

MISCELLANEOUS REPORT

PLANNING APPLICATIONS:

48/2005/072 AND 48/2007/006

APPEALS BY REDROW HOMES (WEST COUNTRY), PERSIMMON HOMES (SOUTH WEST) – SITE AT MONKTON HEATHFIELD MAJOR DEVELOPMENT SITE, MONKTON HEATHFIELD.

Members will recall that a public inquiry was held on 1st, 2nd, 3rd and 8th April 2008 into the appeals against non-determination. The appeals were recovered to be determined by the Secretary of State rather than by the Planning Inspector because they raised policy issues which would significantly impact on the Government's objective to secure a better balance between housing demand and supply and create high quality, sustainable, mixed and inclusive communities.

The Secretary of State's provisional decision to allow the appeals was received on 22nd October 2008. (The Secretary of State's letter is attached). (The Inspector's Report is available in full on the Council's website). The final decision is dependant upon the appellant's making amendments to their unilateral undertaking.

In allowing the appeals the Secretary of State accepts the Inspector's conclusion that the alignment of the Eastern Relief Road (ERR) into the Green Wedge means that the Consortium's argument that the proposal in accordance with the development plan was a flawed one. The proposal is not only contrary to the development plan, but the impact upon the Green Wedge is identified as the key consideration. However, whilst accepting that the proposal does not accord with the plan, the Secretary of State agrees with the Inspector's initial view that (contrary to the evidence presented by the Council and the views of the Local Plan Inspector), the adverse impact of the Consortium's ERR alignment on the Green Wedge, compared with the Local Plan alternative, is likely to be "at worst slight". In the absence of demonstrable harm there is therefore no reason not to allow the development to proceed.

Both the Inspector and the Secretary of State address the issue of the Committee resolutions to grant permission in respect of applications that accord with the Local Plan alignment. Whilst, they consider that to dismiss the appeals may not have significantly affected the delivery of the scheme, the Secretary of State has given significant weight to the current shortfall of Housing Land Supply against the increased EIP figures in respect of the emerging Regional Spatial Strategy.

The Secretary of State was not satisfied with the Consortium's proposal in respect of affordable housing and has therefore requested an amendment to the S106 obligation removing the provision relating to discount market housing to be replaced by a mechanism for reaching agreement on the final split of tenures in the event of insufficient demand for the shared ownership units.

A number of conditions have been imposed including one requiring at least 10% of the energy supply of the development to be secured from decentralised or low-carbon energy sources.

Following the necessary amendments to the planning obligation the Secretary of State will issue her final decision, which she indicates will be on or before 18th December 2008.

MEMBERS ARE REQUESTED TO NOTE THE CONTENTS OF THE SECRETARY OF STATE'S LETTER DATED 22ND OCTOBER 2008.