

Houndhill Courtyard
Houndhill, Marchington
Staffordshire ST14 8LN
Telephone: 01283 820040 Fax: 01283 821226
email office@jvhplanning.co.uk

Comments on the Future Potential Development Areas Document HDR 05

For Mr M Neachell [in respect of site 603]

1

This document is a substantial piece of new evidence that has not been available during the Plan making process. This document is produced to look at the possibility of further housing capacity within the District over and above that provided in the submitted Plan. The document looks at the role of part of Green Belt area B . The Council have not before looked at the green belt with a finer grained approach than the basic subdivision between A and B. We have promoted a part of Green Belt Area A Site Ref 693.

The very fact that the Council are being asked to subdivide and consider the green belt areas illustrates that the approach that they have taken to date has been inadequate; looking at the green belt as simply two large amorphous areas has skewed the consideration of the development options including what has been appraised in the SA as realistic options.

2

The Paper comments at para 2 that there are three distinct sources where additional land can come from; Area B, omission sites and sites at risk from flooding. We do not accept that this is the full list as this excludes site 693 part of Area A which has the benefit of a willing landowner, and a set of technical appraisals to enable a full understanding of the site

potential. Site 693 should also be in the list of potential additional capacity.

3

The appraisal carried out in Table 1 assesses the function of the land [known as C] against the green belt tests. It concludes that mitigation could be achieved through new development on site C. This site has no advantages over the site promoted by ourselves site 693 in terms of testing against the green belt criterion and indeed has not been promoted or examined in the same depth. In addition to being available and deliverable Site 693 has the benefit of being able to add land into the Dosthill Park to the south of the existing Park as identified on the submitted masterplan and also the dedication of large areas of open space to the west and south of the proposed development area.[see submitted masterplan.] There are not known to be any such benefits from area C.

Specifically with regard to access which was mentioned at the examination

Site 693 has direct access onto the A 51 and does not rely on access through a lower standard road network. Additional highway comments to counter assertions at the examination by the Council are provided by WYG in July 2015

For confirmation we consider that a priority T-junction with a ghost island right turn lane on the A51 Tamworth Road would have sufficient operating capacity to serve a development of 500 dwellings as a single point of access. The initial length of access road could be to a dual carriageway standard with a small roundabout then provided as a 'transition' between the access link and a residential loop road off the roundabout. Any access off Wigford Road could then be pedestrian/cycle only access with potential for emergency access through collapsible bollards or similar.

Alternatively we consider that the initial length of access road off the A51 Tamworth Road could be a wide single carriageway with wider footways constructed to a higher specification to cater for emergency vehicles if required. We believe that this is the arrangement at Hevea Road in Burton upon Trent (<https://www.google.co.uk/maps/@52.8203922,-1.6403947,328m/data=!3m1!1e3>) so there is a precedent for this arrangement and this would involve less land take/construction.

There is no highway information for site C to establish if road access is achievable.

There is no mention of the Route of HS2 in the locality of Area B [and area C as identified] which passes immediately west of the M42 and this will also have an environmental

impact. Planning permission is already granted to the east on land west of Teign which feeds off Overwoods Road and a current planning application with NWBC for land to the east of that development up to the M42 motorway is also likely to be approved [albeit that the HS2 as currently shown runs through the centre of this site] There are therefore other significant highway and environmental issues that affect this identified area.

4

The document sets out

“Further areas of the green belt have not been considered as the Inspector was clear in his question which area might warrant safeguarding after his consideration of green belt function. Therefore none of these areas have been put forward as reasonable alternatives.”

Site 693 is missing from the table 2 of omitted sites and this is not a reasonable approach.

My understanding is that area B was to be looked at further as no representations had been made on that area, not that the Inspector had discounted any development in Area A.

There was at the examination no evidence about area B and that is why further investigation was required. Additional information about Area A was available.

On that basis site 693 should be shown on the plan at Figure 2.

Lichfield District Council in their papers to the examination have questioned the exclusion of site 693 as a source of further housing land and indicated that it could provide further homes within Tamworth District subject to appropriate mitigation measures. Their view on this land is pertinent to the question as this land adjoins Lichfield District to the west and along with the remainder of the western urban fringe of Tamworth is the interface between the built up area of Tamworth and open land within Lichfield District. The area now identified as area C was introduced by Mr Dittman of NWBC and adjoining his district with

which he was more familiar.

There was no discussion that discounted area 693 from further consideration, the request was to introduce more information about an alternative area.

5

The Councils position with regard to the sites in the Flood risk areas 3a is astonishing.

The NPPF is quite clear about how these sites should be approached at paras 99- 102. The Councils position is contrary to the approach in the NPPF and should not be included in the Local Plan.

The Doncaster Local Plan Inspector in June 2014 set out the approach in his letter and highlighted that the test in the NPPF is a high one. Only where it is not possible to direct development to area of lower flood risk should a council move onto the exceptions test. He sets out at his para 41 and 44

41. The NPPF needs to be read as a whole. However, it is quite specific in the way in which development of land which is at risk of flooding should be treated. In my view this reflects the importance which the Government attaches to the matter. Paragraphs 99- 102 of the NPPF set out the way in which allocations in a Local Plan should be handled. The principle is to seek to avoid 'where possible' flood risk to people and property and to manage residual risk. To achieve this Local Plans should adopt a sequential, risk-based approach to the location of development. This would involve applying a Sequential Test designed to steer new development to areas with the lowest probability of flooding. If, following application of the Sequential Test, it is 'not possible' consistent with wider sustainability objectives to locate development in zones with a lower probability of flooding, the Exception Test may be applied. To pass the Exception Test it must be demonstrated that there are wider sustainability benefits to the community which outweigh the flood risk and a site-specific flood risk assessment must demonstrate that the development will be safe for its lifetime without increasing flood risk elsewhere.

44

The test is not that it would be preferable to locate development in the areas of highest risk of flooding but that it should be impossible to do otherwise.

He also notes with regard to the release of the green belt the following

56. The Core Strategy envisages that, in order to meet the plan objectives, it may be necessary to allocate land in areas subject to flood risk, in parts of the Green Belt and in the countryside. This is made clear in paragraph 4.8 of the Council's Housing Site Assessment Report (Including Methodology) document. I am not persuaded that the Council has given proper consideration to the alternatives of developing in the countryside and Green Belt before it chose to allocate sites in areas of flood risk. In my opinion the protection of Green Belt and countryside may have been put ahead of flood risk in the weighing process and this does not give the issue of flood risk due weight. The Council's process demonstrates a lack of flexibility in its decision-making which may have favoured particular sites. The choice of these sites, both in terms of their size and attractiveness to the market, could have a significant impact on the deliverability of development and ultimately on the Council's overall strategy.

See Document HD11

That has clear and direct parallels in Tamworth; all the alternatives including green belt sites have not been fully explored before the Council allocate sites in Flood risk zones. This is contrary to the NPPF and makes the Plan unsound. The Council's text in part 5 of the document is therefore unsound. They have simply not applied the correct approach as advocated in the NPPF. The Council says that it is not relying on these sites to deliver the strategy nor are they flexibility or contingency. On this basis it is a total puzzle as to why the Council think that it is appropriate to allocate land and grant permission given the clear advice in National Planning Policy .

It is noted however in the conclusions to the document that the Council now considers that 140 dwellings from the flood risk areas should be factored into the housing requirement. On this basis the document contradicts itself , either these sites are relied upon or they are not. We do not consider that relying on them is in accordance with the NPPF.

The Council advocates that there are only two sites with additional capacity 394 and 626. These additional sites should not be viewed as realistic reserves or allocations. Site 394 is within Flood Zone 3 and the NPPF para 99-102 applies, there are alternative sites which can be developed before resort is made to sites within Flood Risk zones. [See the commentary above] Site 626 is currently open space and no alternative open space to offset the loss are available in the vicinity.

The Council are prepared it seems to do anything other than release the green belt, they are prepared to sacrifice urban open spaces and develop in flood risk zones rather than deal with the alteration of the green belt contrary to the approach advocated in the NPPF and the NPPG. To argue that developing in flood risk zones is somehow more sustainable is simply an incorrect interpretation of sustainability. It is never sustainable to have your home flooded.

6

Site 693 offers the potential to gain open spaces and park extensions to the benefit of the local community rather than to continually use up valuable urban open spaces and land which is at risk from flooding. The Council are adopting the wrong approach to the future of the Borough and one which is out of step with national planning policies. The potential reserve sites advocated should not be included as development options.

JVH 14th July 2015.

Janet V. Hodson, BA (Hons), Dip. TP. MRTPI. Thomas W. Beavin, MTCP (Hons). MRTPI.
VAT Registered No. 670 0957 32
Registered in England No. 4817729