

Dawlish Link - Elm Grove Road to A379 Exeter Road

Report of the Head of Planning, Transportation and Environment

Please note that the following recommendations are subject to consideration and determination by the Cabinet (and confirmation under the provisions of the Council's Constitution) before taking effect.

Recommendation: that the Cabinet be asked;

- (a) to give approval for a scheme in Dawlish connecting Elm Grove Road and the A379 Exeter Road, including provision for cycle lanes and footpaths, as identified in the Local Plan, to proceed towards securing planning consent;
- (b) subject to planning consent, to give approval, if necessary, for DCC to acquire land through negotiation and/or Compulsory Purchase Order powers;
- (c) to delegate powers to the Head of Planning, Transportation and Environment, in consultation with the County Treasurer, to enter into any necessary funding agreements to undertake the planning and land acquisition;
- (d) to delegate powers to the Head of Planning, Transportation and Environment, in consultation with the Local Member and Cabinet Member for Climate Change, Environment and Transport, to make minor amendments to the scheme design.

1. Summary

This report seeks approval to progress a planning application for the provision of a new link road between Elm Grove Road and the A379 Exeter Road as allocated in the Teignbridge Local Plan in Dawlish (Policy DA2). The link road will support bus service, cycle lanes and footpaths.

The scheme and associated development of approximately 860 dwellings is allocated in the Teignbridge Local Plan for Dawlish located North West of Secmaton Lane (DA2)

This report also seeks approval for Devon County Council to acquire the land required for the road scheme through negotiation with landowners and Teignbridge District Council and, if necessary, through the use of Compulsory Purchase Order powers.

The desired outcome of the project is to ensure viability of the allocated housing development at the site through the delivery of necessary transport infrastructure.

2. Introduction

Land to the north/west of Dawlish, is allocated in the Teignbridge Local Plan (2013-2033) for at least 860 homes, with a target of 25% affordable homes, along with a

range of social and community infrastructure and transport improvements. The allocation includes the provision for a vehicular access through the development between Elm Grove Road and the A379 Exeter Road, including supported bus service, cycle lanes and footpaths. The route will enable and promote sustainable movement for pedestrians, cyclists and bus services, and allows the efficient distribution of traffic.

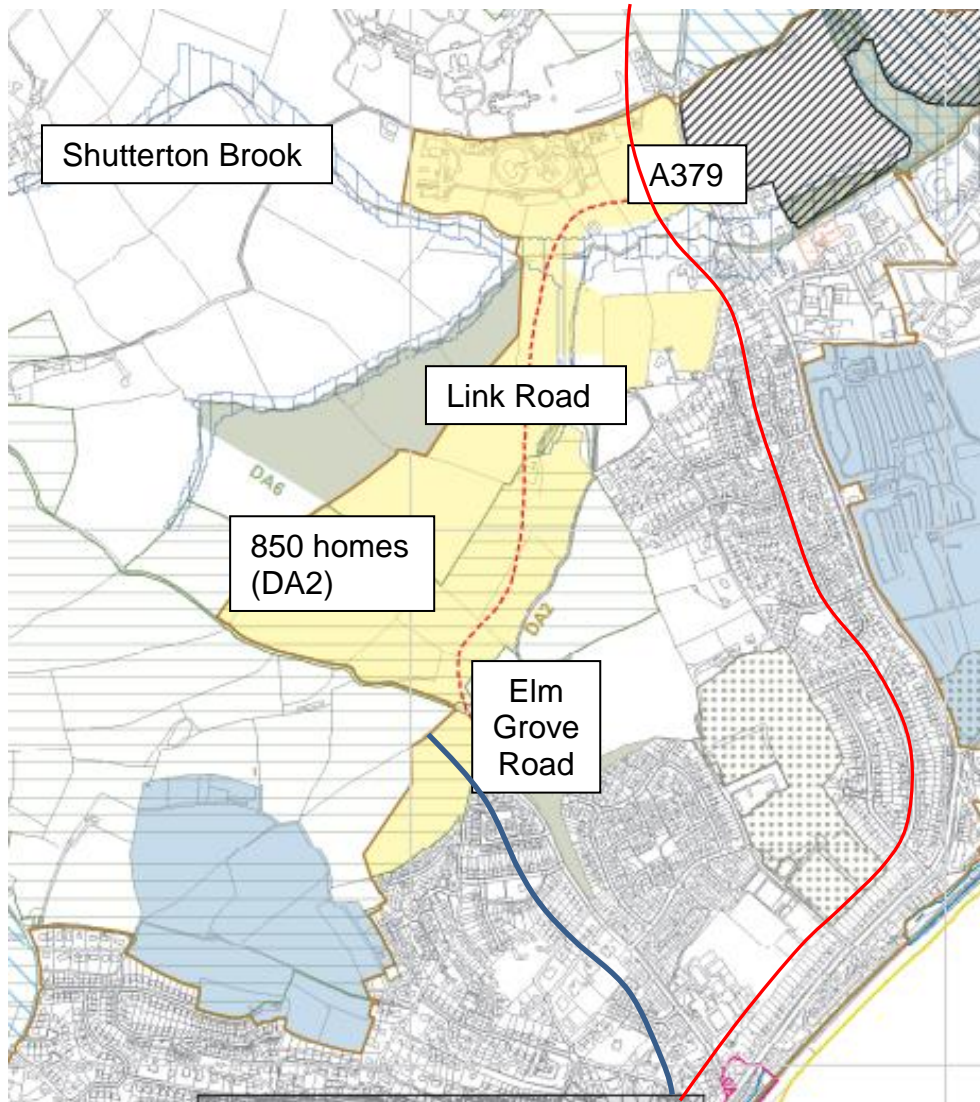


Figure 1: Dawlish DA2 Land Allocation and Link Road

The allocation area falls over several land ownerships which complicates the delivery of the link road route, particularly through the central section of the development over the Shutterton Brook, requiring a bridge. As a result, Teignbridge District Council (TDC) have requested Devon County Council (DCC) to assist on the delivery of the link road.

In order to address viability issues in the allocation, Teignbridge District Council have secured £4.9m of funding from the Government's Housing Infrastructure Fund - Marginal Viability Fund towards delivery of the new link road including a bridge over the Shutterton Brook (see Figure 1).

3. Proposal

Following a refusal of planning permission for 201 dwellings in Area 3 (shown in Figure 2), the landowner of Area 3 has written to TDC to advise that they currently no longer wish to proceed with the development or infrastructure on their land.

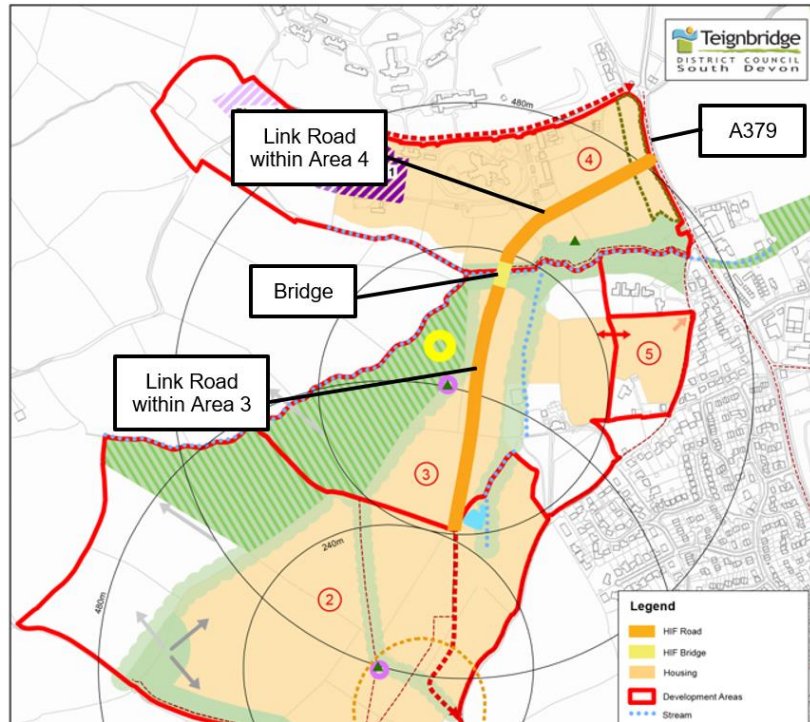


Figure 2: Proposed Link Road through Area 3 & 4

Without Area 3, the bridge and link road cannot be built. If no progress is made the Housing Infrastructure Funding is likely to fall away, with negative consequences for the success of the urban extension and the surrounding area of Dawlish.

Teignbridge District Council have taken a positive approach by requesting that Devon County Council progress the planning application of the Link Road and bridge. Also work with Teignbridge to acquire all the land corridor required to build the road and bridge.

TDC Officers will enter a contract with DCC to design and prepare the planning application for the bridge and link road.

TDC, together with DCC, will undertake land negotiations with all the landowners, including Area 3, with the aim of securing a land agreement or otherwise the purchase of the land required to deliver the infrastructure works. If these negotiations fail it is proposed a Compulsory Purchase Order (CPO) be considered.

TDC would like DCC to undertake the CPO, using our Highway Act Powers (1984). TDC have limited experience or in-house capacity to carry out this work.

4. Options

As an alternative, TDC could do nothing and hand the Housing Infrastructure Fund monies back to Homes England leaving the landowners/developers to design and construct the Link Road and bridge. However, if this were the case it is likely that the funding gap will cause the development to stall.

5. Consultations

Consultation and community engagement was undertaken by TDC during the preparation of the Local Plan and Development Framework Master Plan.

Consultation was also undertaken as part of the planning applications for the individual development sites.

Further consultation will be undertaken as part of the planning application for the Link Road and bridge.

6. Financial Considerations

The DCC provisional estimated fees of £200,000 include project management, surveys, design, planning and legal costs. These costs aim to progress the scheme to planning and detailed design stage but are dependent on a number of factors in what is a complex planning application. The costs are being treated as revenue costs, until it is clearer whether the full scheme will proceed or not. A funding agreement between TDC/DCC has been drafted to cover the first £200,000 capital expenditure, or potentially revenue. An extension or further agreement will need to be put in place prior to further expenditure. A further funding agreement will be required if the need for Compulsory Purchase Orders and a Public Inquiry materialises.

7. Legal Considerations

DCC and TDC will enter into a funding agreement for the provision of services for the undertaking of the project management, planning, design, and land acquisition.

It is intended that, where possible, that land will be acquired through negotiation. However, should it be necessary DCC will take on the responsibility for the Compulsory Purchase Order process which will run in parallel with negotiations to reduce the risks associated with not securing the land.

8. Environmental Impact Considerations (Including Climate Change)

The Link Road and bridge infrastructure itself will reduce the traffic impact on local residential roads including Elm Grove Road.

The Link Road will help reduce emissions by providing better opportunities for active travel, public transport and possibly some marginal reduction in some car journey lengths, particularly in relation to short local journeys.

There will be an embodied energy impact resulting from the construction works on carbon emissions.

9. Equality Considerations

Where relevant to the decision, the Equality Act 2010 Public Sector Equality Duty requires decision makers to give due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other prohibited conduct;
- advance equality by encouraging participation, removing disadvantage, taking account of disabilities and meeting people's needs; and
- foster good relations between people by tackling prejudice and promoting understanding.

Taking account of age, disability, race/ethnicity (includes Gypsies and Travellers), gender and gender identity, religion and belief, sexual orientation, pregnant women/new and breastfeeding mothers, marriage/civil partnership status in coming to a decision, a decision maker may also consider other relevant factors such as caring responsibilities, rural isolation or socio-economic disadvantage.

This will be achieved, for example, through completing a full Equality Impact Needs Assessment / Impact Assessment or other form of options/project management appraisal that achieves the same objective.

In progressing this particular scheme, an Impact Assessment has been prepared which has been circulated separately to Cabinet Councillors and is also available alongside this Report on the Council's website at: [Dawlish DA2 Infrastructure Delivery - Impact Assessment \(devon.gov.uk\)](http://www.devon.gov.uk/infrastructure-delivery-impact-assessment) which Councillors will need to consider for the purposes of this item.

The new link road will be designed to ensure it provides a convenient and safe alternative for all motorised and non-motorised travel facilities, as well as supporting bus travel. There are some detailed environmental issues to be addressed, particularly with regard the bridge over the Shutterton Brook. These will be addressed and mitigated as part of the planning application. The delivery of the link road will reduce carbon emission from motorised traffic and will aim to have positive net gain in bio-diversity.

10. Risk Management Considerations

The project risks identified are continually reviewed with the Project Board and have previously been shared with Homes England during the funding application and subsequent communications.

The two key risks are:

- a) Problems in achieving a planning consent due to the impact of the scheme on Shutterton Brook.

- b) Unsuccessful Land Agreements and the need to progress a CPO and the possibility of this not being successful.

11. Public Health Impact

The delivery of the development will provide much needed housing. The Link Road is an integral and positive part of the development.

12. Reasons for Recommendations

A new Link Road is an integral element to ensure the successful delivery of 860 new homes in north west Dawlish. The site comprises of five separate Areas and multiple landowners. Following a refusal of a residential planning permission, the landowner of Area 3 has written to TDC to advise that they currently no longer wish to proceed with the development and the central section of the Link Road. As a result, Teignbridge District Council are asking Devon County Council to progress design, planning and assist in land acquisition of the Link Road. If these land negotiations fail it is proposed DCC consider a Compulsory Purchase Order (CPO).

Dave Black
Head of Planning, Transportation and Environment

Electoral Divisions: Dawlish

Cabinet Member for Climate Change, Environment and Transport: Councillor Andrea Davis

Local Government Act 1972: List of Background Papers

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Background Paper	Date	File Reference
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Nil

Dawlish Link - Elm Grove Road to A379 Exeter Road - Final