

48/13/0008

STRATEGIC LAND PARTNERSHIPS

OUTLINE PLANNING APPLICATION FOR RESIDENTIAL DEVELOPMENT UP TO 320 DWELLINGS, GREEN INFRASTRUCTURE INCLUDING PUBLIC OPEN SPACE, ASSOCIATED WORKS AND DEMOLITION OF BUILDINGS WITH ALL MATTERS RESERVED INCLUDING THE POINT OF ACCESS ON LAND AT HARTNELLS FARM, MONKTON HEATHFIELD

Grid Reference: 325615.127233

Outline Planning Permission

RECOMMENDATION AND REASON(S)

Amended Recommendation

That the planning committee agree to amend the existing resolution to grant planning permission to:

- 25% affordable housing to be split 60% social rent and 40% intermediate
- Drainage contributions to enable (i) the completion of a flood risk option study to identify an appropriate solution to overcome the drainage restrictions for this site (£50,000 max) (ii) the delivery of the agreed surface water drainage solution (£450,000 max)
- Various highway works as outlined in the application
- Travel plan to reduce vehicular traffic movements from the new dwellings
- Provision and maintenance of public open space and children's play areas
- On site provision of Integrated Public Art

All conditions as previously agreed plus a new condition:

“No more than 150 dwellings shall be constructed prior to the completion of the Western Relief Road and its opening for public use to vehicular traffic.

Reason: To ensure the provision of an acceptable highway network able to cater safely for the additional volumes of traffic resulting from the development.

MISC ITEM PLANNING COMMITTEE

At its meeting on the 13th August 2014 planning committee resolved to grant planning permission for the above development subject to the completion of a S106 agreement securing the following:

- 25% affordable housing to be split 60% social rent and 40% intermediate
- Drainage contributions to enable (i) the completion of a flood risk option study to identify an appropriate solution to overcome the drainage restrictions for this site (£50,000 max) (ii) the delivery of the agreed surface water drainage solution (£450,000 max)
- Various highway works as outlined in the application
- Travel plan to reduce vehicular traffic movements from the new dwellings

- Provision and maintenance of public open space and children's play areas
- **Contributions based on 170 dwellings towards the provision of the western relief road (actual level to be determined following legal advice from QC)**
- On site provision of Integrated Public Art

Subsequent to that resolution the applicant has been advised by their lawyers that there is a potential conflict between the S106 requirement to fund the WRR and the payment of CIL monies which are applicable to this Core Strategy site. I am advised that this concern is justified as the Western Relief Road could be construed as an item of transport and movement infrastructure that is related to the growth of Taunton even if it has the role of mitigating the impact of development and thereby covered by the CIL regulation 123 list. S106 monies cannot be requested for items covered by CIL.

In accepting the need for the Western Relief Road before the occupation of the 151st dwelling the applicant has suggested the replacement of the S106 contribution with a Grampian condition, that no more than 150 dwellings should be occupied before the WRR is provided on site. This approach would leave the discussions over the acquirement of third party land and the provision of the WRR to the private developers (including the applicant, SLP) who need it to continue with their development i.e. the consortium for 249 dwellings on the Local Plan site and Strategic Land Partnerships for 170 dwellings from the Hartnells Farm site.

Highway Extract from the original Hartnells committee report

“The previous local plan allocation at Monkton Heathfield required the provision of a new southern relief road which was made up of a new eastern relief road (east of the A38) and new western relief road (west of the A38 and linking the A38 to the A3259). These new relief roads were required in order to overcome the highway junction capacity issues associated with additional traffic along the A38 and A3259 as a result of the development and also to remove the through traffic from the centre of the development area to aid community cohesion. An outline application was submitted by the Consortium for the land to the east of the A38 and this included the provision of an eastern relief road. A Section 106 agreement, between Somerset County Council and the developer consortium, requires the eastern relief road to be completed prior to the occupation of the 301st dwelling. The application did not include proposals for a new western relief road but a memorandum of understanding was agreed with the consortium whereby the consortium undertook to provide the WRR. During discussions with SCC highways it was agreed that approx. 650 occupations would be acceptable before the impact of the traffic from the new development was unacceptable and the S106 agreement included a limit of 650 dwellings before the ERR and WRR were provided and operational traffic generation would limit of 650 occupations before the completion of the western relief road.

One of the junctions where serious over capacity issues were identified was the junction of Milton Hill and the A3259 and the expected traffic from this proposal is likely to have an impact on the functioning of that junction. In order to mitigate against that impact the submitted transport assessment proposes a series of signalized crossings along the A3259 in order to provide gaps in the traffic flow along the road thereby enabling the traffic to cross the A3259 to gain access into the School

Road/Milton Hill and reduce the queues along the A3259 as a result. After detailed scrutiny by the County Highway officers it was agreed that these measures would be insufficient to cater for the traffic associated with an additional 320 dwellings. The applicant has therefore reconsidered the effect of the signalized crossing proposals on the junction capacity and now proposes a limit of 150 dwellings with the mitigation measures in place before the provision of the western relief road. Subject to the mitigation measures being installed prior to any occupation of the site and a maximum of 150 dwellings the County Highway Authority have withdrawn their objection to the proposal.

The Core Strategy also proposed a new rapid bus transport link along the A3259 to enable a faster and more sustainable link to be provided from North Petherton to Taunton town centre. This would improve sustainable transport options for the Monkton Heathfield area and encourage the use of buses thereby reducing the use of the car. The proposal does not include any specific measures to cater for this requirement. However since the application has been submitted Taunton Deane has introduced CIL payments for the provision of strategic infrastructure such as this and as a result the provision will be funded either by CIL monies, Central Government grant or similar and will be provided by SCC.

Detail - The proposed development lies to the north of the A3259 and would be accessed via a new highway junction. The location of the proposed junction is directly opposite to the new road associated with the master plan attached to the outline planning permission for the land to the east of this site (Local Plan allocation) and as indicated in the planning application 48/14/0016. This was considered to create an unacceptable junction arrangement and as a result, the junction has been redesigned as a mini-roundabout. The final detail of the junction will depend on whether or not the A3259 has been traffic calmed and closed to through traffic as a result whilst the applicant has submitted details for the worst case scenario. A reduced junction arrangement might be possible if the traffic calming has already taken place. The application has now been amended to a full reserved matters application

The developer of the land to the east of the A38 and subject to the limited occupation agreement has objected to the proposal on the basis that the additional capacity ought to be used to remove the limit currently applied to their development. Unfortunately that developer has not proposed traffic works along the A3259 which would mitigate for the concerns associated with the junction of the A3259 and School Road/Milton Hill and therefore they have not proposed such an acceptable alternative solution. In any event the need for the completion of the southern relief road is also linked to the need to remove traffic from the centre of Monkton Heathfield for improved community cohesion and must be linked to the development in this area which creates the problem”.

It is accepted that 150 dwellings can be developed along with the proposed traffic calming measures on the A3259 but that the extra traffic generated by the additional 170 dwellings would have a material and detrimental impact on the highway capacity in the area and as a result it is reasonable to use a Grampian condition to ensure that the proposed development is acceptable. This would leave the contributions to the WRR to be agreed between the affected parties as a private legal matter. As a result I consider that the applicants request is reasonable.

