



DECISION NOTICE

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

GRANT OF OUTLINE PLANNING PERMISSION

Reference: 0110/2015

Comprehensive redevelopment consisting of the erection of up to 108 residential (Class C3) dwelling units, associated car parking, and means of access with all other matters reserved.

Land off Tinkers Green Road, Wilnecote, Tamworth, Staffordshire, B77 5DD

Tamworth Borough Council GRANT OUTLINE PLANNING PERMISSION for the above development for the following reasons:-

The site is identified as a regeneration priority area under Policy HG3 of the Emerging Local Plan and is acceptable in principle under saved Policy HSG5. The main consideration is the conflict with Emerging Policy EC4 and extant Local Plan Policy TCR13 which seek to ensure neighbourhood and local centres retain convenience shopping facilities. Balancing up the views expressed within the community consultations carried out which did not see retail as a priority on the site, the accessibility to nearby retail provision and the land hungry nature of a commercially viable retail facility leading to a substantial reduction in housing numbers, Officers are satisfied there is a reasoned justification behind the proposals which offset the conflict with the current and emerging policies. In this case Officer's concur with the Council's desire to provide more affordable housing to meet required needs and feels this outweighs the identified policy conflict.

The Development provides 80% affordable housing, well above the required figure of 30%. The development density exceeds the minimum requirements within the emerging

Marmion House,
Lichfield Street,
Tamworth,
Staffs B79 7BZ.

Enquiries: 01827 709709
Facsimile: 01827 709271



policies and the housing mix proposed is considered acceptable.

There are no significant highway implications as a consequence of the proposals and no objections are raised by the Highway Authority.

Protected species will not be adversely impacted by the proposed development and the submitted reports conclude that subject to ecological enhancement measures such as the provision of bat boxes, bird boxes and soft landscaping from native species, sufficient mitigation can be provided to offset the reduction in habitat caused.

Taking into account all of the above matters and those raised in the submitted representations, for the above reasons the application is considered to comply with Tamworth Local Plan Policies TRA3, ENV7, ENV8, ENV9, ENV14, ENV19, Policies HG3 and EC4 of the Emerging Local Plan and Paragraph 7 of the NPPF.

and subject to the following conditions:-

- 1 Application for the approval of all reserved matters shall be made to the Borough Council within three years of the date of this permission. Reason: In compliance with Section 92 of the Town and Country Planning Act 1990 (as amended by the Planning and Compulsory Purchase Act 2004).
- 2 The development shall be begun within two years from the date of the final approval of the reserved matters. Reason: In compliance with Section 92 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Compulsory Purchase Act 2004).
- 3 Approval of the details of the siting, design and external appearance of the buildings, the means of access within the site and the landscaping of the site, herein after called the reserved matters, shall be obtained from the Local Planning Authority before any part of the development is commenced. Reason: The application is for outline planning permission and the matters stated have been reserved for subsequent approval in accordance with Article 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
- 4 Prior to the commencement of the development hereby approved details of the foul and surface water drainage shall be submitted to and approved by the Local Planning Authority. Reason: To ensure that sustainable drainage provision is made for the development in accordance with paragraph 94 of the National Planning Policy Framework

Marmion House,
Lichfield Street,
Tamworth,
Staffs B79 7BZ.

Enquiries: 01827 709709
Facsimile: 01827 709271



- 5 Before the development hereby approved commences a scheme of sound insulation shall be submitted to and approved in writing by the local planning authority. The scheme shall be designed following the completion of a noise survey undertaken by a competent person. The scheme shall take account the proximity to playing facilities which exist in close proximity and could cause noise nuisance to future residents. The scheme shall consider the need to provide adequate ventilation, which may be by mechanical or passive means and shall be designed to achieve the following criteria with the ventilation operating or the windows partially open:

Bedrooms	30 dB LAeq (15 Minutes) (2300 hrs - 0700 hrs)
Living rooms	35 dB LAeq (15 Minutes) (0700 hrs - 2300 hrs)
Bedrooms	45 dB LAmax (2300 hrs - 0700 hrs)

Before the development is occupied the scheme shall be validated by a competent person and a validation report submitted to and approved in writing by the local planning authority. Reason: In the interests of ensuring a reasonable living environment for prospective residents with regards traffic and rail noise in accordance with NPPF Para 7.

- 6 Prior to the commencement of the development (including on site clearance), a formal ecological mitigation strategy to minimise the impacts upon protected species and habitat and provide enhancements shall be submitted to and agreed in writing by the Local Planning Authority. Thereafter the approved strategy shall be adhered to during the course of and following completion of the development. Reason: In the interests of minimising the impacts upon protected species and habitats and in order to provide enhancements and biodiversity offsetting in accordance with NPPF paragraphs 118.
- 7 The development hereby permitted shall not be commenced until such time as the details of a satisfactory surface water design has been submitted to and approved in writing by, the Local Planning Authority:
- Limiting the surface water run-off generated by the site so that it will not exceed 94 l/s and not increase the risk of flooding off-site.
 - Provision of approximately 370 cubic metres of attenuation flood storage on the site to a 100yr + Climate Change standard.
 - British Geological Survey maps of the area suggest soakaways may work

Marmion House,
Lichfield Street,
Tamworth,
Staffs B79 7BZ.

Enquiries: 01827 709709
Facsimile: 01827 709271



on site. So there should be a proper investigation, through soakaway tests, of the site before it is assumed discharge will be to local public sewers.

- Further design should also demonstrate how residual flood events will be steered away from proposed buildings in a controlled fashion.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority. Reason: To reduce the risk of flooding to the proposed development, adjacent property and future occupants.

- 8 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Marmion House,
Lichfield Street,
Tamworth,
Staffs B79 7BZ.

Enquiries: 01827 709709
Facsimile: 01827 709271



Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

- 9 The housing mix hereby permitted shall be broadly in accordance with that set out within the table on Page 12 of the submitted Planning Statement dated as received on 23 March 2015. Reason: In order to ensure a mix of housing proportionate to and representative of the housing need within the Borough in accordance with Emerging Tamworth Local Plan Policy HG5.
- 10 At least 80% of the total number of dwellings hereby permitted shall be 'affordable' and shall remain so in perpetuity. 'Affordable' for the purposes of this condition shall mean properties available for social and/or affordable rent (the latter being rent charged at up to 80% of the market rent for such properties). Reason: In order to formalize the affordable housing merits of the application in accordance with the submitted documentation as set out on page 22 of the Planning Statement dated as received 23 March 2015.
- 11 Prior to first occupation of any dwelling hereby permitted, the reconfigured vehicular accesses to the public highway shall be completed to each respective part of the development including those elements within the public highway. At no time shall any vehicular access be utilised to serve the development other than those expressly shown on the on the indicative site plan. Reason: In the interests of highway safety and in order to formalise the approved accesses under this consent.
- 12 No development shall be commenced until full details of the following have been submitted to and approved in writing by the Local Planning Authority:
 1. Site layout including disposition of buildings and provision of parking, turning and servicing within the site curtilage;
 2. Means of surface water drainage

Marmion House,
Lichfield Street,
Tamworth,
Staffs B79 7BZ.

Enquiries: 01827 709709
Facsimile: 01827 709271



3. Surfacing materials

4. Cycle parking

Reason: In order to ensure adequate manoeuvring, drainage, surfacing and cycle provision in accordance with Tamworth Local Plan Policy TRA3.

- 13 Prior to the commencement of any construction, a formal Construction Management Plan (CMP) containing details of measures to ensure reasonable privacy to neighbouring properties during the construction process, operative parking, loading and unloading, storage of plant and materials and positioning of site welfare facilities shall be submitted to and agreed in writing by the Local Planning Authority. The approved CMP shall thereafter be implemented from the commencement of the construction phase of the development and adhered to for the complete duration of the construction programme. Reason: In the interests of residential amenity and highway safety in accordance with Tamworth Local Plan 2001-2011 Policy TRA3 and NPPF Section 7.

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

INFORMATIVE NOTES:

1. Prior to the access being constructed you require Section 184 Notice of Approval from Staffordshire County Council. The link below provides a further link to "vehicle dropped crossings" which includes a "vehicle dropped crossings information pack" and an application form for a dropped crossing. 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, ST16 2DH or email (nmu@staffordshire.gov.uk)
www.staffordshire.gov.uk/transport/staffshighways/licences
2. Further to Condition 5 above relating to the reserved matter "Site Layout" the approval will require approval under Section 7 of the Staffordshire Act 1983 and will require a Section 38 of the Highway Act 1980. The applicant is required to contact the SCC Sections Agreement Manager in order to secure the necessary agreements. With regard to the Section 7 Approval the applicant will need to submit full road construction details, long sections, surface water drainage and outfall, street lighting for any subsequently approved site layout

Marmion House,
Lichfield Street,
Tamworth,
Staffs B79 7BZ.

Enquiries: 01827 709709
Facsimile: 01827 709271

BOROUGH OF TAMWORTH

Directorate (Communities, Planning & Partnerships)

0110/2015



3. Condition 11 above requires a legal agreement with Staffordshire County Council and the applicant is therefore requested to contact the Network Management Unit of SCC in respect of securing the appropriate legal agreement and any subsequent permits and licenses.
4. As per Manual for Street the proposed garages shall be of minimum size of 6 m by 3 m.
5. Western Power Distribution would advise that any/all work carried out in the vicinity of the equipment must be done so in accordance with HSG (47) - Avoiding Danger from Underground Services. If a disconnection or diversion is required, this must be applied for in the usual manner.

A handwritten signature in black ink, appearing to read 'John Gunn'. The signature is written in a cursive style with a horizontal line above it.

John Gunn
Development Control Manager
09 June 2015

Marmion House,
Lichfield Street,
Tamworth,
Staffs B79 7BZ.

Enquiries: 01827 709709
Facsimile: 01827 709271