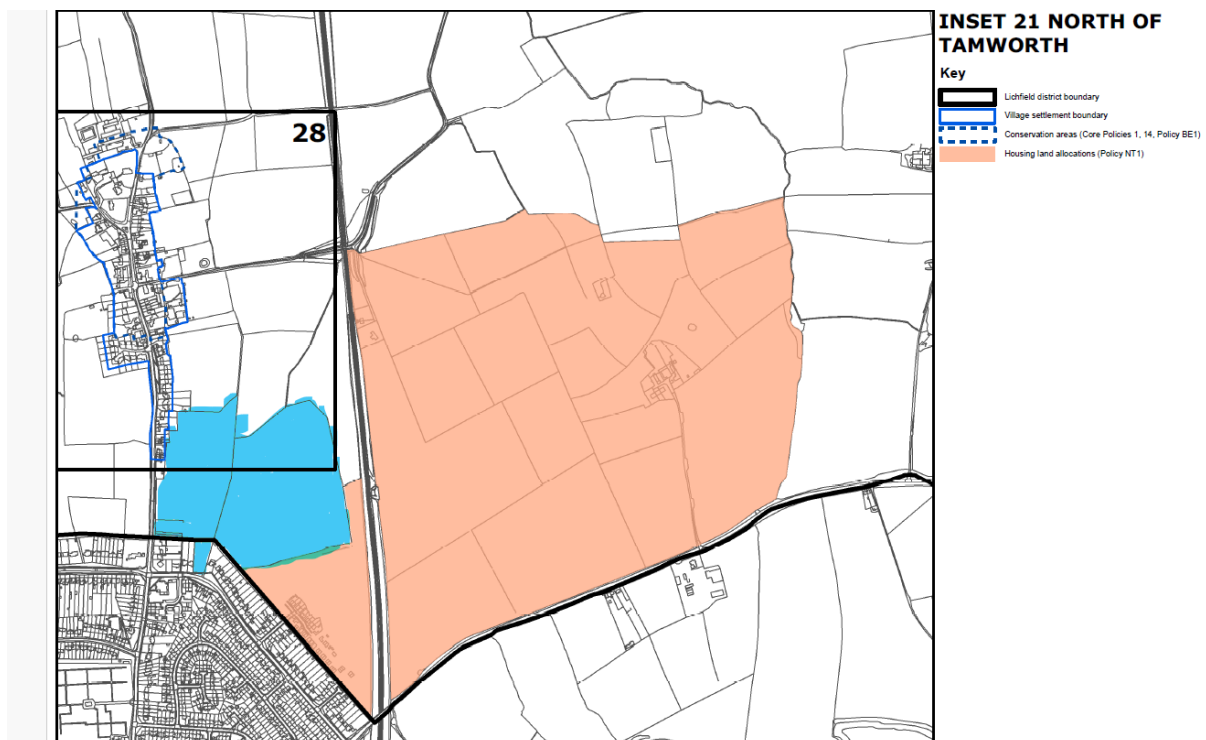
Bellway Homes’ specific comments in relation to each of the reasons for refusal

RfR1 (Lichfield)

Spatial Strategy

The development plan for Lichfield comprises of the Lichfield Local Plan Strategy 2008-2029 (adopted in February 2015), the Lichfield District Local Plan Allocations Document 2008-2029 (July 2019) and the Wigginton, Hopwas and Comberford Neighbourhood Plan (2016)

As is made clear within the committee report the site is not located within any strategic development allocation within the Local Plan and is not situated within any defined development boundary. The site is therefore considered to be open countryside. A clear framework to guide sustainable development up until 2029 is provided within the Local Plan Strategy and the Local Plan Allocations Document to meet the objectively assessed development needs of the District. This strategy includes the allocation of 1,165 dwellings to the north of Tamworth within the Local Plan Allocations Document. (see extract below from Policy plan Inset 21). The housing yield is made up of land at Arkall Farm (NT1) for a 1,000 dwellings and Land north of Brown’s Lane (NT2) for 165 dwellings. (Area highlighted blue indicates the approximate extent of the appeal site).



The Local Plan Strategy identified the Broad Development Location for North Tamworth for approximately 1,000 dwellings. **The policy specifically requires that development shall not cause any coalescence with Wigginton Village.** The explanation sets out that land to the North of Tamworth is considered to be a sustainable location for development to help address the housing needs in both

Tamworth and Lichfield. The sites in pink above were subsequently allocated within the Site Allocations Document to accommodate 1165 dwellings (to include 500 dwellings to meet the needs arising within Tamworth Borough) which equates to 11% growth within the District. The appeal proposals would add an extra 210 units (or 18%) of growth in excess of the 1,165 dwellings. The proposals therefore are clearly contrary to the adopted spatial strategy and should not be supported at a time when the Council can demonstrate a 9.5 year supply of housing land and full weight can be attached to the policies contained within the Development Plan. Housing is being delivered within Lichfield in accordance with the approved spatial strategy to deliver against their requirement - this is reflected in the results of the latest Housing Delivery Test results which records that Lichfield achieved a score of 186%.

The sites allocated through the LP process were considered against alternatives in light of the technical evidence and sustainability appraisals were published so that the most suitable and sustainable sites came forward for development. This point was emphasised within the committee report.

This is exactly the view that Bellway endorses and considers that the appeal site/proposals should be assessed through the emerging local plan where a fair and transparent assessment of all sites can take place. It is accepted that the Bellway site is larger and would not be in accordance with the current spatial strategy of the adopted LP but it is considered highly likely that the new spatial strategy within the ELP will apportion additional growth to North Tamworth, as it would seem to be logical as well as sustainable in terms. It is argued that the Local Plan making process is the most sensible way to compare sites against other sites in a broad location to enable the best and most suitable/sustainable sites to be chosen for development as opposed to essentially allocating a site by appeal – where details of other sites or comparisons made cannot be undertaken.

It is worth noting that the previous (now withdrawn) Local Plan strategy to deliver a minimum of 9,727 homes relied upon by Lichfield was to focus the delivery of housing on sustainably located brownfield sites and new locations adjacent to existing settlements. The provision of 4 strategic housing allocations at North of Lichfield for approximately 3,300 new homes (SHA1), Land west of Fazeley, Mile Oak and Bonehill for approximately 800 homes; (SHA2), Hay End Lane, Fradley for approximately 500 dwellings (SHA3) and Whittington, for approximately 75 new homes (SHA4) sought to deliver 4,675 new homes with the remainder through small scale development within larger, smaller, and rural villages. There were no specific allocations provided within the area North of Tamworth. It is not clear why the Local Plan was withdrawn (all information has been removed from the council's website). However, it is evident from local press articles that questions had been raised over the proposed strategy, and the council had been asked to provide additional information to the Examination by the Inspector. Rather than do so, the decision was taken to withdraw it.

The appeal site is not allocated for housing development within the made Wigginton, Hopwas and Comberford Neighbourhood Plan (2016). The NP acknowledges the Broad Development Location to the north of Tamworth but seeks to ensure that there should be no coalescence between Tamworth and Wigginton.

Policy W1 is clear in that ***“there shall be no coalescence of any development north of Tamworth with Wigginton and separation of new development should have regard to the need to maintain the visual separation and Conservation Area setting of Wigginton Village”.***

Affordable Housing

The Council’s objection to the provision of a 100% affordable scheme is also supported by Bellway Homes. Whilst the overall need for more affordable housing across the local areas (Tamworth and Lichfield) is acknowledged throughout both adopted Local Plans, it is stressed that sites need to be of a size and within locations to meet the identified needs.

Lichfield LP Policy H2 states that a flexible approach will be taken to the provision of affordable housing thresholds, proportions, tenure, size and type and they will be considered on a scheme by scheme basis. Schemes, however, should reflect housing needs in the locality. Paragraph 8.19 (P.57) specifically states that ***“The District Council will continue to support the delivery of 100% affordable schemes on small sites (our emphasis) but it is recognised that there may be a need for grant funding to enable such sites to be delivered.”*** The site, which is approximately 12.65 hectares in size cannot be considered to be small. The size of small sites is not defined within the Local Plan but it defers to the NPPF, which only refers to Rural Exception sites which are discussed below.

A further section within policy H2 refers to rural exception sites – for those sites which are outside of Lichfield and Burntwood. This policy lends it’s support to small rural exception sites, where affordable homes can be delivered to meet the needs of the local people from the within the SHMA sub area where there is no conflict with other Local Plan policies and the following criteria are met:

- The majority of homes are affordable;
- The site is adjacent to existing village settlement boundaries;
- A housing need has been identified in the parish, or in one or more of the adjacent parishes for the type and scale of development proposed;
- The proposed development is considered suitable by virtue of its size and scale in relation to an existing settlement and its services, and its proximity to public transport links and key infrastructure; and
- The initial and subsequent occupancy of affordable homes is controlled through planning conditions and legal agreements, as appropriate, to ensure that the accommodation remains available in perpetuity to local people in affordable housing need.

Whilst it could be argued that the site is adjacent to the settlement boundary of Wigginton, the application site is dis-proportionately large and could, in no stretch of the imagination, be considered to be small. It does not appear that a housing needs survey was carried out by the Parish to inform the Neighbourhood Plan but policy WHC6 of the Neighbourhood Plan states that ***“should there be an identifiable need for affordable housing or retirement accommodation to meet the needs of existing residents including their close relatives or dependents, this would be welcomed.”*** Policy WHC7 goes on to state ***“The provision of affordable and/or retirement accommodation which meets the local needs of the parish as defined in the Rural Development SPD shall be allowed subject to it not compromising the overall appearance of the village.”***

The Rural Development SPD sets out the considerations of proposed rural exception development. It explains that the need for different dwelling types and sizes across the district as a whole was identified in the 2012 SHMA and Housing Needs Study. The 2008 Rural Housing Needs survey also provided useful evidence of need in the rural sub areas. These identified that the main reason given in relation to residents finding their property unsuitable was size. The greatest demand was for 2 and 3 bedroom properties. The proposals subject to this appeal were not supported by a Local Housing Need and there is insufficient evidence to demonstrate that the dwellings proposed would be required to meet an identified need. The report undertaken by Ridge reviews the anticipated undersupply of affordable housing within the jurisdiction of Lichfield and Tamworth but does not specifically analyse local need within North Tamworth/Wigginton. Even if their analysis is correct, the provision of 210 affordable dwellings in this location would not meet local needs, evidenced by comments made by Housing officers at both Lichfield and Tamworth:

Lichfield Housing Officer was of the view that the identified need for affordable housing in this locality is significantly less than the number of dwellings proposed, which could result in affordable properties coming forward which are not needed. The Council's housing team confirmed that whilst there are 409 people listed on the Lichfield Housing Register, only 14 people have advised that Wigginton is their first area of preference.

The Housing officer at Tamworth disputes the housing needs conclusion reached with the Ridge report and commented;

***“The applicant argues that there is a significant need for affordable housing within Tamworth, and that this should be given very significant weight in decision making on their application. This argument hinges on a need for 170 affordable dwellings per annum in Tamworth, derived from the 2019 HEDNA. It should be noted that this document is now over four years old and does not currently inform any policies of an emerging plan. The current annual target for affordable housing, as set out in policy HG4 of the adopted local plan, is 40 per annum.*”**

***The number was arrived at through a combination of a needs assessment, and an assessment of viability of the plan as a whole. Since the adoption of the plan in 2016, delivery against this target has been consistently good and, it would appear that this is a different scenario to the appeal examples given. We would therefore disagree with the applicant's assertions that there is a significant shortfall in affordable housing delivery and that the fact that the scheme would be 100% affordable housing should be given very significant weight.*”**

In addition to this, whilst we note that Platform Housing Group has provided a letter of support for the proposals – this does not provide any information on local identified need. Where will intended residents be moving from to live in these houses, if only 14 people on the housing register have expressed a preference to live in Wigginton. On this basis, we agree with the council that the proposals do not constitute sustainable development and will not be meeting the identified affordable housing needs of the area.

RfR2

Bellway fully endorse this reason for refusal. The site is located within close proximity to the western edge of Wigginton, and essentially closes the gap between the village and the site, resulting in coalescence. This is in direct conflict with the Neighbourhood Plan policy W1, and the Local Plan policies as set out above.

Part of Wigginton is a designated Conservation area and so accordingly the proposed scheme is supported by a Heritage Statement. It concludes that the proposed development would cause harm to the significance of the Conservation Area by virtue of causing detriment to its setting, in particular with views in and out which make a positive contribution to its setting, and that less than substantial harm to the significance of the conservation area would arise as a result. The Council's Conservation officer agreed with the conclusions.

The consultation response states:

“Wigginton is situated on a spur of land which sits above the surrounding open countryside. The existing urban edge of Tamworth is clearly visible from many places in and around the conservation area as this also sits on a raised area of land above the surrounding open countryside. The village has strong agricultural history with 3 historic farmsteads surviving and the village is surrounded on most sides by ridge and furrow. The village is sited along the medieval trade route of the Portway which ran from Tamworth to the River Mease in Edingale. Views of Tamworth from Wigginton Conservation Area are distant and softened by mature trees and vegetation so that the roofs of the houses are only partly visible. The encroachment of the proposed development on the conservation area would shorten these views and so diminish the rural setting of the conservation area.”

This harm should be given significant weight in the assessment of the application and in this case the Council has determined that there are no public benefits which outweigh the harm to the setting of the Wigginton Conservation Area. We agree with the council's view that whilst affordable housing would normally be considered a benefit, in this instance, both councils have expressed doubt over the level of need in this location for the affordable housing proposed.

This reason for refusal gives further weight to Bellway's argument that the Local Plan Review process is the most appropriate way to assess the suitability of sites coming forward for development. Development of the Bellway site would not raise any issues with coalescence with smaller villages and impact on heritage assets, and in this sense alone, must be preferable. Paragraph 32 of the NPPF requires local plans to be informed throughout their preparation by a sustainability appraisal and this should demonstrate how the plan has addressed certain economic, social, and environmental objectives. Significant adverse impacts on these objectives should be avoided and wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Paragraph 196 requires plans to set out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets at risk through neglect, decay and other threats. Lichfield policies have taken account of the relevant policies and not sought to allocate the appeal site for development in part to maintain the gap between Wigginton and the north of Tamworth. Bellway agrees with this approach.

Transport

Bellway's interest relates to ensuring that the appeal scheme includes appropriate consideration to the cumulative impacts arising from other committed development. This is important in establishing whether the residual cumulative impacts on the road network are severe or not (NPPF para 115).

The Planning Practice Guidance defines committed development as "development that is consented or allocated where there is a reasonable degree of certainty will proceed within the next 3 years." (Paragraph: 014 Reference ID: 42-014-20140306, Revision date: 06 03 2014).

The Lichfield District Council Planning Committee Report (27 November 2023) refers to Staffordshire County Council Highway's consultation response dated 14 December 2022 which confirms that SCC has reviewed the additional information submitted as part of the application and the comments provided on 13 January 2022 remain unchanged as the majority of the technical transport and highways information has been previously agreed. SCC's comments dated 13 January 2022 states that the following committed developments were requested for inclusion in the traffic assessments to understand the cumulative impact of the proposed development on the local highway network:

- LDC Ref: 14/00018/OUTM Land North of Browns Lane, Tamworth (165 residential dwellings)
- Tamworth Borough Council (TBC) Ref. 0149/2015 (outline) and 0027/2017 (reserved matters) Land off Coton Lane, Tamworth (170 residential dwellings)
- TBC Ref. 0105/2014 (outline) and 0435/2015 (reserved matters) Land South of Ashby Road (Anker Valley), Tamworth (535 dwellings and primary school)
- LDC Ref. 14/00516/OUTMEI Land north of Ashby Road, Tamworth (mixed use development including 1,000 dwellings, primary school and local centre allowed at appeal - Arkall Farm development)
- TBC Ref. 0020/2019 Coton House Farm, Coton Lane, Tamworth (141 residential dwellings). an appropriate transport assessment has been undertaken.

The Lichfield District Council Planning Committee Report (27 November 2023) refers to the plans and documents that form part of the recommendation. These include "Environmental Statement-Updated Highways and Transport Technical Notes 002, 003, 004 Rev C dated as received 20 September 2022" which appear to be the most recent transport documents available. The updated Highways and Transport Technical Notes 002, 003, 004 Rev C themselves are dated 21 August 2021.

It is understood from Highways and Transport Technical Note 003 C that the base year for the traffic analysis is from 2017 and has been growthed to a future year of 2029. It is not clear from the technical notes what specific committed developments have been included in the traffic analysis and whether it includes all the sites listed by SCC above and that meet the PPG definition.

Bellway requests that the Inspector be satisfied that:

- The use of base traffic data from 2017 is appropriate (i.e. have any recent check surveys been undertaken to establish what traffic volumes are on the highway network in 2024); and
- All committed development has been allowed for in the transport assessment.

Specifically, Bellway are interested in how Arkell Farm (consented mixed use development including 1,000 dwellings, primary school and local centre) allowed at appeal) has been allowed for in the future years / cumulative analysis. The appellant's transport technical note states that the scheme cannot be considered as fully committed because it has a significant question mark about deliverability beyond 300 dwellings due to the Monitor and Manage conditions attached to the outline planning permission (conditions 24, 27, 28 and 29). So, it appears that the appeal scheme has only ever tested 300 dwellings at Arkell farm in the 2029 future year rather than the fully consented 1,000 dwellings. It is understood that there are 573 applications to make amendments to and remove the approved monitor and manage strategy at Arkall Farm, but these are still under consideration by the relevant authorities.

The appeal scheme includes an updated design for a mitigation scheme along the Upper Gungate corridor which seeks to provide a mitigation scheme which includes amendments to the existing road layout which are deliverable within the extent of the adopted highway. It appears somewhat odd that if there are improvements that are wholly deliverable in the highway (i.e. not requiring non highway land owned by the appellant) why they wouldn't be available to Arkall Farm and thus addressing any uncertainty about deliverability beyond 300 dwellings on that scheme?

Bellway therefore request's that the Inspector be satisfied that the consented Arkall Farm development has been appropriately allowed for in the appellants traffic analysis – i.e. is it correct to only test 300 dwellings rather than the fully consented 1,000 dwellings?

Tamworth RfR

Bellway do not have any comments to add in relation to this reason for refusal.

We appreciate that the Inspector dealing with this S78 appeal will not be in a position to comment on the acceptability or otherwise of the Bellway site and proposals, but the points made within this statement are intended to reinforce Lichfield DC's reason for refusals and reinforce the view that the planning system should be genuinely plan-led. The proposals are clearly in conflict with the adopted development plan for Lichfield and it is respectfully suggested that the appeal be dismissed in accordance with the NPPF.

Cerda Planning
May 2024