



Land at Dunstall Farm, Tamworth

Representations to Tamworth Borough Council –Submission Local Plan 2006 – 2031

Written Submissions to Examination in
Public

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Appendices

Appendix 1 – Scoping Opinion Request Prepared by Bilfinger GVA

Appendix 2 – Scoping Opinion Provided by Tamworth Borough Council

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For and on behalf of GVA Grimley Ltd

1. Introduction and Instructions

- 1.1 Bilfinger GVA is instructed by the owners of land at Dunstall Farm (the land), B&S Aucott, in respect of town planning matters. The emerging Local Plan proposes the allocation of the land as a Sustainable Urban Extension (SUE) which is expected to deliver at least 700 new dwellings and associated infrastructure.
- 1.2 Bilfinger GVA has previously submitted representations to the Local Plan preparation process in respect of the land. Representations submitted in December 2014 provide comprehensive information on the site and its suitability for development.
- 1.3 These representations are intended to update, rather than repeat, information submitted previously and should be read in the context of those documents.

2. Emerging Development Plan Policy and the Land at Dunstall Farm

- 2.1 The emerging Tamworth Local Plan proposes a spatial strategy for the Borough (Policy SS1) and establishes an overall housing target for 4,250 dwellings for the plan period. This equates to a target of 170 units per annum (Policy HG1). The policy proposes that at least 2323 dwellings will be provided within proposed sustainable urban extensions. We broadly support the spatial objectives of the plan and the proposed housing target for the Borough.
- 2.2 Policy HG2 proposes three sustainable urban extensions, one of which is described as land at "Dunstall Lane". The policy establishes a list of criteria which proposals to develop the site must achieve. In addition, the emerging policy lists infrastructure which the Council maintains is required in association with the SUE.
- 2.3 Previous representations confirm that the owners of the land at Dunstall Farm support fully its proposed allocation for housing. The landowner is an experienced developer with a long track record of successfully delivering development schemes in Tamworth Borough.

3. Statutory Requirements and the Remit of Written Submissions

- 3.1 Section 19(2) of the Planning and Compulsory Purchase Act 2004 ("the 2004 Act") requires local authorities to have regard to national policy and guidance when preparing Development Plan Documents. The Government's guidance on, amongst other planning related subjects, Development Plan making, is contained within the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).

3.2 Sustainable development is at the core of the NPPF. Paragraph 14 states:

“At the heart of the framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking.

For plan making this means that:

- *local planning authorities should positively seek opportunities to meet the development need for their area;*
- *local plans should objectively assess needs, with sufficient flexibility to adapt to rapid change, unless:*
 - *any adverse impact of doing so would significantly and demonstrably outweigh the benefit, when assessed against the policies in this framework taken as a whole; or*
 - *specific policies in this framework indicate development should be restricted ...”*

3.3 Paragraph 47 of the NPPF states:

“To boost significantly the supply of housing, local planning authorities should

- *use their evidence base to ensure that their local plan meets the full, objectively assessed needs of the market for affordable housing in the housing market area, as far as is consistent with the policies set out in this framework, including identifying key sites which are critical to the delivery of housing strategy over the plan period;*
- *identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirement’s with an additional buffer of 5% (move forward from making plan period) to ensure choice and competition in the market for land ...”*

3.4 In order to be considered deliverable, sites should:

“Be available now, in a suitable location for development now, and be achievable with the realistic prospect that housing will be delivered on this site within 5 years and, in particular that development of the site is viable.”

3.5 The above extracts from the NPPF demonstrate the significance of the deliverability and viability of sites which are to contribute towards a local authority’s five year housing land supply. The ultimate test of the deliverability and viability of land is the grant of planning permission for development on it. The representations submitted to the local plan preparation process in December 2014 explained work carried out to-date on the preparation of an outline planning application for residential development on the land and associated infrastructure works.

- 3.6 These representations provide an update on the progress made towards the submission of an outline planning application. In doing so, they demonstrate that the site is both deliverable and viable and hence satisfies the criteria required for land to make a contribution towards the achievement of a five year housing land supply.

4. Environmental Impact Assessment

- 4.1 Pre-application discussions with officers from Tamworth Borough Council (TBC) led to the confirmation that the planning application which will deliver the SUE is to be subject to an Environmental Impact Assessment (EIA). An Environmental Statement (ES) will accompany the outline application.
- 4.2 The preparation and submission of an ES adds an additional layer of detail to the information that would ordinarily be submitted in support of a planning application. As a result, the scope of the ES provides a useful checklist of information to be submitted in support of the proposals.
- 4.3 In December 2014 Bilfinger GVA submitted a formal request for an EIA scoping opinion to TBC in accordance with the Environmental Impact Assessment Regulations. The scoping opinion identified the chapters to be included in the ES and identified work carried out and proposed in respect of each. A copy of the scoping opinion request is attached at **Appendix 1**.
- 4.4 TBC subsequently wrote back to Bilfinger GVA with a scoping opinion. The opinion comprised a letter from the Borough Council and all correspondence received by it from statutory consultees. A copy of the scoping opinion is attached at **Appendix 2**. The following ten sections reflect the chapters to be included in the ES and explain the Borough Council's requirements and progress made in respect of each.

5. Flood Risk and Drainage

- 5.1 Part of the land owned by B&S Aucott is in flood zones 2 and 3, i.e. it is at relatively high risk of flooding. The Environment Agency (EA) flood maps show the general extent of flood zones 2 and 3. However, the data used in the preparation of these maps cannot be relied on when designing a scheme for development on the site.
- 5.2 A modelling exercise has been carried out by the flood risk engineers for the project, Mott MacDonald. The exercise has been carried out in collaboration and consultation with the EA. The outcome is a model which identifies, precisely, the current extent of flood zones 2 and 3. The model is more accurate than the EA's flood risk modelling information and is accepted by it as the definitive model against which the flood risk and drainage aspects of the proposals will be assessed.

- 5.3 The Council expects that at least approximately 720 dwellings will be delivered on the site. The lack of land suitable for residential development in Tamworth Borough (and the resulting requirement for the adjoining authorities of Lichfield and North Warwickshire to deliver some of Tamworth's needs) means there is a clear remit to maximise the developable area of the site, i.e. the land outside flood zones 2 and 3.
- 5.4 To that end, Mott MacDonald is undertaking an exercise with the objective of maximising developable area through "cut and fill" across different parts of the site. The outcome of this exercise will lead to the identification of the maximum developable area. The extent of the developable area will be agreed with the EA before the planning application is submitted.
- 5.5 In respect of drainage, the landowner is committed to the use of Sustainable Urban Drainage Systems (SUDS). An indicative, but robust, drainage strategy will be included in the masterplan for the site which will be submitted in support of the planning application. We anticipate that the drainage scheme will comprise a series of "strategic" SUDS features which will take water from the whole site as well as a series of smaller features which will attenuate water on each of the proposed phases.

6. Highways and Transportation

- 6.1 The lead consultant on matters relating to transportation and highways is WYG.
- 6.2 Two preliminary transportation studies were carried out prior to commencement of work on the preparation of the planning application. The first was prepared by Bilfinger GVA and was submitted in support of previous representations made in support of the allocation of the site. The study took the form of a preliminary access strategy and appraisal. It identified key issues including: means of access into the site; the broad traffic impact of the proposals on the surrounding and wider network; and the impact of "committed" development on the site (i.e. the commercial development scheme) and how this has been taken into consideration when modelling improvements to the surrounding network and transport sustainability.
- 6.3 The preliminary assessment carried out by Bilfinger GVA concluded that the site is in a sustainable location, close to the town centre, and offers numerous opportunities to deliver pedestrian, cycle and public transport links into the town and the wider area. The report also concluded that the traffic impacts of the scheme are unlikely to be significant and are unlikely to require the provision of either major new infrastructure or major alterations to the existing highway network.
- 6.4 WYG carried out a second preliminary study on highways and transportation as part of the due diligence exercise carried out by B&S Aucott prior to the purchase of the site. WYG's

study supported the conclusions of Bilfinger GVA. It also identified additional work required in support of a planning application.

- 6.5 WYG has recently published a scoping note for the preparation of the Transportation Assessment (TA) which will be submitted in support of the outline planning application. The TA will also form the basis of the highways and transportation chapter of the ES.
- 6.6 The scope of the TA has been discussed at several meetings with officers from Staffordshire County Council's Highways department and Highways England (HE). The TA scoping note is based on the requirements of both organisations (Staffs County and HE) as set out in the ES scoping opinion.
- 6.7 It is anticipated that the scope of the TA will be agreed shortly, after which its preparation can begin in earnest. Albeit, much of the preliminary work has already begun.
- 6.8 Neither Staffordshire County Council Highways Department nor HE have any fundamental concerns over the transportation and highways implications of development proposed. The TA scoping process is currently considering matters of detail only.

7. Ecology

- 7.1 Middlemarch Environmental is instructed in respect of ecological matters.
- 7.2 A Phase 1 Extended Habitat Survey was carried out on the land in 2014. The survey did not identify any significant ecological constraints but did note some features on the site which require consideration. The Phase 1 survey also identified additional habitat and protected species surveys which are required.
- 7.3 The ES scoping note prepared by TBC includes responses from statutory consultees including Natural England, the Staffordshire Wildlife Trust and Staffordshire County Council. Middlemarch Environmental has reviewed these comments and has designed the remit and specification of the Phase 2 surveys accordingly.
- 7.4 Phase 2 survey work is currently on-going and will be completed by the end of Summer 2015. Indeed, the ecological survey work is likely to be some of the last information to be completed prior to the submission of the planning application.

8. Design

- 8.1 BDG is instructed to prepare the design work which is to be submitted in support of the outline planning application. This will include the Design and Access Statement, indicative layout and

other material to demonstrate how the number of dwellings proposed can satisfactorily be accommodated on the land.

- 8.2 BDG has carried out baseline analysis of the site and the surrounding area and will complete the preparation of the layout as soon as the developable area has been defined by the flood risk exercise referred to in previous sections.

9. Landscape and Visual Impact Assessment

- 9.1 SLR is instructed to prepare a Landscape and Visual Impact Assessment (L&VIA) for submission in support of the outline planning application. The L&VIA will be submitted as a freestanding document and will also form the basis of the L&VIA chapter of the ES.
- 9.2 The requirements for the L&VIA are considered in the scoping opinion provided by TBC. This refers to the methodology for the assessment and the prevalent landscape character types. The scoping opinion establishes that the L&VIA should, jointly with the Archaeology and Heritage chapter of the ES, include an assessment of the impact of the development on nearby heritage assets.
- 9.3 SLR has carried out its baseline research and will test the impact of the proposals once the indicative design is finalised.

10. Noise and Air Quality

- 10.1 Royal Haskoning is instructed in respect of noise/air quality and will prepare the relevant chapters of the ES. Baseline information in respect of both issues has been collected and will be used to assess impacts when the indicative layout is finalised.

11. Light

- 11.1 A firm of consultants, "It Does Lighting" (IDL), is instructed to prepare the relevant chapter of the ES. IDL has carried out its preliminary assessment and will finalise the ES chapter when the indicative design is finalised.

12. Ground Conditions

- 12.1 The ES scoping opinion provided by TBC establishes that the ES should assess the potential impacts of the development on land through a geotechnical baseline study. This is to include a preliminary conceptual site model.

- 12.2 A "Phase 2" ground investigation report is being prepared which will exceed the requirements of the scoping opinion. Intrusive sampling will be carried out.
- 12.3 The land has been in agricultural use for many years and has not been developed previously. As such, it is not anticipated that any adverse ground conditions will be encountered. Nevertheless, the comprehensive ground conditions report will add certainty to the delivery of the site. The work is being carried out by Cheimal Overton.

13. Services and Utilities

- 13.1 A specialist firm of consultants, Cundall is instructed to identify the presence and capacity of services and facilities which could serve the SUE. The landowner owns land adjacent to the SUE. Accordingly, there are unlikely to be any significant issues associated with providing the necessary utilities.
- 13.2 The scoping opinion provided by TBC urges the applicant to seek pre-application advice from the relevant bodies prior to the completion of the Services and Utilities chapter of the ES. We confirm that this process is on-going.

14. Archaeology and Heritage

- 14.1 The ES scoping opinion provided by TBC establishes that the site lies within an urban area of high overall heritage significance, as identified in the Tamworth Extensive Urban Survey. There is high potential for above and below ground archaeology to survive in the vicinity of Dunstall Farm and high potential for below ground archaeology and historic water meadow within the landscape to the north of Dunstall Lane.
- 14.2 Legible Heritage Assets include the World War 2 pill boxes and listed bridges over the canal, albeit none of these are on the application site.
- 14.3 A specialist firm of archaeological and heritage consultants, AIDAS, has carried out an assessment of the site. This will form the basis of the Archaeology and Heritage chapter of the ES.

15. Engagement with Officers at Tamworth Borough Council

- 15.1 The Dunstall Farm land is a significant element of the Council's strategy for the delivery of housing during the plan period. In view of this, Bilfinger GVA and officers from Tamworth Borough Council have met and exchanged correspondence in respect of the site on numerous occasions. Topics considered have included:

- the scope of the ES to be submitted in support of the planning application;
- the proposed means of access into the site;
- the proposed masterplan for the site;
- the Local Plan preparation process, including Bilfinger GVA's engagement in it;
- ecological issues;
- sport and recreation issues;
- the planning obligations package which will accompany the planning application;
and
- viability and deliverability.

15.2 Bilfinger GVA has recently commenced the formal procedure for the procurement of pre-application advice. However, in reality the provision of this advice has been on-going for many months.

15.3 Bilfinger GVA and the Council's Officers will continue to work collaboratively to ensure that there are no outstanding concerns or issues when the planning application is submitted in due course.

16. Planning Obligations

16.1 The planning application will generate various planning obligations. Some of these are identified specifically in the "Infrastructure" section of the emerging Local Plan. Others are generated by development plan policy and Government guidance.

16.2 The precise details of the planning obligations package have yet to be agreed. The process of discussion and negotiation is on-going. Nevertheless, as a matter of principle the landowners and TBC agree that the following obligations will be required:

- provision of social/affordable housing;
- provision of a primary school on site;
- payment of a financial contribution towards secondary education;
- contribution towards, or delivery of improvements to bus services;
- provision of appropriate facilities for sport and recreation;

- payment of financial contribution towards the maintenance of sports and recreation facilities; and
- payment of financial contribution towards enhancement of existing ecological assets

16.3 We confirm that there are no outstanding matters of principle between the landowners and TBC in respect of the emerging planning obligations package.

17. Submission of an Outline Planning Application and Delivery of Dwelling on the Land

17.1 Work on the preparation of the outline planning application is progressing in accordance with timescales that have been discussed previously with the local planning authority. Much of the baseline data required in respect of each of the ES chapters has now been prepared. The indicative layout for the site will shortly be “frozen” after which the contributors to the ES technical chapters will be able to finalise their inputs. The ecological survey work is on-going.

17.2 It is anticipated that the planning application will be ready for submission to the local planning authority by the end of Summer 2015.

17.3 The statutory determination period for the planning application is 16 weeks. We anticipate that a resolution to grant planning permission will be secured and an Section 106 agreement completed by the end of 2015 or early 2016 at the latest.

17.4 We anticipate that the land will be taken to the market in Spring 2016. It may take approximately 12 months for the site to be sold and reserved matters / detailed planning permission secured.

17.5 With the above in mind, we anticipate that a developer will be ready to commence work on the site in Spring 2017. A scheme of this size will require some infrastructure works before development commences on any dwellings. However, we anticipate that construction of houses is likely to begin in the Summer / Autumn of 2017.

17.6 The above paragraphs demonstrate that the site is likely to deliver dwellings within 5 years.

18. Viability

18.1 Viability is a significant element in the delivery of residential development. The Council has carried out high level work in respect of the Dunstall Farm scheme which concludes that the scheme is viable.

- 18.2 The precise details of the financial elements of the scheme will not be known until the indicative layout is fixed and the planning obligations package has been agreed. Nevertheless, we confirm that no viability issues are anticipated.

19. Summary and Conclusions

Spatial Strategy, Housing Land Supply and the Proposed Allocation

- 19.1 The delivery of development in Tamworth required to meet future needs is constrained significantly by the Borough boundary, which is drawn tightly around the urban area, and by the flood plain of the two rivers which flow through the centre of the town.
- 19.2 The sustainable urban extensions provide the opportunity to deliver a significant number of new dwellings within the plan period. The strategic objectives of Policy HG1 are supported. We support the reliance on the sustainable urban extensions to deliver a significant percentage of the new dwellings required.
- 19.3 Policy HG2 considers the sustainable urban extensions and provides detailed information on each, including constraints, opportunities and required infrastructure. The policies within HG2 are broadly supported.

Sustainability

- 19.4 The sustainability of the site has been considered in some detail in previous studies of the land. In summary, the site is in a sustainable location and is the closest of the SUEs to Tamworth town centre. As a result, there are significant opportunities for the use of walking, cycling and public transport by future residents of the site. Dunstall Lane provides a significant opportunity to deliver a pedestrian and cycle friendly link into the rest of the urban area and this objective is supported.

Highways, Transportation and Means of Access

- 19.5 Highways and Transportation issues have been discussed in detail with officers from Staffordshire County Council Highways department and Highways England. Neither party has any significant concerns in respect of the site.
- 19.6 Work on the scope of the Transportation Assessment that will accompany the application is well advanced and is likely to be agreed shortly.
- 19.7 We conclude that there are no highways or transportation related reasons why the site may not come forward for the number of dwellings and in the timescales anticipated.

Viability

- 19.8 The analysis carried out so far indicates that a viable scheme of development can be brought forward on the site in order to meet the Council's objectives of delivering significant numbers of new homes. Work on the planning obligation package is on-going and a viability exercise will be repeated once complete.

Conclusions

- 19.9 We conclude that the site meets all of the tests established by the NPPF and emerging Development Plan policy. It is available, is in a suitable location for development and is achievable, i.e. there is a realistic prospect that housing will be delivered on it within five years.
- 19.10 The site and the adjacent access into it are now both owned by B&S Aucott. A team of consultants has been instructed to prepare and submit an outline planning application for the development of the site as soon as possible. It is anticipated that the application will be submitted by the end of Summer 2015. B&S Aucott and its consultants are working with Officers from Tamworth Borough Council to ensure that the planning application is as robust as possible and can be determined within the minimum amount of time.
- 19.11 In summary, we conclude that the site is deliverable and that a viable scheme for its development will be brought forward shortly.