

Cabinet
26 October 2017

TIVERTON EASTERN URBAN EXTENSION: AREA B STAGE 1 PUBLIC CONSULTATION MASTERPLANNING

Cabinet Member: Cllr Richard Chesterton
Responsible Officer: Mrs Jenny Clifford, Head of Planning, Economy & Regeneration

Reason for Report: To report to Members the outcome of the Area B Stage 1 Public Consultation event, to seek guidance on the key issues detailed in the report and to seek approval to engage consultants to progress the production of the Draft Area B Masterplan.

RECOMMENDATIONS:

- 1. That the masterplanning of Area B of the Tiverton Eastern Urban Extension is progressed with the engagement of consultants to assist in the production of the Draft Masterplan;**
- 2. That the proposed scope of the masterplan set out in section 3 is agreed;**
- 3. That the identified key issues are addressed within the masterplan and that Cabinet gives a steer on the issues identified in section 2.**

Relationship to Corporate Plan: To ensure delivery of key plans for Mid Devon, including a thriving economy, better homes, empowering local communities and caring for the environment.

Financial Implications: The cost of engaging consultants to deliver the Area B Masterplan will be financed through Government capacity funding (at no cost to MDDC budget). It is intended that consultants be selected via a tender process. A further report will come before Cabinet for the award of the contract.

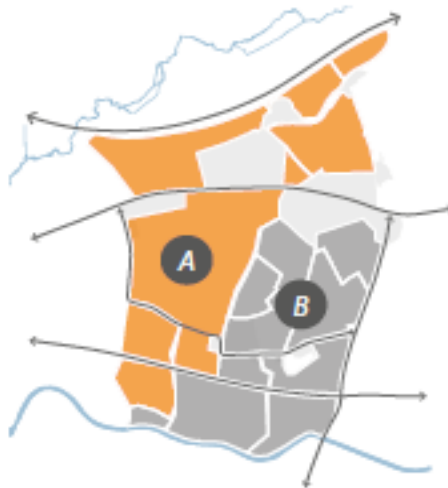
Legal Implications: In order for the masterplan to be adopted as Supplementary Planning Document, public consultation needs to take place in accordance with the requirements of the Council's Statement of Community Involvement. Whilst not forming part of the Development Plan, it will be a material consideration in the determination of planning applications relating to the site.

Risk Assessment: Policy sets out that masterplanning should take place before application submission. Delay in progress on the masterplan will raise uncertainty over the delivery of housing on this part of the site or that speculative planning applications are submitted which have not been masterplanned and do not accord with adopted policies. This could lead to less sustainable and less coordinated development which would not meet policy requirements for essential infrastructure

such as the new A361 road junction, the community hall and primary school at the neighbourhood centre, open space and road improvements.

1.0 INTRODUCTION: BACKGROUND

- 1.1 The Council has resolved to adopt a Masterplan for Area B of the Tiverton Eastern Urban Extension (EUE) as a Supplementary Planning Document (SPD).
- 1.2 The existing Tiverton EUE Masterplan was adopted as a Supplementary Planning Document in April 2014. Whilst covering the whole of the development allocation site, it was not able to address all of the site to the same degree of detail. This was due to the absence of some site-wide survey work in Area B. As a consequence the Adopted Masterplan SPD did not fully resolve the land use issues across the whole allocation. It makes reference to the fully surveyed land area as Area A and the area requiring a greater degree of masterplanning consideration, to the south east of the allocation, as Area B.



- 1.3 Since the adoption of the existing Masterplan in 2014, the Council commissioned a range of survey work to understand Area B and help resolve some of the land use issues in more detail. This work was financed from the Government's large site capacity fund. The objective of this work was to provide an updated evidence base sufficient to complete masterplanning of Area B.

This additional work involved the following surveys / studies:

- Topography
- Arboriculture
- Ground conditions
- Ecology
- Noise assessment
- Air quality
- Area B vehicle trip forecast, options for access and capacity assessment

To support the consideration of access feasibility work a residential amenity assessment was produced.

- 1.4 Following Cabinet approval (2 February 2017) information on Area B of the EUE was agreed for submission for Stage 1 Masterplanning public consultation. Stage 1 is a means to scope out the content and key issues for the Area B Masterplan SPD.
- 1.5 The stage 1 public consultation event took place over a 4 week period during 13 June to 11 July 2017. Eighty seven written replies were received, gathered during the three staffed consultation events or through submission to the Planning Department following the events. (A summary report of the consultations received is attached as **Appendix 1**). Each staffed consultation event attracted in excess of 50 members of the public.
- 1.6 A series of key masterplan issues formed the basis of the public consultation event. The consultation did not seek to resolve these issues but to invite comment and feedback on them:
 - Means of access.
 - Phasing of development.
 - The extent of the developable area and amount of development.
 - The uses within the green infrastructure (GI) area, where these different GI uses are to be located and their management.

The Council's Statement of Community Consultation requires two stages of public consultation on site specific SPDs. Firstly at the scoping stage and secondly on the draft document itself.

2.0 MASTERPLAN PUBLIC CONSULTATION

- 2.1 As detailed above the consultation event concentrated on a series of key issues:
 - a) **Means of access**
- 2.2 The Area B Feasibility Study included within it a suite of documents including a Residential Amenity Assessment. The Residential Amenity Assessment was made available to the public during the consultation process. The Adopted Masterplan SPD identifies access for Area B as coming through Area A and therefore being dependent upon the creation of this highway link in order to deliver Area B. The Stage 1 consultation sought to understand if access to Area B should continue to be sought via Area A, or if an alternative, temporary means of access to Area B should be sought in the short term in order to accelerate the delivery of this part of the Tiverton EUE.
- 2.3 Options considered as part of the consultation were:
 - i) Continue to gain access from Area A as currently proposed (adopted SPD)

- ii) Two way access from Mayfair
- iii) Two way access from Manley Lane
- iv) Access via Mayfair and egress via Manley Lane; and
- v) Access via Manley Lane and egress via Mayfair.

2.4 The Feasibility Study concluded that the access and egress to the whole of Area B via Manley Lane would not be possible due to restricted road widths and level changes at the junction with Post Hill. Whilst this could largely be overcome by a one way system there was potential for drivers who were seeking to access Area B being misled by residents of existing properties turning into Mayfair or Manley Lane despite signage to advise otherwise. The option supported through the Study was for a temporary access and egress via Mayfair. Construction traffic could be controlled by a Construction Traffic Management Plan (CTMP) and planning conditions and could be further reduced by operating a one way system with construction vehicles entering via either Mayfair or Manley Lane and exiting via the other. However, whilst access and egress may be acceptable in highway terms its impact requires detailed consideration in terms of landscape and visual amenity, air quality and noise impact on existing residents.

2.5 The Feasibility Study identified that whilst properties along Mayfair would be sensitive to changes in traffic levels, it concluded that the overall impact of the Mayfair option would have a slight adverse impact upon the amenity of existing residents in terms of landscape, visual and amenity impact. The noise modelling therefore gave more detailed consideration to the number of units (and therefore traffic volumes) until the impact of development was not considered significant. The noise level associated with 475 dwellings was not considered significant.

2.6 In both the consultation events and comments subsequently received, it was clear that alternative means of access was not supported, particularly by local residents. 65 of the 79 non-statutory consultee comments received made reference to unsuitability of any alternative means of access into Area B other than through Area A. Most concern was focused on access through Mayfair (this is in acknowledgement that the Residential Amenity Assessment identifies a preferred route through Mayfair and that access via Manley Lane (even one way access) is highly constrained and therefore has limited opportunity).

2.7 The consultation responses gave the following views:

- i) Access into Area B should not be pursued through Mayfair. It would have a sustained detrimental impact on the quality of life for the existing community. A temporary means of access (for a minimum of 9 years) would inevitably become permanent. To provide access through Mayfair would undermine the principles of the Adopted Masterplan undermining many of the characteristics which it seeks to promote including public safety, clean air, wildlife & importantly respect for the existing community. Access through Mayfair would dominate the existing community. It would not integrate with it.

- ii) The Residential Amenity Assessment is flawed. It is simplistic to indicate that the traffic of up to 475 dwellings would not cause detrimental harm with regards to noise, air and light pollution. Indeed, that the noise levels of 500 dwellings is unacceptable but for 475 dwellings it is acceptable. Peak time traffic from 475 vehicles would be intolerable. Further, a site for 475 dwellings, served by a single point of access and reduced to single file traffic at the entrance to the site, would be unprecedented in Tiverton.
- iii) Proposed footpath widths through Mayfair would be substandard; accidents would occur on the Mayfair / Post Hill junction (as well as at the junction with the un-adopted road within Mayfair). This would be enhanced by the loss of the bus layby on Post Hill.

2.8 The consultation process indicated an over whelming response that access through Mayfair should not be provided as an alternative means of access. No consultation responses made reference to Mayfair servicing a reduced number of dwellings – simply that Mayfair should not provide a means of access. Mayfair was considered not to represent a solution, rather the least problematic solution of those presented in the Residential Amenity Assessment.

2.9 Consultation comments received from the Highway Authority indicated that access into the site through Mayfair is technically acceptable and that the number of dwellings it can serve before access is provided to Area A is technically acceptable up to 500 dwellings. However the impact on amenity would govern how many dwellings it should serve. The Highway Authority's preferred access to the site is via the distributor road through Area A and that Mayfair should remain subservient to this, forming a secondary point of access for emergency vehicles primarily but for all vehicles should the need arise. No significant increase in traffic should be allowed on Manley Lane due to the substandard nature of the junction with Post Hill and the alignment of the road. Any access to West Manley Lane should be supported by a system of passing bays albeit it is preferred that any access to Manley and West Manley lanes should be pedestrian and cycle, with suitable alignment for emergency access.

2.10 The delivery of development on Area B is currently reliant on 2 highway connections. Firstly the completion of the northern part of the A361 road junction and secondly, the availability of a highway link onto the local road access currently through Area A. The delivery of Area B will provide a financial contribution towards the delivery of phase 2 of the new A361 junction. The delivery of access from Area A to Area B will also require a private agreement between landowners as this route is ransomed. If the ransom were to be overcome through the availability of an alternative access, the costs associated with any 'ransomed' access in to Area A would, instead, be available for the quality and gain for the Tiverton EUE as a whole. This would also bring more certainly over the timing of the highway connection as it need not be dependent upon the progress of construction on Area A. Bringing

the delivery of Area B forward would also contribute to swifter delivery of community facilities including the school and community centre. The Council has made a Housing Infrastructure Fund Marginal Viability Fund bid to seek to secure funding to complete the A361 road junction. This would also reflect Government ambitions to accelerate the rate of housing on allocated sites. At present no houses have been delivered on the Tiverton EUE contributing to the shortfall in housing completions which is acting against the Council's housing land supply which currently less than the 5 year plus 20% requirement.

2.11 As detailed in the Planning Report of 29 March 2017, there may be a need to reassess this position / intervene should negotiations between the land owners on Area A and B to deliver the access road between Area A and B not be completed within a reasonable period of time. Based upon the findings of the access feasibility report, residential amenity study and views of the Highway Authority, officers consider that a case can be made that is acceptable in planning terms to allow some dwellings in Area B to be accessed via Mayfair, particularly on a temporary basis until access via Area A is available.

2.12 Members are therefore asked how the proposed Area B masterplan should address the issue of access. Should the masterplan:

- i) Continue to reflect the adopted SPD and only show access from Area A;
- ii) Indicate that whilst the access will continue to be sought from Area A, alternative access on a temporary basis from Mayfair will be considered subject to acceptable planning impacts;
- iii) That in the event of significant delay in the highway connection being formed with Area A and subject to acceptable planning impacts, alternative access arrangements can be considered (that do not include Mayfair &/or the Manley Lane/Post Hill junction)
- iv) That subject to acceptable planning impacts, alternative access arrangements can be considered.

b) Phasing of development

2.13 Consultation responses expressed the following concerns:

- i) To bring forward Area B ahead of Area A would be contrary to the approved Masterplan which seeks to ensure phased development is delivered in a timely manner with public infrastructure including access to the A361, school, shops, employment and public transport. If Area B is started before the infrastructure of Area A is in place it would result in a piecemeal form of development that would not be sustainable or

support social cohesion. There was clear support for the retention of the phasing programme detailed in the Adopted Masterplan with development on Area B following the delivery of Area A in a west to east phasing. Densities should reflect the 'centre to edge' concept of the Design Guide with densities reducing further away from the neighbourhood centre. Densities should reflect good planning practice ensuring it is sympathetic to topography and existing development. Comments received consider that to accelerate development on Area B ahead of Area A would undermine the vision of the garden neighbourhood.

- ii) There is an ambition that the social infrastructure including the school will be delivered early in the planning process. Discussions are underway with the landowner regarding the layout the neighbourhood centre and the siting of the various uses to be located there. DCC Education has instructed consultants to assist in the delivery of the primary school.

2.14 The issue of phasing of Area B in relation to Area A now also needs to reflect updated circumstances following the granting of the outline permission on the Chettiscombe Trust land in Area A. Planning permissions granted allow 1,030 dwellings to be accessed off the left in, left out part of the new A361 junction in advance of the provision of the full junction. The Highway Authority has indicated that Area B now requires the completion of the junction before it may be delivered. Options to advance the delivery of Area B in relation to Area A are therefore now more constrained.

2.15 Officers are of the view that the Area B masterplan should consider in more detail the phasing of delivery of land parcels within Area B. Whilst, there is an incentive for both the Area A and B landowners to deliver community infrastructure including the neighbourhood centre as it aids the sense of place making, the sense of community and provides a focal point to it aiding the sale of properties, the masterplanning process is an opportunity to consider the phasing of community and green infrastructure in relation to Area B.

2.16 Members are therefore asked if:

- i) the phasing of the Area B Masterplan should relate just to Area B in the acknowledgement of the need to complete the A361 junction and the access constraints into Area B, and
- ii) that the phasing of the land parcels should be considered in relation to the delivery of community and green infrastructure within Area B.

c) The extent of the developable area and amount of development.

2.17 The Adopted Masterplan SPD indicates that Area B is capable of accepting 500 dwellings. However this conclusion was not based on a full evidence

base. There is scope for the Area B masterplan to consider the extent of the developable area and amount of development in more detail.

2.18 The consultation process sought to understand if, subject to good planning and design that respects the site and its surroundings, there is support for the area to accommodate a different and potentially greater number of dwellings. Comments received gave the following views:

- i) The amount of development will be dependent on the 'good planning' of the area. Additional housing could be provided subject to the delivery of the principles of the Adopted Masterplan and the concept of the garden neighbourhood. Densities should reflect the 'centre to edge' concept of the Design Guide with the provision and integration of multi-use areas of green infrastructure that protect / enhance wildlife. A number of comments referenced that low density housing should be provided on the ridgeline.

2.19 Members are therefore asked if:

- i) The proposed Area B masterplan should consider the amount of development.

d) The uses within the green infrastructure (GI) area, where these different GI uses are to be located and their management.

2.20 Comments received related both to the allocated area of GI south of West Manley Lane and to the provision of GI within the areas of future housing. Responses raised the following issues:

- i) Land south of West Manley Lane is identified as having special qualities not only in terms of fauna and flora but also in terms of its character and the setting it provides both for the Railway Walk and Grand Western Canal (GWC).
- ii) Clear concerns were expressed over the impact on the proposed development on flooding (including associated impact on private sewage systems) and Tidcombe Fen Site of Special Scientific Interest. A number of respondents sought a green buffer between existing and proposed development.
- iii) Respondents indicated that there is a strong desire that the GI should be well integrated with the proposed development, providing access for all and links to the wider area including the GWC and Railway Walk. It should contribute to the garden neighbourhood concept, providing means for sustainable, healthy living. The GI should provide for a multiple of uses (child's play, dog walking, orchards, wild meadows, allotments, etc). Cycle routes should be well connected to the wider network.

2.21 Consultation responses addressed some broad principles around GI provision, identified some concerns, but did not contribute much by way of

suggesting what type of GI use should go where. This will need to be addressed with the masterplan exercise.

2.22 Members are therefore asked:

- i) If they wish at this stage to give a steer how the proposed Area B masterplan should address green infrastructure, or whether they are content to consider emerging proposals once masterplanning has commenced.

3.0 CONTENT OF DRAFT MASTERPLAN

3.1 The Area B Masterplan will not in itself form part of the Development Plan; rather it will be a material consideration in the determination of planning applications. It is also not intended to fully replace the existing masterplan; it will sit as an addendum to it. The relationship between them is likely to be as follows:

Content	Adopted masterplan SPD		Proposed Area B masterplan
	Area A	Area B	
Introduction	YES	YES	UPDATE
Purpose and role of the document	YES	YES	NO CHANGE
Meeting planning policy objectives	YES	YES	UPDATE
Consultation	YES	YES	UPDATE
Design process	YES	YES	NO CHANGE
The site and location	YES	YES	NO CHANGE
Landownership	YES	YES	UPDATE
Site context	YES	YES	NO CHANGE
Constraints and opportunities	YES	YES	UPDATE
The Vision	YES	YES	NO CHANGE
Development concept	YES	YES	UPDATE
Guiding principles	YES	YES	NO CHANGE
Masterplan	YES	Less detail	UPDATE
Amount and land use	YES	Less detail	UPDATE
Movement	YES	YES	UPDATE
Land use	YES	YES	UPDATE
Landscape and POS	YES	YES	UPDATE
Reinforcing the structure	YES	YES	UPDATE
Housing delivery rate	YES	YES	UPDATE
Phasing	YES	YES	UPDATE
Delivery, monitoring & review	YES	YES	UPDATE
Requirements for future apps	YES	YES	UPDATE

3.2 Consultants (funded by Capacity Funding set aside for the purpose) will be engaged to produce a Masterplan on behalf of the Council based on the table above.

A provisional timetable is proposed:

Action	Date
Cabinet	October 2017
Award of contract for Draft Masterplan	December 2017
Draft Masterplan for Cabinet	May 2018
Stage 2 Public Consultation	June 2018

4.0 CONCLUSIONS

- 4.1 The Area B Masterplan SPD will seek to provide a comprehensive framework to guide development in a coordinated and comprehensive manner. Once adopted it will achieve full weight in decision making as a material planning consideration and will sit aside the Adopted Tiverton EUE Masterplan SPD. The first phase of public consultation has been undertaken. The engagement of consultants is now sought to develop the Draft Masterplan ahead of the second stage of public consultation.
- 4.2 Cabinet is further asked to provide guidance on the content and approach to key issues in the Draft Masterplan to help inform the brief for the engagement of consultants.
- 4.3 The emerging content for the Draft Masterplan was considered by the Planning Policy Advisory Group on the 14th September 2017. The view of PPAG was such that Members felt able to support the engagement of consultants in Masterplanning of Area B but that the access arrangements in the emerging Masterplan to reflect the Adopted Masterplan with access from Area A but in the event of significant delay in the access being delivered that an alternative means of access be considered that is not through Mayfair or Manley Lane. Members also felt able to support a review of the number of dwellings permitted on Area B as part of the Masterplanning process.

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List of Background Papers: The adopted policies relating to the Tiverton Eastern Urban Extension may be viewed in the AIDPD at
<https://new.middevon.gov.uk/residents/planning-policy/mid-devon-local-plan/part-2-aidpd/>

The Adopted Tiverton EUE Masterplan and Stage 1 Public Consultation material may be viewed at
<https://www.middevon.gov.uk/residents/planning-policy/masterplanning/>

Circulation of the Report: Cabinet 2nd February 2017
Members of Cabinet