

# Traffic & Transport Steering Group

30 May 2023, 6.30-8pm

Guildhall, Totnes

*Present:*

## Steering Group members

GB – Totnes Ramblers (Chair)

Maiken Hutchings – TTC Sustainability Officer (SO – notes)

MC – Chamber of Commerce

PW – Town resident

VC – Kingsbridge Hill Area Residents Association

GE – Transition Town Totnes

SG – Bob the Bus

RM – Bridgetown Alive!

LA – Moorashes/St Katherine's Way resident

TTC Cllr Peters

SC – Inclusive Totnes (from 6.45)

Apologies: LW, CP, TB, Cllr Cummings

## Invited

SHDC Cllr Birch

## Other

TTC Cllr Chinnock (from 6.45)

## Actions

1. SO to remove “and Strategy” from the document title and amend body text accordingly.
2. SO to ensure the Transport Policy document makes clear whether schemes are confirmed or suggested.
3. SO to add executive summary to transport document once final text agreed.
4. SO to add in reference to September 13<sup>th</sup> 2022 consultation event and to cross-reference priorities that emerged during this.
5. SO/**ALL** – consider whether any changes need to be made to the policy text to make it stronger, or whether formatting will do this adequately.
6. SO/Cllrs to look into how the DCC phase 1 s106 has been spent and whether they are still holding some money.
7. SO/**ALL** to publicise Acorn consultation event on 9<sup>th</sup> June (likely between 1-8pm) as much as possible
8. **ALL**: Anyone wishing to collaborate on ‘doing something’ for the 9<sup>th</sup> June consultation event, please contact Cllr Birch directly: [cllr.john.birch@southhams.gov.uk](mailto:cllr.john.birch@southhams.gov.uk)
9. SO to confirm that the SG would like to wait until after the Planning Application for Baltic Wharf is in before coming with a s106 response to DCC.

10. SG asked that all group members consider what we want to achieve from a meeting with our MP, in preparation for further discussion at the next meeting.

## 1. Welcome

GB welcomed everyone to the meeting and suggested everyone introduce themselves for the benefit of SHDC Cllr Birch who had been invited to the meeting.

## 2. Traffic Strategy final check

SO invited the group to highlight any final amendments/concerns of the latest iteration of the Traffic & Transport Policy and Strategy.

- Several people raised a concern that the document is called a strategy when it's not really one
  - It is a policy, has guiding principles but lacks overall strategy and plan of action for the future.
  - Suggestion that it be renamed to a policy only, not strategy, although some did express concern that removing 'strategy' from the name could weaken the document.
  - Possibly adding in that is a policy document to be used to work towards a strategy, in liaison with DCC. A policy document carries significant weight.
  - **ACTION:** SO to remove "and Strategy" from the document title and amend body text accordingly.
- Some members expressed concern that any scheme could be added to the list of projects in the appendix without sufficient evidence. E.g., at the previous meeting, the possibility of a roundabout at Redworth Junction was discussed.
  - SO noted that generally projects without evidence are listed quite vaguely, e.g., in this instance the document reads: "Explore options for improving Redworth Junction".
  - Request that we make clear that some of the schemes in the appendix are suggested potential projects.
    - **ACTION:** SO to ensure it is clear whether schemes are confirmed or suggested.
- Requests for a more visual approach to make the document easier to read
  - Suggestion of including more photos, maps, etc. to support points

- SO made clear that this is an unformatted version. Once the final text has been agreed, the document will be made more visually appealing. This can include images, infographics, etc.
- SC commented on potential for including info on wheelchair accessible routes. This could be included as a project in the appendix.
- Reference was made to the fact that DCC will likely soon be working on updating their Local Transport Plan (current version runs out in 2026).
  - Our document can be used within this process and to aid collaborative conversations with DCC
    - **Post-meeting note:** Given urgent Totnes traffic issues, there should be no delay in engaging with DCC on these issues
  - It was noted that we need to ensure strong language that can hold its ground. General agreement around this.
    - **ACTION:** SO/ALL – consider whether any changes need to be made to the policy text to make it stronger, or whether formatting will do this adequately.
  - A question was raised about what sort of document we need to fit into upcoming DCC plans; a policy, strategy, action plan?
- It was requested that an executive summary be added to the document
  - **ACTION:** SO to add executive summary to transport document once final text agreed.
- It was requested that the consultation event on September 13, 2022, be mentioned in the document, in relation to the priorities that emerged during this event.
  - **ACTION:** SO to add in reference to September 13<sup>th</sup> 2022 consultation event and to cross-reference priorities that emerged during this.

### 3. Baltic Wharf phase 2/3

Cllr Birch had been invited to the meeting to provide further information on the upcoming Baltic Wharf development. This was a key agenda item after a DCC Highways officer attended a previous meeting, requesting input for the s106 transport agreement (which already exists).

Cllr Birch provided some background on the development

- 2010 TQ9 put in planning application for the whole of Baltic Wharf
- 2012 received planning permission – this included two s106 agreements. One with SHDC (open space and housing) and one with DCC (transport).
  - Permission for 190 dwellings in total

- Phase 1 by Bloor Homes created 95 (many of which have had considerable problems)
- TQ9 have now entered into partnership with Acorn who plan to submit application in June

Cllr Birch provided some info on how planning application process works

- Developers often will do pre-applications – these do not enter the public domain
  - Used to be discussions between council officers and developers but at SHDC now also include councillors (cllrs)
- There have been 3 pre-app meetings between Acorn and SHDC
  
- The Plymouth and South West Devon Joint Local Plan<sup>1</sup> sets out specific detail of this site should be developed (policy TTV21, pp. 224-225, see figure 1). The developers seem to be ignoring this.
  - They were initially proposing an additional 250 houses
  - Acorn say JLP scheme is no longer financially viable and that it should be ignored.
  - It is likely that Acorn will include 195 dwellings in their June planning application

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<sup>1</sup> <https://www.plymouth.gov.uk/sites/default/files/JLPAdoptedVersion.pdf>


**Figure 1:** Policy TTV21 in Joint Local Plan

**Policy TTV21**

**Land at Baltic Wharf**

Land at Baltic Wharf is allocated for a mixed-use redevelopment, including residential, marine / employment and commercial uses. Provision is made for in the order of 190 new homes and 3,300 sq.m. employment floorspace (Use Class B1 and B2). Development should provide for the following:

1. A continuing care retirement community including a nursing home (up to 60 bed spaces) an assisted living facility (up to 80 units) and communal facilities.
2. Retention of boatyard and associated facilities.
3. Footpath and cycle path provision including riverside access and connectivity to the Totnes – Ashprington route and towards the town centre.
4. Appropriate flood risk mitigation measures.
5. Submission of a site specific mitigation plan to ensure that all new development does not have any negative impact on the greater horseshoe bat species and their flight paths within the protected South Hams SAC.
6. An appropriate strategy to mitigate for any impact on the A385 Air Quality Management Area.
7. A high quality form of development which integrates with the existing area and the setting of nearby heritage assets.
8. Extensive public access to the riverside.
9. Investigation and remediation of contaminated land.



- Cllr Birch - What this group should be aware of:
  - Acorn are making provisions for car parking for 400 cars. This goes against the plans (from initial planning application) regarding creating a sustainable development with reduced transport impact
  - The policy in the JLP states that any development on the site must include: “An appropriate strategy to mitigate for any impact on the A385 Air Quality Management Area.”
    - This proposal of 400 cars will negatively impact on this

- The s106 agreement that TQ9 entered into with DCC still applies as a bare minimum
  - See figure 2
  - BUT Cllr Birch says the developer seems to think that the 106 agreements will be torn up and that this view is shared by DCC
    - Cllr Birch is seeking legal advice on this

**Figure 2:** Overview of s106 agreement funds from Baltic Wharf

Triggers	Main clauses	Clause type	
90k on Occupancy 90% of Phase 1	Consumer Price Index uplift	DCC transport	Phase 1: £150k
60k on Occupancy 90% of Phase 1	Consumer Price Index uplift	Totnes Travel Plan (DCC)	
60k on 90% occupancy of Phase 2	Consumer Price Index uplift	DCC transport	Phase 2: £100k
40k on 90% occupancy of Phase 2	Consumer Price Index uplift	Totnes Travel Plan (DCC)	
150k on Occupancy 90% of phase 3	Consumer Price Index uplift	DCC transport	Phase 3: £250k
100k on Occupancy 90% of phase 3	Consumer Price Index uplift	Totnes Travel Plan (DCC)	

### SG members then asked questions of Cllr Birch

- How is s106 money calculated?
  - There is no formula but happens through negotiations
- Who would seek legal advice re the previous/current s106 agreement?
  - Cllr Birch is looking into this through SHDC
  - SC highlighted that there are additional legal avenues that should be considered, specifically related to the AQMA, human rights and equality issues. This is something to be explored and cited in future objections.

- There were questions around environmental impacts, contamination and drainage issues
  - The plan is for the car park to be on 'ground level' with housing and the public spaces to be on boardwalks above this. This avoids issues with excavation.
  - The group expressed concern re the inadequacy of the drainage systems. The area cannot cope with another 200 dwellings
  
- Discussion around how it looks like developers could be trying to get out of supplying the care home (which is identified as needed in the JLP)
  - They say it is no longer viable or needed – however, Cllr Birch disagrees with this. Proper procedure for determining whether this is true or not has not been followed.
  
- Who administers s106 money?
  - The SHDC s106 money is administered by an officer at SHDC and the same applies for the DCC money
  - Cllr Birch highlighted that he has little confidence in DCC when it comes to the administration s106 money
    - When he was elected no one had taken any action to collect the money from phase 1.
    - He also stated that DCC are still holding some money that they haven't spent.
    - **ACTION:** SO to look into how the DCC s106 has been spent and whether DCC are still holding some money.
  
- What is the timescale for this development?
  - Acorn plan to put in planning application in June
  - This is after a consultation event in the Civic Hall on 9<sup>th</sup> June.
  - The group noted that this doesn't give them any time to make any changes and that it therefore appears to be a box-ticking exercise rather than actual community consultation
  - The event is not advertised anywhere, nor is the time shown. Likely to be between 1-8pm as this is when they have booked the Civic Hall for.
    - **ACTION:** SO/ALL to publicise Acorn consultation event on 9<sup>th</sup> June (likely between 1-8pm) as much as possible.
    - **ACTION:** ALL: Anyone wishing to collaborate on 'doing something' for the 9<sup>th</sup> June consultation event, please contact Cllr Birch directly: [cllr.john.birch@southhams.gov.uk](mailto:cllr.john.birch@southhams.gov.uk)
  
- What mechanisms are there to stop this development?

- Primarily through lodging objections through the SHDC planning portal (once the planning application is live)
- Cllr Birch noted that he feels Totnes is under attack from developers, with things happening at Baltic Wharf, Steamer Quay, Dairy Crest, KEVICS. We have all got to work together to stop this.
- What does Cllr Birch like to see happen and how can we facilitate it?
  - It's all very well opposing the development, but how about coming up with an alternative?
  - He has worked with SHDC Cllr McKay on an alternative plan to retain the boatyard: [balticwharf.org.uk/](http://balticwharf.org.uk/)
- How do we get ideas into the pot for what the s106 money should be spent on?
  - The current DCC s106 contains a Full Travel Plan with a list of items that they money could/should be spent on
  - Cllr Birch highlighted that there is no need to waste time trying to figure this out now as now we need to work on getting the planning application refused in the first instance.
- Who would hold responsibility for the public realm elements of the developments?
  - Unclear but under Phase 1 a residents management company owns all the communal areas.
- Will SHDC have the will and grounds to refuse it and for the refusal to hold?
  - Change of admin at SHDC makes the process easier. He believes the planning application will be refused, primarily because it doesn't comply with the JLP. The previous leader of the council, Cllr Pearce, agreed with this.
- Cllr Birch gave some background on how decisions are made at SHDC.
  - When a planning app goes before planning committee at SHDC, politics has to go out of the window and those on the Planning Committee cannot have any predetermination. Cllrs sitting on Planning Committee cannot have opinion/push for certain things.
  - In any of these planning applications, you have to convince the officers that this should be refused.
  - Officer creates a report (recommending either refusal or approval). For applications in Totnes, the report with recommendation goes to the three district Cllrs.
    - If all agree with officer's recommendation then it is approved / refused as appropriate.
    - If disagree, the Cllr has to give planning reasons why the officer is wrong. They are also given the opportunity to speak to the Planning Committee to put forward their case.



- Problems arise if → officers say yes, member say no and it goes to appeal. Members then have to go fight the case alongside a barrister, etc., and can be fined if you lose the appeal.
- In conclusion: to get a member to go against an officer's recommendation, they have to have a very strong argument.

### Other points raised

- We need to wait until the application is in and then assess the impact of the application before discussing further.
- A balance must be found between engaging and not engaging with them re 106 – if we don't, then perhaps we get something that we definitely don't want.
- Cllr Birch recommended that we tell DCC that at this stage we would like to see the application before we come with a response.
  - **ACTION:** SO to confirm that the SG would like to wait until after the Planning Application for Baltic Wharf is in before coming with a s106 response to DCC.
- Once the application is in, it is especially key that organisations comment via the SHDC planning portal

## 4. Engaging with our MP

Due to the time spent on the previous agenda item, there was no time to consider this item in any real detail. It has been moved to next meeting.

**ACTION:** SG asked that all group members consider what we want to achieve from such a meeting?

- Re engaging with the wider area on development decisions, LA informed the group that she spoke to the Mayor of Torbay informally re planning applications. They are keen to discuss this further with us so this is a real opening to take it further.
- Engaging with other councils will be a part of a future agenda item on general engagement with others (including with the MP).

## 5. AOB / Sweep-up

No points raised.

*Meeting ended 20.05*