

PLANNING COMMITTEE – 2 NOVEMBER 2005

Report of the Chief Solicitor

S106 Agreement relating to the proposed development at the former Gas Storage Site, Castle Street, Taunton (38/2002/114 and 38/2004/493)

Background

At its meeting of the 12 October 2005 the Committee considered a report on two applications received in relation to the proposed redevelopment of the former gas storage site at Castle Street, Taunton (applications Nos. 38/2002/114 and 38/2004/493).

In respect of the latter application, the Committee resolved to agree the Council's position to be taken at the forthcoming appeal against non-determination of the application.

In relation to application 38/2002/114, Members will recall a resolution was made to grant the permission subject to the conclusion of a satisfactory S106 Agreement, providing for contributions towards transport infrastructure, off-site flood attenuation, sport and recreation and education.

In preparing for the appeal against non-determination which is to be held in early December, officers have been negotiating with the developers, in order to narrow the issues to be considered by the Inquiry. To that end, satisfactory agreement has to date been reached in respect of the developer's obligations to provide towards affordable housing and off-site recreational provision. It is hoped that agreement may be reached on education provision, but it seems unlikely that transport issues and flood alleviation issues will be resolved.

However, in order to facilitate the running of the Inquiry it would assist if a S106 Agreement could be entered into with the developer, establishing areas of agreement.

RECOMMENDATION

It is therefore **RECOMMENDED** that the Solicitor to the Council be authorised to enter into a S106 Agreement with Second Site Property Holdings Limited to secure appropriate obligations in respect of the provision of affordable housing, sport and recreational provision and education.

Chief Solicitor

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