

AGENDA FOR THE PLANNING COMMITTEE

TUESDAY 23RD MAY 2023 IN THE GUILDHALL

There are stairs to the Council Chamber but if any member of the public has mobility issues the Council can relocate to the lower Guildhall.

You are hereby **SUMMONED** to attend the **Planning Committee** on **Tuesday 23rd May 2023** at **6.30pm** for a maximum of 90 minutes in the Guildhall for the purpose of transacting the following business:

Committee Members: Councillors G Allen, L Auletta, T Bennett, S Collinson, T Cooper, J Cummings, J Hodgson and L Smallridge.

1. WELCOME AND APOLOGIES FOR ABSENCE

The Chair will read out the following statement:

Welcome to everyone attending and observing the meeting.

A reminder that open proceedings of this meeting will be video recorded. If members of the public make presentations, they will be deemed to have consented to being recorded. By entering the Council Chamber attendees are also consenting to being recorded.

This meeting is limited to 90 minutes and therefore members are asked to raise their points succinctly and not repeat the same view expressed by colleagues if it does not add to the debate.

To receive apologies and to confirm that any absence has the approval of the Council.

The Committee will adjourn for the following items:

PUBLIC QUESTION TIME

A period of 15 minutes will be allowed for members of the public to ask questions or make comment regarding the work of the Committee or other items that affect Totnes.

The Committee will convene to consider the following items:

2. ELECTION OF CHAIR AND DEPUTY

To

a. Make a recommendation to Full Council for the Chair of Council Matters Committee for 2023/24; and

b. Elect a deputy chair for the Committee. No document.

3. STEAMER QUAY CARE HOME

To update on the latest proposals for the care home site on Steamer Quay Road from the developers Carless. Verbal update [no more than 15 minutes].

4. TELECOMMUNICATIONS INSTALLATION

To update on the proposed telecommunications installation on Babbage Road from the applicants BeaconComms. Verbal update [no more than 15 minutes].

5. BALTIC WHARF PHASE 2

To update on the latest proposals for Phase 2 of the Baltic Wharf development from the developers Acorn. Verbal update [no more than 15 minutes].

6. CONFIRMATION OF MINUTES

To approve the minutes of 24th April 2023 and update on any matters arising. Document attached.

7. TREE WORKS APPLICATIONS

To make recommendations on the following tree works applications:

7a. 1440/23/TPO - T517: Quercus robur - Fell due to safety reasons, T326: Phillyrea - Fell due to safety reasons, T504, T508, T331, T527: Fraxinus excelsior- due to safety reasons, T516: Pinus nigra - due to safety reasons -L8& 529: Leylandii x9 - Fell due to safety reasons, M1: Monterey Cypress- Fell for management reasons & T357: Monterey pine - Fell due to safety reasons. Endsleigh, Jubilee Road, Totnes, TQ9 5BP. See <https://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/231440>

7b. 1540/23/TCA – T1: Fraxinus excelsior – fell. Applecroft, The Lamb, Totnes, TQ9 5SE. See <https://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/231540>

8. PLANNING APPLICATIONS

To make recommendations on the following planning applications:

8a. 4021/21/VAR - READVERTISEMENT (new plans and documents) Application for variation of condition 2 (approved drawings) of planning consent 4165/17/FUL. Development site at SX 809597 Steamer Quay Road, Totnes. See <http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/214021>

8b. 1234/23/HHO - Householder application for front dormer & 2 roof windows to existing rear dormer. 27 Lansdowne Park, Totnes, TQ9 5UW. See <http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/231234>

8c. 1273/23/HHO - Householder application for proposed single storey extension (resubmission of 3539/22/HHO). 9 North Street, Totnes, TQ9 5NZ. See <http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/231273>

8d. 0715/23/HHO - Householder application for loft conversion, front porch, external insulation and balcony steps. Coromandel, Kingsbridge Hill, Totnes, TQ9 5TA. See <http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/230715>

8e. 4180/22/HHO - Householder application for proposed extension. 36 Follaton, Plymouth Road, Totnes, TQ9 5ND. See <http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/224180>

8f. 1235/23/HHO - Householder application for conversion of internal garage into a room. Internal alterations to create open plan kitchen/dining area. 8 Birchwood Close, Totnes, TQ9 5GB. See <http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/231235>

8g. 0804/23/LBC - Listed Building Consent for the replacement of rotten rafters to outbuilding roof, replace non-original battens, replace defective non-original roof tie &

replace missing T&G board on end courtyard wall. 6 Plymouth Road, Totnes, TQ9 5PH. See <http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/230804>

8h. 1283/23/FUL - Application for proposed alterations to dwelling (Flat). Flat 74c High Street, Totnes, TQ9 5SN. See <http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/231283>

8i. 1157/23/HHO - Householder application for timber build office & car parking space with charging point. 72 Higher Westonfields, Totnes, TQ9 5QZ. See <http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/231157>

8j. 0747/23/FUL - Installation of 4no. External Air Conditioning Units. Seymour Vets, Steamer Quay Road, Totnes, TQ9 5AL. See <http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/230747>

8k. 1392/23/ADV - Advertisement consent to replace existing double-sided internally illuminated 6-sheet bus shelter advertising displays with double-sided digital displays. Bus Stop, Station Road, Totnes. See <http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/231392>

8l. 1338/23/COM - Notice of intention to install a telegraph pole at 10.5m high (9m above ground) for the provision of FTTP. Land at SX 798 060, Totnes, TQ9 5PS. See <http://apps.southhams.gov.uk/PlanningSearchMVC/Home/Details/231338>

9. NEIGHBOURHOOD PLAN

To consider the Examiner's Report and modifications for the Totnes Neighbourhood Plan and make a recommendation to Full Council. Documents attached.

10. TRAFFIC AND TRANSPORT FORUM

To consider any recommendations from the Traffic and Transport Forum held on 26th April 2023. Document attached.

11. DATE OF NEXT MEETING

To note the date of the next meeting of the Planning Committee – Monday 19th June 2023 at 6.30pm in the Guildhall.

S Halliday

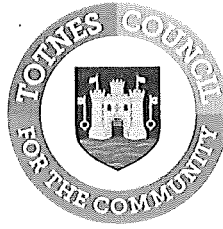
Governance and Project Manager

17th May 2023

USE OF SOUND RECORDINGS AT COUNCIL & COMMITTEE MEETINGS

The open proceedings of this Meeting will be video recorded. If members of the public make a presentation, they will be deemed to have consented to being recorded. By entering the Council Chamber or Zoom meeting, attendees are also consenting to being recorded.

Televised, vision and sound recordings or live broadcastings by members of the press or public at Councillor Committee debates are permitted and anyone wishing to do so is asked to inform the Chair of the respective Committee of their intention to record proceedings.



DRAFT MINUTES FOR THE PLANNING COMMITTEE

MONDAY 24TH APRIL 2023 IN THE GUILDHALL

Present: Councillors G Allen (Chair), T Bennett, J Cummings, J Hodgson, P Paine and L Smallridge.

Apologies: Cllrs Collinson and Hendriksen.

In Attendance: A member of the public, S Halliday (Governance and Projects Manager).

1. WELCOME AND APOLOGIES FOR ABSENCE

To receive apologies and to confirm that any absence has the approval of the Council.

Cllr Allen read out a statement about how the meeting would be conducted and recorded.

The apologies were received and accepted.

The Committee will adjourn Standing Orders for the following items:

PUBLIC QUESTION TIME

A member of the public asked why the Committee made a request for an application to be ancillary to the main dwelling. Cllr Hodgson explained the rationale of avoiding creating two households with the associated demands on roads, utilities and which can often lead to larger development over the original footprint which can become unneighbourly.

The Committee reconvened Standing Orders.

2. CONFIRMATION OF MINUTES

To approve the minutes of 20th March 2023 and update on any matters arising.

The minutes were approved as an accurate record of proceedings subject to the amendment that Cllr Paine was present at the meeting.

Item 4 – South West Water Consultation. Resolved by Full Council and the response was emailed to DEFRA on 11 April 2023, and discussed at the Climate Emergency Working Group in March.

3. TREE WORKS APPLICATIONS

To make recommendations on the following tree works applications:

3a. 0898/23/TCA - Holly/Wild Plum - Holly to be reduced in size by (50%) 2 metres to trim as a smaller bush going forward, Wild Plum to have lateral branch to North shortened by approx 3-4m back to upwards growing sub-lateral due to the two trees growing into each other - the idea is to be left with two separate trees. 7 The Grove, Totnes, TQ9 5ED.

Support.

3b. 1011/23/TCA – T1: Willow – remove. 6 Moorashes, Totnes, TQ9 5TN.
Support.

3c. 1064/23/TCA – T1: Horse Chestnut – fell. Darant House, Seymour Road, TQ9 5QP.
Support, and would request that a suitable replacement tree is planted to help biodiversity and flood management.

4. PLANNING APPLICATIONS

To make recommendations on the following planning applications:

4a. 1522/22/FUL - READVERTISEMENT (revised plans & documents) Construction of 6 No. two-storey residential dwellings with associated landscaping. Proposed Development Site East, Dartington Lane, Dartington TQ9 5LB.

Object. The comments made by the Totnes Town Council Planning Committee in June 2022 and January 2023 still stand. In addition, the Committee continues to have concerns about:

- The impact from the vehicles at this development on the Air Quality Management Area along the A385.
- The parking issues highlight by Devon Highways, namely tandem parking and access for emergency vehicles and refuse collection trucks.
- The accessibility to the allotments via Dartington Drive, which has often been closed due to concerns about the safety of the trees which would impact on congestion by accessing via the alternative A385 route.

The Planning Committee supports the comments submitted by Dartington Parish Council.

4b. 1523/22/FUL - READVERTISEMENT (revised plans & documents) Construction of 39 No. two-storey dwellings with associated landscaping. Proposed Development Site West, Dartington Lane, Dartington.

Object. The comments made by the Totnes Town Council Planning Committee in June 2022 and January 2023 still stand. In addition, the Committee continues to have concerns about:

- The impact from the vehicles at this development on the Air Quality Management Area along the A385.
- The parking issues highlight by Devon Highways, namely tandem parking and access for emergency vehicles and refuse collection trucks.
- The accessibility to the allotments via Dartington Drive, which has often been closed due to concerns about the safety of the trees which would impact on congestion by accessing via the alternative A385 route.

The Planning Committee supports the comments submitted by Dartington Parish Council.

4c. 0440/23/HHO - Householder application for proposed first floor extension, refurbishment works, garden store & solar panels. Oak Tree Cottage, Weirfields, Totnes, TQ9 5JS.

Support in principle, but with a roof design to address the concerns raised by the SHDC Tree Officer.

4d. 0569/23/HHO – Householder application for dormer roof extension to create additional rooms in the roof (resubmission of 4203/21/HHO & 0275/22/HHO). 11 Pampasia, Hillbrook Rise, Totnes, TQ9 5AU.

Support.

4e. 1177/23/HHO – Householder application for loft conversion by raising roof and associated internal works. External work including removal and replacement of garage. Bray, Jubilee Road, Totnes, TQ9 5BP.
Support.

4f. 0518/23/LBC - Listed building consent for replacement of roof tiles, front door, dormer, dormer window & associated works (retrospective). 5 North Street, Totnes, TQ9 5NZ.
Support.

4g. 0184/23/FUL – READVERTISEMENT (change in description) Conversion of basement to additional living accommodation with store retained. Provision of garden amenity area. Lower Ridgeside, Jubilee Road, Totnes, TQ9 5BW.
Support, but with a condition that this space is ancillary to the main dwelling.

4h. 0764/23/LBC – Listed Building Consent for fire safety implementation on east and west gable and chimney conservation work to south façade. 43 High Street, Totnes, TQ9 5NP.
Support.

4i. 0930/23/LBC - Listed Building Consent to change the glazing, that provides access to the Garden, to the existing side return extension. 1 Seymour Villas, Pathfields, Totnes, TQ9 5QR.
Support.

4j. 0924/23/LBC – Listed Building Consent to remove rendered brick chimney to ‘the back block’ at the rear of 10 High Street Totnes and to retain a 1.5 metre high stub stack. 10 Ground Floor Flat, The Merchants House, High Street, Totnes, TQ9 5RY.
Support.

and to note:

4k. 1133/23/LBC – Listed Building Consent for new public noticeboard. The Guildhall, Ramparts Walk, Totnes, TQ9 5QH.
Noted.

4l. 1134/23/LBC – Listed Building Consent for new internal doors, upgrading existing internal doors, and infilling modern opening in partition wall. 5a Ramparts Walk, Totnes, TQ9 5QH.
Noted.

5. PROPOSED TELECOMMUNICATIONS INSTALLATION AT BABBAGE ROAD

To consider the pre-application letter received about a proposed telecommunications installation at Head Ruddy, Babbage Road, Totnes.

A planning application for this proposed mast has now been received (reference: 1363/23/COM). It was **AGREED** that:

- a. The Committee will request a presentation from BeaconComms to explain the proposal.
- b. Given its significance that the mast proposal is included as an item at the Town Meeting in May 2023 – the Clerk will be consulted on this.
- c. The application will be included in the May agenda.

6. DEVON COUNTY COUNCIL TRAFFIC REGULATION AMENDMENT ORDER

To consider a Devon County Council Traffic Amendment Order of 'no waiting at any time' at Follaton Rise, Follaton House access roads, and Weston Lane.

The Committee supports the 'no waiting at any time' areas identified.

7. TRAFFIC AND TRANSPORT FORUM

To consider any recommendations from the Traffic and Transport Forum Steering Group held on 22nd March 2023.

Noted

8. DATE OF NEXT MEETING

To note the date of the next meeting of the Planning Committee – Tuesday 23rd May 2023 at 6.30pm in the Guildhall.

Noted. It was explained that this change is due to the number of Bank Holidays in May this year and that Committee meetings will revert to the third Monday each month from June onwards.

As it was the last Committee of the current Council, Cllr Allen thanked Cllr Paine for his support and work as a committee member over the years.

Sara Halliday
Governance and Projects Manager
April 2023

DRAFT

SUMMARY OF TOTNES NEIGHBOURHOOD PLAN EXAMINERS REPORT

Examiner finds:

- that the Totnes Neighbourhood Plan and the policies within it, subject to the recommended modifications does meet the Basic Conditions; and
- that the Totnes Neighbourhood Plan can, subject to the recommended modifications [detailed below] can proceed to Referendum.

Comments and modifications to policies as follows:

Totnes Neighbourhood Plan Policy	Examiners Comment	Modification/Action Required (new wording in italics and deletions struck through)
V1: Local Identity	No comment.	None
V2: Health and Well-being	No comment.	None
En1: Sustainable Development and the Settlement Boundary	<p>I have carefully considered the proposed settlement boundary and am satisfied that the process to establish the boundary was thorough and consistent.</p> <p>Development in the countryside is covered by JLP Policy TTV26 and to avoid confusion it would be helpful to make reference to that policy. The decision-making authority for planning applications is the local planning authority and therefore the term "permitted" should be replaced with "supported". For clarity and to meet the Basic Conditions, the policy should be modified.</p>	<p>1. Within the settlement boundary development will only be permitted <i>provided supported in accordance with the development plan and where: [a-e text unchanged]</i></p> <p>2. Outside the settlement boundary development will be permitted <i>only supported in accordance with the development plan where: [a & b text unchanged]</i></p>
En2: Development and Design	No comment.	None
En3: Historic and Built Character	No comment.	None
En4: Landscape Setting of Totnes	<p>I have concerns in relation to this policy. Firstly, as I set out in my general comments, Planning Guidance on preparing neighbourhood plans and policies is clear, it states:</p> <p>"A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and</p>	<p>1. New development should have no adverse impact on the landscape setting of Totnes or on its historic landscape features. <i>New development should protect the landscape setting of Totnes and its historic landscape features in accordance with national policy and the development plan.</i></p>

	<p>planning context of the specific neighbourhood area for which it has been prepared.”</p> <p>Assessing whether or not a development proposal has an "adverse impact" is subjective and is not sufficiently clear for a decision maker to apply consistently. For clarity the policy should be modified as follows:</p>	<p>2. New building should not be of a height or mass to obscure important views shown on the Proposals Map, nor of a height to break the historic skyline.</p> <p>3. New development should not damage but <i>protect and where possible</i> enhance the contribution the town makes to the landscape character of the wider area.</p>
En5: The River Dart	<p>The requirement for Biodiversity Net Gain is now part of national policy and this policy should reflect that requirement. For clarity and to meet the Basic Conditions, the policy should be modified as follows:</p>	<p>Development on or adjacent to the river should:</p> <p>a. conserve or improve local identity and the appearance of the riverside;</p> <p>b. maintain or enhance local biodiversity <i>provide biodiversity net gain in accordance with national policy</i>; and</p> <p>c. create increased opportunities for improved public access for all, leisure and community use.</p>
En6: Enhancing Environmental Capacity	No comment.	None
En7: Renewable Energy Generation	No comment.	None
En8: Domestic and Small Scale Waste Management	No comment.	None
En9: Local Food Growing	No comment.	None
E1: The Local Economy	No comment.	None
E2: Existing Employment Land and Premises	No comment.	None
E3: The Town Centre	<p>The CIL priorities identified in POLICY E3: THE TOWN CENTRE do not form part of planning policy. They should be deleted from the policy</p>	<p>Remove the following from the policy and insert into the supporting text for the policy:</p>

	but can be included in the supporting text for the policy.	<p>5. New development in the town centre will be required, where appropriate, to contribute, either through a Section 106 obligation or through CIL, towards the following priorities:</p> <p>a. improved vehicle, bicycle and car parking provision;</p> <p>b. enhancements to public squares and spaces and the public realm in general;</p> <p>c. improvements to pedestrian safety and facilities;</p> <p>d. improved signage, information and interpretation for visitors;</p> <p>e. maintaining the offer for convenience and everyday goods;</p> <p>f. support for local markets, community and arts events; and</p> <p>g. monitoring and improving air quality.</p>
E4: Training and Education	No comment.	None
E5: The Industrial Estate	The decision-making authority for planning applications is the local planning authority and therefore the term "permitted" should be replaced with "supported" in part 1. of this policy.	1. New development increasing the amount and quality of industrial floor space on the industrial estate will be supported and must include adequate parking and servicing arrangements. Retail use will only be permitted <i>supported</i> where it is ancillary and subsidiary to the business.
E6: The Green Economy	No comment.	None
E7: Sustainable Transport	No comment.	None
E8: Walking and Cycling	No comment.	None

E9: Public and Community Transport	No comment.	None
E10: Car Parking	The decision-making authority for planning applications is the local planning authority and therefore the term "permitted" should be replaced with "supported" in part 2. of this policy.	2. Development that would involve the loss of public car parking will not be permitted <i>supported</i> unless that loss is made up for elsewhere which will be of equal benefit to the overall functional sustainability of the town, or it can be demonstrated that the parking is no longer needed due to changes in vehicle use.
C1: The Public Realm	No comment.	None
C2: Public Open Spaces	<p>The protection for open space and recreation is set out in the NPPF 2021 as follows:</p> <p>"Open space and recreation</p> <p>98. Access to a network of high-quality open spaces and opportunities for sport and physical activity is important for the health and well-being of communities and can deliver wider benefits for nature and support efforts to address climate change. Planning policies should be based on robust and up-to-date assessments of the need for open space, sport and recreation facilities (including quantitative or qualitative deficits or surpluses) and opportunities for new provision. Information gained from the assessments should be used to determine what open space, sport and recreational provision is needed, which plans should then seek to accommodate.</p> <p>99. Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:</p> <p>a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or</p> <p>b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or</p> <p>c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use."</p>	<p>1. The open spaces, amenity spaces, growing spaces and civic spaces shown on the Proposals Map are protected and should be retained in their current use, and enhanced to raise their usefulness as such. Only development associated with and which will enhance the value of their current use will be permitted, and should not be built on unless:</p> <p><i>a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or</i></p> <p><i>b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or</i></p> <p><i>c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.</i></p> <p>2. Any loss of open space should be replaced by alternative provision which is of equal or greater value to</p>

	For clarity Policy C2 should be modified to reflect national policy:	the community and local environment. [Points 3-5 are unchanged]
C3: Local Green Spaces	...I have carefully considered the evidence put before me for the designations proposed. The decision to designate a particular site is a matter of planning balance and I have made my decision based on whether or not I consider the proposed designations meet the NPPF tests and I find that the proposed LGSs do meet the requirements of the NPPF.	None
C4: Housing	<p>Policy DEV8 of the JLP Meeting local housing need in the Thriving Towns and Villages Policy Area sets out the strategic policy in relation to housing delivery. This policy states:</p> <p>"The following provisions will apply:</p> <ol style="list-style-type: none"> 1. A mix of housing sizes, types and tenure appropriate to the area and as supported by local housing evidence should be provided, to ensure that there is a range of housing, broadening choice and meeting specialist needs for existing and future residents. The most particular needs in the policy area are: <ol style="list-style-type: none"> i. Homes that redress an imbalance within the existing housing stock. ii. Housing suitable for households with specific need." iii. Dwellings most suited to younger people, working families and older people who wish to retain a sense of self-sufficiency. <p>i have not been provided with adequate evidence to support the requirement under 3. of this policy for:</p> <p>"3. Developments of 11 dwellings or more should include 75% one and two bedroom homes, for smaller developments (apart from single dwellings) the target is at least 50%."</p> <p>Whilst I acknowledge there is very likely to be a local need for smaller homes, the precise percentage and housing mix should be determined for any application. in accordance with appropriate evidence. for clarity and to meet the Basic Conditions, the policy should be modified as follows:</p>	<ol style="list-style-type: none"> 1. New housing development should address housing needs, particularly in terms of tenure and size, with priority given to meeting local housing needs. 2. Affordable homes should be included at least in line with adopted targets and arrangements should be made to ensure that they remain affordable in perpetuity. 3. Developments of 11 dwellings or more should include 75% one and two bedroom homes, for smaller developments (apart from single dwellings) the target is at least 50%. 3. New homes should be designed for sustainable living, incorporate carbon reduction and energy efficiency measures, minimise waste, complement their setting and enhance the locality. Incorporation of the latest energy efficiency measures and sustainable construction methods will be supported.

C5: Services and Facilities	The decision-making authority for planning applications is the local planning authority and therefore the term "permitted" should be replaced with "supported" in the second sentence of this policy.	New development is expected to maintain or enhance community services and facilities as a whole within the town. Proposals involving the loss of community services or facilities will not be permitted <i>supported</i> unless:
C6: New Services and Facilities	No comment.	None
C7: Educational Improvement at KEVICC	No comment.	None
C8: Development of land at KEVICC as identified in the JLP	There are requirements for consultation on proposals affecting schools which fall outside the control of the planning system and whilst good community consultation on planning proposals is supported and encouraged through national policy it is not an absolute requirement. Elements of this policy repeat requirements set out in JLP Policy TTV20. For clarity and to meet the Basic Conditions, the policy should be modified as follows:	<p><i>Residential development will be supported on land at KEVICC in accordance with Policy TTV20 of the JLP and Paragraph 99 of the NPPF 2021.</i></p> <p><i>Widespread inclusive community consultation which encompasses all of the KEVICC site and the Sheepfield is encouraged.</i></p> <p>Residential development will be supported on land no longer required for educational or recreational purposes at KEVICC providing it:</p> <p>a. is pursued through widespread inclusive community consultation which encompasses all of the KEVICC site and the Sheepfield;</p> <p>b. is demonstrated how the proposals will facilitate the upgrading of the school facilities and can be integrated satisfactorily with the school; and</p> <p>c. will contribute to the broader objectives of the NP, particularly for continuous riverside access and</p>

		associated community facilities.
C9: Steamer Quay	Whilst the NPPF 2021 is supportive of community involvement and consultation it is not an absolute requirement for the positive support of a planning application. For clarity and to meet the Basic Conditions, the policy should be modified as follows:	<p>At Steamer Quay only leisure or river related development will be supported, providing it has no adverse impact on the South Hams Special Area of Conservation's population of greater horseshoe bats <i>and where they</i> Any such development must:</p> <ul style="list-style-type: none"> a. maintain or enhance leisure and river related facilities and activities on the site; b. maintain or enhance existing services, uses, facilities, public areas and rights of way; c. is pursued through widespread inclusive community consultation; d. do not harm the character, amenity, wellbeing, historic, environmental, nature conversation or archaeological values of the area and its surroundings; e. respect the site's scenic quality and distinctive sense of place and the setting of the adjacent Conservation Area; and f. adopt a high standard of design reflecting the prominence of the location and enhancing the riverside scene. <p><i>Widespread, inclusive community consultation in developing proposals is encouraged.</i></p>
C10: Market Square and the Civic Hall	Whilst the NPPF 2021 is supportive of community involvement and consultation it is not an absolute requirement for the positive support of a planning application. For clarity and to meet	Proposals for positive change to the Market Square and Civic Hall will be supported providing where they will:

	<p>the Basic Conditions, the policy should be modified as follows:</p>	<p>a. be pursued through widespread inclusive community consultation;</p> <p>ba. support and complement the economic and social functioning of Totnes town centre;</p> <p>eb. ensure continuity of market operations;</p> <p>dc. <i>at least as a minimum,</i> maintain the number of trading pitches available;</p> <p>ed. <i>at least as a minimum,</i> maintain current levels of town centre parking; and</p> <p>fe. reflect the sensitive historic nature of the location.</p> <p><i>Widespread, inclusive community consultation in developing proposals is encouraged.</i></p>
<p>C11: Town Centre Car Parks</p>	<p>Whilst the NPPF 2021 is supportive of community involvement and consultation it is not an absolute requirement for the positive support of a planning application. For clarity and to meet the Basic Conditions, the policy should be modified as follows:</p>	<p>Proposals for redevelopment of any land currently used for town centre car parking (Victoria Street, Heath's Nursery, North Street, the Lamb, Heath Way and the Nursery) will only be supported providing it where:</p> <p>a. is pursued through widespread inclusive community consultation;</p> <p>ba. <i>at least maintains</i> the current levels of parking <i>are maintained</i> with sufficient resident and visitor car parking within easy walking distance of the town centre;</p> <p>eb. <i>makes there is</i> provision for the introduction of electric cars and car sharing technologies;</p> <p>dc. enhances the visual appearance of town centre parking <i>is enhanced</i> through the introduction of hard and</p>

		<p>soft landscaping; such as permeable surfaces, tree planting and flower beds;</p> <p><i>ed. respects local amenity, especially for neighbours is respected; and</i></p> <p><i>fe. it contributes to the vitality, viability and functioning of the town centre.</i></p> <p><i>Widespread, inclusive community consultation in developing proposals is encouraged.</i></p>
<p>C12: Former Dairy Crest Site</p>	<p>Summary [for full comments on this policy see annex A]:</p> <p>I am clear that the policy as submitted [in Oct 2021] does not meet the Basic Conditions, it is overly prescriptive and would not have regard for national policy and guidance or be in general conformity with strategic policy TTV22 of the JLP.</p> <p>Whilst this [autumn 2022] modification does go some way to addressing my concerns, it would, in my opinion require further modification to meet the Basic Conditions.</p> <p>I have considered the representations made in connection with this policy, both in writing and at the Hearing. I have concluded that there is sufficient uncertainty with regard to whether or not the process followed for the inclusion of both Policy C12, and the accompanying design brief meet the regulations and should therefore be deleted from the Plan.</p> <p>However, due to the evident importance of the site to the community, text relating to the site and the community's aspirations for it can be included in the body of the Plan as follows (I suggest that this text is most appropriately located within the Town Centre section of the plan at paragraph 5.2.6):</p>	<p>For inclusion in the body of text of the Town Centre section 5.2.6:</p> <p><i>Former Dairy Crest Site</i></p> <p><i>The former Dairy Crest site is allocated for 'Mixed use - including 62 new homes and a range of business, commercial and community uses' in policy TTV22 of the Joint Local Plan. 62 homes are identified as the estimated provision of housing.</i></p> <p><i>The Community Right to Build Order for the site has now lapsed and therefore a separate grant of planning permission is now needed for redevelopment of the site. Whilst the Community Right to Build Order has lapsed the placemaking principles it was founded on remain relevant to the redevelopment of the site. This plan carries them forward, recognising that what may now be achievable on the site may differ from the detail contained in the Community Right to Build</i></p>

Order as a result of policy, site and viability Constraints.

The site is of strategic importance to Totnes, being adjacent to the railway station, bounded by the river Dart and close to existing housing and employment development. This is why TTV22 focuses on mixed use, maximising benefits for the local community, economy and environment and the community have aspirations to see the site contribute to the promotion of low carbon transport and create an important opportunity for the to be one of Totnes's exemplars of sustainable development.

Specific material considerations also identified in TTV22 are:

- Appropriate flood risk mitigation measures (including improvements to the leat to protect existing development downstream)*
- Remediation of contaminated land*
- Habitat enhancement*
- Sensitive and high-quality design which integrates with the existing area and the setting of nearby heritage assets.*

POLICY C12: FORMER DAIRY CREST SITE (EXAMINER'S COMMENT IN FULL)

[note: black = original policy, blue = examiner's comments, red = modified policy]

The Plan supports improvements to the former Dairy Crest site which develop further the aims of JLP Spatial Policy SP6 and Policy TTV 22.

The improvements and qualities include:

- a. restoration and reuse of the listed Brunel Building for community and public use;
- b. mixed use development to meet local housing need, sustainable businesses and increase employment opportunities;
- c. live/work and other employment units with a development threshold of no more than 6500m² to 25000 m²;
- d. a sustainable transport hub for non-fossil fuel modes of transport;
- e. on site low carbon energy centre with the most appropriate technologies;
- f. low cost, low energy hotel development with approximately 60 beds;
- g. homes in the order of 60 plus units addressing local needs;
- h. appropriate flood risk mitigation and management measures (including improvements to the leat to protect existing development downstream);
- i. the wildlife corridor that follows the river Dart and associated natural habitat heritage assets are fully respected, protected and enhanced;
- j. overall enhancement of the public realm while retaining the existing links.

A development brief expanding on the above qualities is included in Appendix E. All redevelopment of the former Dairy Crest site should respect this brief. The area covered by this policy is illustrated in Figure 3.

Re-development of the former Dairy Crest site should be subject to a comprehensive survey of the existing heritage assets and associated natural habitat assets and must avoid harm to these assets and protect and enhance the natural and built historic environment as set out in national and local policy. All proposals must also address the level 3 flood risks, the Sequential Test must first be successfully applied. The Exception Test may also need to be applied for certain components of the proposed redevelopment.

COMMENT

Having examined this policy, the accompanying development brief and representations submitted I concluded that I would hold a hearing. The Hearing held on Tuesday 6 September at the Guildhall, Totnes enabled me to explore the issues raised through representation in relation to this policy. The purpose of the hearing was to ask questions in relation to Policy C12 Former Dairy Crest Site, and to assist understanding on matters of procedure, the reason for its inclusion after the Regulation 14 stage, and whether Policy C12 meets the Basic Conditions with regard to strategic policy in the JLP, Habitats Regulations Assessment and Human Rights criteria or could be modified to do so. The full transcript of the Hearing is available to read on the SHDC website. The participants were given the opportunity to clarify issues raised by their representations and to explore whether there was an opportunity for the parties to reach agreement on a way forward, including a

possible policy modification.

The two main issues considered in relation to this policy and the associated design brief were:

1. Did the process carried out by the Town Council to introduce Policy C12 and associated development brief, meet the legal requirements?
2. Does Policy C12 meet the Basic Conditions, or could it do so by modification?

1. The process.

To understand the process followed it is important to understand the chronology of events. The Totnes Neighbourhood Development Plan was initially submitted under Regulation 15 in 2021 and Regulation 16 consultation was undertaken between 28 June 2021 and 22 August 2021, and I was appointed to examine the Plan in September 2021. Totnes Town Council became aware that the Community Right to Build Order that had been in place for the former Dairy Crest site had lapsed. At that point the Town Council became concerned that with the lapse of the Community Right to Build Order there was no policy in the TNDP reflecting or addressing the community's aspirations for the site. The Town Council made the decision to draft a policy for the site and go through a process of additional consultation equivalent to a Regulation 16 consultation process, run by Totnes Town Council rather than SHDC, but supported by them. On the 7 October 2021 (and before I had commenced my examination) Totnes Town Council wrote to me requesting that the examination be paused for up to four months to give the opportunity for this additional consultation to take place. This effectively resulted in a rerun of the Regulation 16 policy focused on the draft policy. This consultation period ran from 18 October to 28 November 2021. Following the end of the additional 6-week consultation period I commenced my examination.

In addition, SHDC were approached regarding a rescreening of the plan for SEA and HRA to reflect the inclusion of the former Dairy Crest site within the Plan.

The concerns raised in connection with this process can be summarised as follows:

1. That the process of inclusion of Policy C12 was flawed:
 - Incorporation of Policy C12 and Appendix E into the Draft NP would not comply with reg. 14 of the Neighbourhood Planning (General) Regulations 2012 ("the 2012 Regulations")
 - incorporation of Policy C12 and Appendix E into the Draft NP would not comply with reg. 15 of the 2012 Regulations:
 - incorporation of Policy C12 and Appendix E into the Draft NP would not comply with reg. 106 of the Conservation of the Habitats and Species Regulations 2017 ("the Habitats Regulations") and it is not possible in present circumstances for the Council to comply with reg. 105 of the Habitats Regulations, para. 1 of Sch. 2 to the 2012 Regulations and para. 8(2)(g) of Sch. 4B TCPA 1990.

MY response to the issues raised in connection with process and compliance with the legal requirements are as follows:

The Neighbourhood Planning process is an iterative one, which responds to consultation

outcomes and changes in circumstance. Most neighbourhood plans are modified between Regulation 14 and examination. This can be very minor changes but is often more substantive. I see nothing in Regulation 14 that precludes changes occurring and indeed it could be argued that the additional consultation at Regulation 16 is specifically there to enable statutory consultees and the wider community to make comment prior to examination and ultimately a referendum should a plan reach that stage.

It is clear that there was considerable support within the community for the Community Right to Build Order and it is not unreasonable to conclude that had the community been aware, at an earlier date that this had lapsed, Policy C12 (or a version of it) would have been included in the Regulation 14 version of the Plan.

I cannot see how any prejudice has arisen in the process in connection with Regulation 14.

TTC did submit the necessary documents in compliance with Regulation 15 and sought to address the policy gap for the site in a reasonable and pragmatic way, in discussion with SHDC. I believe that there has been a mixing of issues in relation to the inclusion of the policy and a misunderstanding of the process of examination in terms of the scope of policy modification, in particular. I do not consider that anyone has been prejudiced by the process, in terms of natural justice. I have however concluded that there is sufficient uncertainty around the compliance of the process with the relevant Regulations to make the likelihood of the Plan proceeding to referendum unlikely and in agreement with Totnes Town Council recommend deletion of Policy C12 and the associated development brief from the Plan.

In addition, PCL Planning on behalf of Fast Globe raised the issue that they had not been consulted directly in connection with the inclusion of Policy C12 and were therefore disadvantaged in some way. However, it is clear that the landowners were aware of the proposed policy inclusion and additional consultation, making written representation. Whilst it is strongly advised and good practice for a neighbourhood plan group to engage with any landowners affected by policies within a neighbourhood plan there is no requirement to do so. It is unfortunate that the Town Council did not engage directly with the landowners as there may have been an opportunity to advance the community's aspirations for the site however, I am satisfied that the landowners were not disadvantaged in this instance.

2. That the content of Policy C12 and the associated development brief does not meet the Basic Conditions.

- the incorporation of Policy C12 and Appendix E into the Draft NP will prevent compliance with the basic conditions, specifically para. 8(2)(a) of Sch. 4B TCPA 1990;
- the incorporation of Policy C12 and Appendix E into the Draft NP will prevent compliance with the basic conditions, specifically para. 8(2)(d) of Sch. 4B TCPA 1990;
- the incorporation of Policy C12 and Appendix E into the Draft NP will prevent compliance with the basic conditions, specifically para. 8(2)(e) of Sch. 4B TCPA 1990.

My response to the issues raised in connection with meeting the Basic Conditions is as follows:

I agree that without modification, Policy C12 would fail to meet the Basic Conditions on a number of issues. I do not agree that a policy for the site, that would meet the Basic Conditions couldn't be arrived at through the scope of modification available to an examiner.

There was a rescreening of the Plan for SEA and HRA including Policy C12, and the conclusion was that an SEA and Appropriate Assessment was not required. The Statutory Consultees agreed with this conclusion with the exception of HE who raised some concerns regarding heritage impact. The consultation comment from HE concluded with the following sentence: "An alternative approach, and perhaps more attractive expedient given the advanced status of the Plan, may be to remove from the policy the additional development quantum if evidence for it doesn't exist." The Town Council addressed this concern in a revision to the policy.

There is an existing strategic policy within the JLP which includes criteria for the development of the site, JLP Policy TTV22. The relevance of this policy and how it relates to Policy C12, and the development of the Former Dairy Crest site was discussed at the Hearing. I am satisfied that Policy does set out criteria for shaping development of the site and that with modification, Policy C12 could be in general conformity with that policy. There was also discussion as to whether or not JLP Policy TTV22 is out of date following the lapse of the Community Right to Build Order. I accept that reference to the Community Right to Build Order in this policy is no longer relevant however I consider that the remainder of the policy would still be relevant to the consideration of any proposal.

I am clear that the policy as submitted does not meet the Basic Conditions, it is overly prescriptive and would not have regard for national policy and guidance or be in general conformity with strategic policy TTV22 of the JLP.

However, I do not agree that the policy could not be modified to meet the Basic Conditions. Responding to my request to the parties for a suggested modification to the policy post Hearing, the Town Council proposed the following modification to the policy and supporting text:

"Former Dairy Crest Site

The former Dairy Crest site is designated for 'Mixed use - including 62 new homes and a range of business, commercial and community uses' in policy TTV22 of the Joint Local Plan. 62 homes are identified as the estimated provision of housing.

The Community Right to Build Order for the site has now lapsed and therefore a separate grant of planning permission is now needed for redevelopment of the site.

The site is of strategic importance to Totnes, being adjacent to the railway station, bounded by the river Dart and close to existing housing and employment development. This is why TTV22 focuses on mixed use, maximising benefits for the local community, economy and environment. Specific material considerations also identified in TTV22 are:

- Appropriate flood risk mitigation measures (including improvements to the leat to

protect existing development downstream)

- Remediation of contaminated land
- Habitat enhancement
- Sensitive and high-quality design which integrates with the existing area and the setting of nearby heritage assets.

Whilst the Community Right to Build Order has lapsed the placemaking principles it was founded on remain relevant to the redevelopment of the site. This plan carries them forward, recognising that what may now be achievable on the site may differ from the detail contained in the Community Right to Build Order. The strategic significance of the site, that it will be comprehensively redeveloped, and its potential to contribute to the promotion of low carbon transport, create an important opportunity for the site to be one of Totnes's exemplars of sustainable development.

Policy C12: Former Dairy Crest Site

Mixed-use redevelopment of the former Dairy Crest site for a range of business, commercial and community uses will be supported.

Flood risk mitigation measures (including improvements to the leat) must be included to both protect development on the site from flooding and reduce the risk of flooding elsewhere in Totnes. Works necessary for flood risk mitigation must maximise the developable area of the site.

Any such development must satisfy the following requirements:

Masterplan

Redevelopment of the site will be in accordance with a site-wide masterplan for mixed use of the site, addressing the following:

- a) Enhancement of biodiversity and habitats for the site as a whole and ecological connectivity with surrounding habitats including the ecological corridor of the River Dart and the South Hams Special Area of Conservation.
- b) High standards of design to:
 - i. Create a strong sense of place within the site and around the Brunel Building and the railway station
 - ii. Enhance the contribution the site makes to the character and quality of development of the town as a whole and integrate with the existing area
 - iii. Enhance the setting of the Brunel Building, Totnes Signal Box, and local non-designated heritage assets
- c) Provision of 62 homes, including live-work units, to meet local needs, including affordable housing in accordance with the other policies of this plan
- d) Provision of small units for commercial use to the maximum extent possible whilst meeting the other requirements of this policy, to:
 - i. Meet the needs of the local economy
 - ii. Make best use of strategic functions of the site
 - iii. Be in keeping with the design approach required above

e) Restoration and reuse of the Brunel Building for community and public use.

Other Priorities

Where possible, existing rights of way adjacent to the site will be enhanced, including National Cycle Route 2, and new routes created within the site for pedestrians and cyclists, and access to open and green space increased.

Opportunities for promoting low carbon travel, employing low energy use materials and construction techniques, and incorporating renewable energy generation will be maximised across the site."

Whilst this modification does go some way to addressing my concerns, it would, in my opinion require further modification to meet the Basic Conditions.

Whilst all parties to the Hearing were invited to provide a suggested modification to the policy, I only received a suggested modification from Totnes Town Council. It is my hope that in the future the parties can work together to find an agreed solution for the site which will address the aspirations of the community and the reasonable commercial expectations of the owner in a mutually beneficial way.

I have considered the representations made in connection with this policy, both in writing and at the Hearing. I have concluded that there is sufficient uncertainty with regard to whether or not the process followed for the inclusion of both Policy C12, and the accompanying design brief meet the regulations and should therefore be deleted from the Plan.

However, due to the evident importance of the site to the community, text relating to the site and the community's aspirations for it can be included in the body of the Plan as follows (I suggest that this text is most appropriately located within the Town Centre section of the plan at paragraph 5.2.6):

Former Dairy Crest Site

The former Dairy Crest site is allocated for 'Mixed use - including 62 new homes and a range of business, commercial and community uses' in policy TTV22 of the Joint Local Plan. 62 homes are identified as the estimated provision of housing.

The Community Right to Build Order for the site has now lapsed and therefore a separate grant of planning permission is now needed for redevelopment of the site. Whilst the Community Right to Build Order has lapsed the placemaking principles it was founded on remain relevant to the redevelopment of the site. This plan carries them forward, recognising that what may now be achievable on the site may differ from the detail contained in the Community Right to Build Order as a result of policy, site and viability Constraints.

The site is of strategic importance to Totnes, being adjacent to the railway station, bounded by the river Dart and close to existing housing and employment development. This is why

TTV22 focuses on mixed use, maximising benefits for the local community, economy and environment and the community have aspirations to see the site contribute to the promotion of low carbon transport and create an important opportunity for the to be one of Totnes's exemplars of sustainable development.

Specific material considerations also identified in TTV22 are:

- Appropriate flood risk mitigation measures (including improvements to the leat to protect existing development downstream)
- Remediation of contaminated land
- Habitat enhancement
- Sensitive and high-quality design which integrates with the existing area and the setting of nearby heritage assets.

Also, alongside any progress made through working with the landowner there is the opportunity to review the plan in the future and include a policy relating to the site.

Totnes & District Traffic and Transport Forum

26 April 2023, 18:30 – 20:00
Guildhall, Totnes & via Zoom

Present

TTC Cllr Jacqi Hodgson (acting chair, from 7pm)
Maiken Hutchings, TTC Sustainability Officer (SO, notes)
VC, Chair of KHARA (Steering Group member)
MC, Chamber of Commerce (SG member)
AH, Plymouth Rd resident
LS, Swallowfields resident
PW, High St resident (SG member)
FP, Upper Plymouth Rd resident
CP, Upper Plymouth Rd resident (SG member)
RS, Upper Plymouth Rd resident
LA, Moorashes resident (SG member)
LW, Totnes Bike Hub (SG member)
Richard Jackson (RJ), Devon County Council, Principal Highways Development Management Officer
SC, Chair Inclusive Totnes (SG member)
TB, Daisy and Rainbow Nursery (SG member)

Apologies: RM (SG), RO, SM (SG), VW (SG), SG (SG), Cllr Cummings

Actions

- SO to add Richard Szczepura as attendee of January Forum meeting
- SO to contact RJ to get more information on Baltic Wharf s106: what does RJ need and when
- SO to speak to Cllr H and Town Clerk re how to go about next steps
- SO to feed back to Steering Group and mailing list on next steps as soon as possible
- Next Steering Group meeting to be an open one to allow for the hotspot mapping work that was not done at this meeting. SO to share this information with mailing list.
- All – if agree that a boardwalk connection being implemented at the Dartington Lane development is a good idea, contact Cllr Hodgson/Cllr Allen to express support. This can be fed on to RJ.

Most important points:

- RJ attended Forum meeting to discuss the Baltic Wharf phase 2 development which he has received the pre- application for.
 - Outline permission would indicate another 100 houses but looks like they may be hoping for significantly more than that (possibly double)

- Issues of ambiguity in the National Planning Policy Framework (NPPF) means you're very unlikely to be successful in getting a development refused based on traffic capacity.
 - Potential for the town to get funds through section 106
 - RJ looking for suggestions of what the town might want
 - The group took the opportunity of a DCC officer present to ask a variety of questions, not just related to Baltic Wharf.
 - The group discussed a variety of things around traffic pressures in town – huge pressure placed on Totnes through developments elsewhere which we have no control over. Some discussions of what could potentially be put into s106 response. No clear answers but improving walking routes a potential, especially those linked to children walking/cycling to school.
 - Steering Group to come up with a recommendation to TTC Planning Committee as to what TTC's suggestion could be to the s106 agreement. *After further conversation with RJ after the meeting, TTC must give a response by July latest.*
-

1) Introductions and minutes from last Forum

- SO started off the meeting as Cllr Hodgson (acting chair standing in for GB who was unable to attend) was running late
- RS requested that his presence at the previous Forum meeting be included in the notes but apart from that the notes were agreed as accurate.

ACTION: SO to add RS to previous notes

2) Traffic Strategy + hotspots

- SO gave brief update on the history of the TTC Traffic & Transport Policy and Strategy ("the Strategy"), and how the hotspot map came about.
 - i) Strategy created by TTC Councillors, published in 2019. Contains guiding principles, objectives and appendix of potential schemes to pursue. In February 2023 SO provided a progress update to TTC on the schemes and suggested amendments / removal of some of them. These were accepted by TTC. However, the Steering Group felt that the policy needs further updating.
 - ii) The creation of the hotspot map was suggested at the January Forum meeting (AGM) as a way to identify key problematic areas in town as well as illustrate how traffic issues are felt beyond just the High St, and any action must be considered holistically.

At this point, the meeting veered away from the set agenda as it was felt it was more important to make the most of the presence of a DCC officer. The below outlines the key discussion points.

3) General discussion around traffic issues & Baltic Wharf phase 2 development

- RJ was asked about his role with DCC and his reasons for attending the Forum meeting
 - i) RJ explained that he was invited to the meeting by Cllr Hodgson after a conversation about the Baltic Wharf phase 2 development. He is currently looking at the pre-application. There are potentials there for money from section 106 agreement. He would like to get an idea of what schemes/options there are to include.

- One reason why the Strategy needs updating is increasing pressures on town, more developments in Torbay, Plymouth, etc.
 - i) Totnes has no control of Torbay approving large scale developments, directly impacting on the town and the AQMA (Air Quality Management Area)
 - ii) Increases in traffic in the town have become very unsustainable, change of driver behaviour with satnavs sending people into residential roads. Has made a big difference and made it worse. Holistic approach to traffic in town - not just high street.
 - iii) The Strategy needs updating partly because of this changed context (state of public finances, new developments, satnavs, etc.) since its creation.

- RJ was asked about DCC policies, e.g., the Local Transport Plan 3 (<https://www.devon.gov.uk/roadsandtransport/traffic-information/transport-planning/devon-and-torbay-local-transport-plan-3-2011-2026/>) and how the A385 is discussed but the town itself is not (p.80)
 - i) RJ highlighted that Baltic Wharf development allocated in the Joint Local Plan so nothing to do about it (<https://www.plymouth.gov.uk/plymouth-and-south-west-devon-joint-local-plan>).

- **RJ was asked whether there is a formula that is used to calculate how much extra traffic is going to occur from a development.**
 - i) RJ explained that it is evidence based – Department for Transport give all Highway Authorities guidance on how to assess and scope. They advise to use TRICS - national database formed by a private company
 - (1) TRICS = Trip Rate Information Computer System
 - (2) https://www.trics.org/img/trics%20dp%20guidance_web.pdf
 - ii) The TRICS info is in all the transport assessments that the developer has to provide in a planning application.

- iii) RJ stated that the Baltic Wharf development has been calculated using estimate of 5 trips per day per household
- **RJ was asked whether a development has ever been curtailed, reduced or stopped due to transport assessment.**
 - i) RJ: The National Planning Policy Framework (NPPF) says that no development shall be refused unless traffic is severe. But what is meaning of severe? For example, Barnstaple has serious traffic issues but an inspector overturned a development on appeal as they didn't consider it to be severe.
 - ii) If you go with (traffic) capacity as main reason to refuse a development, then you're likely to lose.
- Some discussion around transport links, alternate routes and whether traffic volumes have increased or decreased
 - i) RJ: Since intro of the South Devon Link Road (2015, between Torbay and Newton Abbott) it is now sometimes faster going via Kingsteignton to A38 rather than A385
 - ii) RJ said those in Strategy department of DCC say traffic flows through Totnes have decreased since link road created
 - iii) Group queried this – satnavs have spread traffic out across town (so not counted) and wondered when the traffic counts were done
- Discussion around air quality monitoring
 - i) Latest public data from South Hams District Council (SHDC) -- annual air quality status report says that the data can't be trusted due it being from Covid-19 years. Data should be used with caution.
 - ii) SHDC only monitoring NOx and not particulates + the monitors are not set at the right height (to protect from vandalism/theft).
 - iii) Pre-pandemic there was a conversation with environmental health (SHDC) - officers said they were wanting to work with neighbouring councils to improve monitoring
- **RJ was asked whether the s106 money could be used for a strategic analysis of the traffic problems in town and what can be done without major infrastructure works.**
 - i) No clear answer was given to this.
- **RJ was asked what he is hoping to get out of Baltic Wharf**
 - i) RJ: outline planning permission is for another 100 dwellings for phase 2 but it looks like they are hoping to add a lot more than that to application
 - (1) That doesn't necessarily meet the Joint Local Plan

- ii) Highways did manage to get a hefty sum from the phase 1 development (all spent now)
 - iii) It should be proportionate for the rest of the site - depends on what is going to be submitted. If big increase in number of houses, does that mean the s106 is up for debate? We don't know. He has asked SHDC Cllr Birch to approach legal team at SHDC as to the answer.
 - iv) RJ mentioned that when residents move in, they get asked which measures are more important to them (which is what happened with phase 1) but group felt this isn't the right approach as many of those residents won't know Totnes at all.
- RJ has asked the consultant for another assessment for the New Walk junction and Fore St roundabout
 - RJ was asked whether there is a way of dealing with the through-traffic issue – are there any sticks (rather than carrots) that can be implemented?
 - i) RJ stated he doesn't think Totnes is the right place for that – local traders generally always oppose any sticks.
 - Discussion of what could potentially be put into s106 response
 - i) Key route identified that Baltic Wharf residents will use: Bridgetown Bridge – the Plains – St Katherine's Way – Heath Way – the Lamb
 - ii) Important that this is a safe route for walking and wheeling (especially for children going to school)
 - iii) Suggestion made that a 'no left turn' is introduced coming into Bridgetown from Paignton (by Bridgetown Stores). However, others said this would funnel the traffic through Weston Lane instead, which already is an issue.
 - **How do we take this forward?**
 - i) Group thanked RJ for taking the time to attend the meeting. Extended their sincere appreciation.
 - ii) Developer finance is a real window of opportunity for the town. Need for a real case being made - a fair reflection of what is possible through that developer money.
 - iii) Pedestrian safety a key thing that has come out of the meeting as needing to be a priority.
 - iv) Cllr Hodgson informed the group that developer (Acorn) will be speaking to Planning Committee on 23rd May (this is a correction from what she initially stated as happening on 15 May).
 - v) SO to speak to RJ and others at TTC to get clear idea of what is required of TTC and timeframes.
ACTION: SO to contact RJ to get more information and feed back to Steering Group and Forum

- vi) RJ highlighted that he is only a statutory consultee. He makes recommendations but has no real control over the decisions being made.
- **Discussion around development at Dartington Lane.**
 - i) According to JH, developer is saying they won't make the cycle/walk way which was part of the reason the development was deemed acceptable in the first place.
 - ii) RJ has aired the idea of objecting with higher management. But they think the alternative options are OK – some shared space options. **He noted that costs are levelled at DCC/councils if they make 'inappropriate objections'.**
 - iii) He added that any local support on the boardwalk idea between the developments would be welcome.
ACTION: All – if agree that a boardwalk connection being implemented at the Dartington Lane development is a good idea, contact Cllr Hodgson/Cllr Allen to express support. This can be fed on to RJ.

The meeting officially ended at 20:15 and RJ left – the remaining group ended up discussing further the implications and next steps.

It was agreed that:

- SO to speak to Cllr H, RJ and Town Clerk re how to go about next steps
- We need to be clear on what it is that we want.
- Next Steering Group meeting to be an open one to allow for the hotspot mapping work that was not done at this meeting
- SO to feed back to Steering Group and mailing list on next steps as soon as possible

End of meeting 20:40