

*Working together*



## **South Hams District Council**

Response to the

### **Staverton Neighbourhood Plan Regulation 16 consultation**

July 2023

The Staverton Neighbourhood Plan (Regulation 15 version) was submitted to South Hams District Council in May 2023. The Council was satisfied that the submission draft and accompanying documents complied with all the relevant statutory requirements.

The plan was publicised in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations and representations invited between Friday 16<sup>th</sup> June 2023 and Friday 28<sup>th</sup> July 2023. South Hams District Council made a full response to the Regulation 14 consultation carried out by the Qualifying Body in respect of the Staverton Neighbourhood Plan.

This document sets out South Hams District Council's response to the Regulation 15 version of the plan, focussing on the extent to which it is considered that the current version of the draft plan has responded to comments made at the Regulation 14 stage.

Overall, the Council is not satisfied that the Regulation 15 draft neighbourhood plan has taken adequate account of comments made at Regulation 14 stage and there remain areas of concern that are included in the comments set-out below.

Policy/Text	SHDC response
<p data-bbox="107 162 658 193"><b>2. Local Context, Vision and Objectives</b></p> <p data-bbox="107 236 896 411">The Vision for Staverton: <i>A vibrant, resilient and sustainable community that enables all generations to flourish in work and leisure, committed to conserving and enhancing the special qualities of the natural environment of the parish and to becoming net zero carbon by or before 2030.</i></p> <p data-bbox="107 454 851 555">Para. 2.13. <i>The plan recognises that addressing Climate Change is of paramount importance and all policies have been written with this in mind.</i></p> <p data-bbox="107 598 246 628">Para. 2.14</p> <p data-bbox="107 638 884 774"><b>Design and Heritage</b> – <i>to deliver high quality development and encourage innovative design that is locally sympathetic with due consideration of the heritage of the parish as a whole.</i></p> <p data-bbox="107 890 862 1034"><b>Natural Environment</b> – <i>to conserve and enhance the natural landscape and biodiversity of the parish, whilst improving green links and access to our green spaces for the enjoyment of current and future residents.</i></p>	<p data-bbox="918 236 2072 399">The issue of climate change is clearly of importance to the NP and ‘<i>becoming net zero carbon by or before 2030</i>’ is part of the Vision. Para. 2.13 states that ‘<i>addressing Climate Change is of paramount importance</i>’. However, this issue is not referred to specifically in any of the plan’s objectives, and there are no specific measurable objectives/targets that will demonstrate how the plan seeks to address this issue.</p> <p data-bbox="918 638 2083 837"><b>Objective for Design and Heritage:</b> Suggest the wording is amended as follows: ‘<i>to deliver high quality development and encourage innovative design that is locally <del>sympathetic</del> <b>appropriate</b> with due consideration of the <b>character and</b> heritage of the parish of a whole.</i>’ This will encourage consideration of locally distinctive qualities that are not just heritage ones.</p> <p data-bbox="918 877 2072 1013"><b>Objective for Natural Environment:</b> Suggest the wording is amended as follows: – ‘<i>to conserve and enhance the natural landscape <b>features</b> and biodiversity <b>value</b> of the parish, whilst improving green links and access to our green spaces for the enjoyment of current and future residents.</i>’</p>

### 3. Healthy Communities

#### **POLICY SNP1: SUSTAINABLE COMMUNITIES**

1. Development which supports the strength and vitality of our communities will be welcomed. In particular, development which will meet local needs which otherwise might not be met, will be supported.
2. Proposals for additional community facilities and infrastructure will be supported, providing they are well designed, include safe adequate access, parking where possible and will cause no detriment to the local environment and amenities.
3. The following priorities and aspirations for the provision or enhancement of local facilities have been identified: • improvements to local green spaces and new play equipment, • Measures to reduce traffic speeds and enhance road safety in Staverton and Woolston Green/Landscope, • measures to support green energy and sustainable travel, including cycle routes, and • improved mobile and broadband connectivity. New development will be required, where appropriate and where the requirement arises directly from the proposed development, to contribute to these priorities through a S106 obligation or Community Infrastructure Levy (CIL), in accordance with adopted standards.
4. In order to help safeguard the sustainability of the local community, development that would result in the loss of or significant harm to a local community facility or asset of community value will not be permitted unless there is adequate alternative provision in the parish. Local community facilities and assets of community value include St Paul de Leon Church, St Matthew's Church, Landscope Church of England Primary School, St Christopher's School, The Dart Bridge Inn, The Live and Let Live Inn, The Sea Trout Inn, the Court Room, the Victory Hall and the cricket pavilion.

No comment.

**POLICY SNP2: SETTLEMENT BOUNDARIES**

1. Development will be permitted inside the village settlement boundaries shown in the plan, provided it is in scale and character with the site and surroundings, is of an appropriate density, and will cause no significant adverse impacts on natural or historic assets, local amenity, traffic, parking or safety.

2. Elsewhere in the parish development will only be permitted where it requires a countryside location or will meet a local need which cannot be met inside the settlement boundaries.

Policy SNP2. Suggest including 'key views' in clause 1 as follows:

*Development will be permitted inside the village settlement boundaries shown in the plan, provided it is in scale and character with the site and surroundings, is of an appropriate density, and will cause no significant adverse impacts on natural or historic assets, local amenity, **key views**, traffic, parking or safety.*

<p><b>POLICY SNP3: LOCAL GREEN SPACES</b></p> <p>1. The following areas are designated as local green spaces in the plan: Staverton Nature Reserve and Boardwalk, Staverton Riverside Walk, Woolston Green Triangle, Staverton playing fields, Staverton and Landscope playgrounds and Landscope allotments.</p> <p>2. These local green spaces will be safeguarded from development. Any development that would result in loss of or harm to them will not be permitted. Only new or improved amenities directly associated with public enjoyment of the green space will be permitted.</p>	<p>Policy SNP3, clause 1. All of the areas designated as a LGS should be shown on a map at a suitable scale so that their boundaries are clearly defined. This is important to enable the protection afforded by the policy to be applied. The maps should be in the main body of the plan or in an Appendix clearly cross referenced in the policy.</p>
<p><b>4. Housing</b></p> <p>Objective: To deliver a varied and balanced mix of high quality homes that meet the needs of current and future residents in a manner that complements the character and identity of this rural parish. We have the ambition of working towards zero carbon homes as far and as quickly as government policy allows and will support, in principle, proposals that seek to achieve that. In the transition period to zero carbon housing, we wish all housing to be low carbon and encourage applications to exceed current government requirements.</p>	<p>Housing Objective. Whilst the aspiration for all housing to ‘exceed current government requirements’ is admirable in some respects, it needs to be realised that this will most likely add to the costs of construction and therefore will have implications for the provision of affordable housing.</p>

We want to see planning applications that include details of energy efficiency and sustainable design.

Aspirations:

- a. We want to support the provision of new housing in order to help sustain the community and important local facilities such as schools, pubs etc.
- b. We want to deliver new affordable housing to keep local people in the parish.
- c. We want affordable housing that prioritises local residents.
- d. We want new homes to be suitable for young people and young families.
- e. We want to create opportunities for people to downsize and remain in the area by encouraging smaller dwellings to be created.
- f. We want new development that creates a mix of house types, sizes and tenures (such as affordable).
- g. We support small-scale development that fits with the historic settlement pattern of the parish. Development sites should generally be for fewer than 6 new homes.
- h. We consider that the JLP indicative figures of 20 new dwellings in Woolston Green/Landscove and 20 new dwellings in Staverton to be built before 2034 are an appropriate total number for the parish, albeit hard to deliver within the plan period.
- i. We want well-designed homes that add to the architectural character of the parish.
- j. We want high quality housing that is fit for the future (energy efficient and sustainable.)
- k. We want high quality homes that provide a decent standard of internal space, garden space and parking.
- l. We support and encourage self-build and custom build.
- m. We support and encourage community led development (such as Community Land Trusts etc.)

Re. Objective, final clause. Details of energy efficiency are not necessarily required as part of a planning application, but are dealt with through the Building Regulations.

Aspirations.

- b. This aspiration could be strengthened by including the following: *All new development providing affordable housing will have a S106 Agreement, which will include a clause requiring that the affordable housing will be allocated to people with a local connection to the parish in bands A-E in the first instance, and will then be cascaded out to the remainder of the district - as per the Local Allocations policy adopted by South Hams District Council.*
- f. The affordable housing tenures need to relate to the NPPF.
- g. Regarding the reference to 'fewer than 6 new homes' – It should be borne in mind that unless this is an exception site there will be no affordable housing provision either on-site or an off-site financial contribution. Also, need to bear in mind that even if affordable housing was included in a proposal, the site is likely to be too small for a Registered Provider to take-on the units.

- n. We want policies that enable local people in need of affordable housing to self-build a home for themselves in appropriate locations.
- o. We want to enable Gypsy and Traveller communities to live in appropriate places.

#### Housing Design Standards.

Para. 4.12 The plan requires that other new housing developments be limited in scale so that they will be in keeping with the small scale organic nature of development in the parish. It also promotes smaller homes in order to help balance the parish housing stock which includes a high proportion of larger dwellings, making it more difficult for local people to afford a local home. Extensions to existing homes are required to be in keeping with the original dwelling in order to conserve and reinforce local character. New homes are required to be built to good internal and external space standards, and their design is required to incorporate innovative low carbon construction techniques, sustainable use of resources and high energy efficiency. Sufficient off-road parking space is required for each new dwelling, and a Connectivity Statement must be provided, along with appropriate ducting to enable ease of installation by service providers. Proposals for new housing development are also encouraged to complete a proportionate heritage impact assessment at the planning application stage to help to understand and protect the significance of heritage features and minimise the potential adverse impacts of new development.

#### **POLICY SNP4: HOUSING DEVELOPMENT**

1. New housing developments are proposed in Woolston Green/ Landscope as follows: a) 14 dwellings at Beara Farm, to include 5 affordable

- o. This is very vague. There should be greater clarity regarding 'appropriate places'.

#### Housing Design Standards

Re. para. 4.12 - 'low carbon construction techniques, suitable use of resources' as referred to in this paragraph can appropriately include traditional materials and construction methods. Given the numerous heritage assets within the parish it would be helpful to add this point to the text.

homes, and b) 6 dwellings on part of the field between Woolston Green and Landscope Church, including an off-site commuted sum to deliver affordable housing to the equivalent of 30% of the value of the scheme.

2. Other new housing shall be limited to smaller sites of fewer than 6 new homes to ensure that growth is at a scale in keeping with the special qualities of the locality.
3. To help balance housing stock in the parish, the development of smaller homes is encouraged. Proposals for homes of more than 4 bedrooms will be required to provide evidence of need.
4. Extensions to existing dwellings should be in keeping with and consistent in scale and form to the original dwelling.
5. New homes shall be designed to meet at least the latest standards and to incorporate innovative low carbon construction techniques, sustainable use of resources and high energy efficiency.
6. New homes shall provide sufficient off-road parking in accordance with the adopted JLP Supplementary Planning Document.
7. Proposals for housing must include a Connectivity Statement and provide for suitable ducting to enable service providers to install appropriate connections.
8. Proposals for housing are encouraged to complete a proportionate heritage impact assessment and ensure protection of significant heritage features.
9. To help address local need, proposals to provide affordable housing for local people will be particularly welcomed and supported. In addition to established rural exception site policy proposals to build single affordable dwellings on suitable sites will also be supported.

Policy SNP4, clause 8. It is not clear what is meant by 'heritage features'. The phrase 'designated and non-designated heritage assets' would be better.



## **POLICY SNP5: AFFORDABLE HOUSING AND SINGLE PLOT EXCEPTION SITES**

1. The provision of affordable homes on a suitable exception site or sites in the parish will be particularly welcomed where the site has been brought forward by a local community group or Community Land Trust and has the clear support of the local community.

2. In accordance with JLP policy a maximum of 40% of the dwellings may be market homes if necessary to attain viability.

3. Single plot exception sites will be welcomed in line with the provisions of JLP policy TTV27, providing the following criteria can be met:

a) the applicant is able to demonstrate that: (i) they require affordable housing and have a strong local connection and need to live within the settlement where the site is proposed; (ii) there are no other reasonable options which address their housing needs, having regard to the availability of low-cost housing options within any other nearby settlements; and existing or planned rural exception schemes; and (iii) their need cannot be met through affordable housing provided in any other way;

b) the site is well related to the built form of a settlement and has permanent and substantial buildings on at least one side;

c) it will not result in development in an isolated location;

d) the dwelling will remain affordable in perpetuity through a percentage reduction on market value agreed local agreement;

e) the site area, including any access arrangements, is no more than 0.1 ha.

Policy SNP5, clause 3.a) (iii) refers to 'their need cannot be met through affordable housing provided in any other way'. There is going to be very limited building of affordable homes in the parish, so is this going to open-up a large number of sites coming forward where people have aspirations to self-build? The Council is concerned that this appears to be the main driver to deliver affordable homes in the parish and that there is little evidence to support this approach, including:

- What is the need for people to self-build?
- What is the financial capacity of people to undertake self-build?
- What level of skills-base exists?
- How much land is available, as the approach seems to allow this to happen anywhere in the open countryside?
- What does 'affordable in perpetuity' mean? Is this a discount and if so how much is the discount and how is it calculated?

The whole affordable housing section appears to be focussed on self-build and not delivery through other proposals and other mainstream mechanisms. Is the NP group happy to leave this to the JLP policies and recommendations in line with the Devon Home Choice Register? There are no figures or mention of need on the Devon Home Choice Register with people in high or low need wishing to access housing in the local area with connections through family, work or residence.

The Council is concerned that in the NP there is no definition of 'settlement', only an assumption that a site has 'permanent and substantial buildings on at least one side'. There needs to be clarification that proposals will only be supported where they relate well to the built form of the named sustainable settlements identified within the NP itself. The plan almost does this in it's aspirations for Healthy Communities;

*g. We want to see small-scale organic growth of the existing named settlements and protection of the wider countryside.*

Only for the next aspiration to directly undermine this intention;

*h. We want policies that ensure development is predominantly in or around the existing villages, hamlets and settlements.*

A dispersed pattern of housing development will significantly increase the emissions attributed to new housing, and will increase reliance upon the private car, which is exactly

what the plan is seeking to avoid as a stated aspiration in the Transport and Communications objectives;

*a. We want to support the development of projects to decrease our dependency on carbon-based transport.*

There are clear spatial planning reasons for requiring single-plot exceptions to relate only to the named sustainable settlements identified within the NP. An appeal decision for a proposal for a single dwelling within the rural hamlet of Wash in Staverton parish (APP/K1128/W/20/3255390: Wash House, TQ11 0LD) was dismissed at appeal due to the unsustainable location, and the clear conflict with JLP policy, despite the proposal being put forward as a self-build dwelling. Crucially, the Inspector noted;

9. *'Consequently, notwithstanding the proximity of the restaurant and farm shop, the proposed site does not meet the expectation of Policy SPT2 that development should have reasonable access to a vibrant mixed use centre which meets daily needs for local services and facilities. Also, the location is not well served by public transport, walking or cycling opportunities and future occupants would thereby be heavily reliant on the use of a private vehicle.'*

12. *'In conclusion, the appeal site is not a suitable location for the proposed development as future occupants would have inadequate access to shops and services by sustainable transport modes. It would fail to accord with the JLPs over-arching spatial strategy expressed in Policies SPT1, SPT2, TTV1 and TTV2, as set out above. It would also conflict with paragraph 8 of the Framework which seeks the achievement of sustainable development.'*

**As currently written, the NP is seeking to support a form of development that will result in a pattern of dispersed housing that will clearly conflict with the adopted policies of the JLP and with the golden thread of delivering sustainable development as identified within the NPPF.**

Part of the Housing Objective is: *We have the ambition of working towards zero carbon homes as far and as quickly as government policy allows and will support, in principle, proposals that seek to achieve that. In the transition period to zero carbon housing, we wish all housing to be low carbon...* Such objectives and aspirations of the plan could be undermined if housing in remoter, unsustainable parts of the parish is encouraged.

The Housing Aspirations c. *We want affordable housing that prioritises local residents*, and d. *We want new homes to be suitable for young people and young families* are fine, but the Council knows from experience that affordable housing for local people is best provided in sustainable locations – i.e. in defined settlements where there is at least some level of

services and facilities. Such households inevitably have less disposable income to spend on transport and have lower levels of car ownership, and can therefore find being accommodated in remote locations very isolating.

Without clearly directing single-plot exception projects to sites that are well-related to named sustainable settlements, the plan will be undermining its own aspirations to reduce transport-related carbon. Again, it conflicts with the Healthy Communities aspirations written earlier in the plan itself;

*d. We believe that all future planning should encourage carbon free travel.*

It is also unclear how the single-plot exception policy relates to policy SNP2.2 of the NP;  
*SNP2 – Settlement Boundaries*

*2. Elsewhere in the parish development will only be permitted where it requires a countryside location or will meet a local need which cannot be met inside the settlement boundaries.*

This seems to suggest a form of sequential test that an applicant is going to need to satisfy. However, since the plan identifies future housing sites within settlement boundaries, does this mean that all such allocated sites should be built and completed before a single plot exception proposal can be considered? Does this also assume that a single-plot exception dwelling will automatically be considered to 'require' a countryside location? If this is the case, it needs to be explicitly said, otherwise why would an open market home not be considered to 'require' a countryside location if there are no potential development sites within a settlement boundary.

## 5. Business and Enterprise

### **POLICY SNP6: BUSINESS, EMPLOYMENT AND TOURISM DEVELOPMENT**

1. Business, employment and tourism development will be welcomed providing: a) it will be in keeping with the locality and is well designed, b) it includes safe and adequate access and parking, avoids significant increase in the use of the private car and facilitates sustainable transport where appropriate, and c) it causes no detriment to the local environment and amenities.
2. Development of adaptable spaces for business start ups, live/work accommodation and adaptations to enable dwellings to support home-working will be supported providing they meet the above criteria.
3. A site is proposed for light industrial and/or business development at Barkingdon.
4. Existing business and employment sites and premises shall be retained for such use, unless it can be demonstrated that the site or building is unsuitable or through market testing that there is no demand for any such use.

## Business and Enterprise.

P.21 Aspirations b & c – Suggest adding that it would be preferential for new cables to be underground rather than overhead, especially in the vicinity of heritage assets or where an important view has been identified.

Para. 5.3 – Data from the 2021 Census should now be available, so the figures may need up-dating.

Policy SNP6, clause 1. Add sub-clause to limit the size and extent of signage/advertisements.

Clause 1a) The term ‘well designed’ is rather vague and open to interpretation. Clearer wording would be helpful.

Policy SNP6, clause 3. Support in principle. This site should be clearly defined on a map. It is assumed that an extension to the existing area of employment units at Barkingdon is being proposed. If so, the quantum of additional employment land should be specified precisely, and its exact boundary and relationship to the existing employment land should be defined clearly on a map. Is there clear evidence of need for additional employment land to justify this proposal?

Policy SNP6, clause 4. In terms of protecting existing employment land and premises it is not clear how this clause adds anything to JLP Policy DEV14. In fact, it could be considered to weaken DEV14 by introducing the tests of ‘unsuitability’ and current ‘demand’.

Policy SNP6 contains no spatial consideration and does not provide clarity for the decision maker about suitable locations for these uses. The adopted JLP has a clear spatial strategy for where different land uses should be located, and beyond the top three tiers of the settlement hierarchy there are clear requirements for proposals to justify why they need to have a countryside location. No such parameters seem to have been identified in the NP, and this will result in conflicts with JLP Policies TTV1, TTV26 and DEV15. It also severely undermines the aspirations in the NP to reduce the emissions impact of travel and transport and to promote sustainable and active travel. How are customers and staff supposed to access dispersed rural employment sites in a way that is consistent with policy SNP2.2 and the Healthy Communities aspiration of the NP itself? There are clear inconsistencies in this policy compared to other aspirations and policies of the NP, as well as with the JLP and the NPPF.

<p><b>POLICY SNP7: REUSE OF REDUNDANT FARM BUILDINGS</b></p> <p>Change of use of redundant farm buildings to provide additional business, employment or tourism opportunities will be supported where they will involve no more than minimal alteration to the existing structure or building footprint, not compromise the rural setting of the building and meet the requirements of Policy SNP6 clause 1 above.</p>	<p>Policy SNP7 contains no spatial consideration and does not provide clarity for the decision maker about suitable locations for these uses. The adopted JLP has a clear spatial strategy for where different land uses should be located, and beyond the top three tiers of the settlement hierarchy there are clear requirements for proposals to justify why they need to have a countryside location. No such parameters seem to have been identified in the NP, and this will result in conflicts with JLP Policies TTV1, TTV26 and DEV15. It also severely undermines the aspirations in the NP to reduce the emissions impact of travel and transport and to promote sustainable and active travel. How are customers and staff supposed to access dispersed rural employment sites in a way that is consistent with policy SNP2.2 and the Healthy Communities aspiration of the NP itself? There are clear inconsistencies in this policy compared to other aspirations and policies of the NP, as well as with the JLP and the NPPF.</p> <p>The phrase ‘minimal alteration to the existing structure or building footprint’ is vague. It would be helpful to the decision-taker if this was quantified or clarified in some way.</p> <p>It would be helpful to include a cross-reference to the SHDC guidance ‘Traditional Farm Buildings: Their Adaptation and Re-use (Barn Guide)’.</p>
<p><b>POLICY SNP8: BROADBAND AND TELECOMMUNICATIONS INFRASTRUCTURE</b></p> <p>1. Proposals to expand mobile phone coverage, electronic communications and broadband networks are encouraged and will be supported providing apparatus is kept to the minimum necessary for efficient operation.</p> <p>2. The plan will seek on site infrastructure to support the installation of, and allow the future upgrade and maintenance of, fibre optic broadband technology: (i) All development is required to submit a connectivity statement to set out the proposed broadband provision. The statement</p>	<p>Policy SNP8.</p> <p>The Council supports this policy.</p> <p>It could be helpful to express a preference for infrastructure such as cabling to be provided underground rather than overhead, especially in more sensitive locations particularly from a heritage and landscape perspective</p>

<p>shall include which broadband supplier(s) can provide full fibre or fixed wireless coverage to the development to provide gigabit capable broadband provision. (ii) On sites of 10 dwellings and over and on all non-residential sites, all new properties must be served with an appropriate open access gigabit capable fibre optic infrastructure to enable high speed and reliable broadband connection in accordance with national and local objectives to increase coverage. (iii) On sites of under 10 dwellings all new properties shall be served with an appropriate open access fibre optic infrastructure to enable high speed and reliable broadband connection unless there is evidence which demonstrates that providing the required infrastructure is not feasible or economically viable. (iv) Installed infrastructure should allow all premises that form part of the approved development to access superfast or better broadband prior to occupancy. (v) The creation of a building to act as a fibre hub to enable fibre connections within the area will be supported.</p>	<p>Policy SNP8, clause 2. The reference to full fibre or fixed wireless in (i) is welcomed, but there is no reference to the fixed wireless option in sub clauses (ii) – (v).</p>
<p><b>6. Design and Heritage</b></p> <p><b>Objective:</b> To deliver high quality development and encourage innovative design that is locally sympathetic with due consideration of the heritage of the parish as a whole.</p> <p><b>Aspirations</b></p> <ul style="list-style-type: none"> <li>a. We want to encourage good quality design which is both locally sympathetic but also allows for innovative ideas.</li> <li>b. We want to encourage low carbon, sustainable design aiming for zero carbon for both new buildings and modifications to existing buildings.</li> <li>c. We want to ensure appropriate landscaping of new development.</li> <li>d. We would like the historic heritage of sites and their surrounding areas to be considered in any development.</li> </ul>	<p>Design and Heritage.</p> <p>In line with the suggested amendment to para. 2.14, suggest the <b>Objective</b> wording is amended as follows: <i>‘To deliver high quality development and encourage innovative design that is locally <del>sympathetic</del> <b>appropriate</b> with due consideration of the <b>character and heritage of the parish of a whole.</b>’</i></p> <p>Suggest amendments to the wording of the aspirations as follows:</p> <ul style="list-style-type: none"> <li>a. <i>We want to encourage good quality design which is both locally <del>sympathetic</del> <b>appropriate</b> but also allows for innovative ideas.</i></li> <li>b. <i>We want to encourage low carbon, sustainable design aiming for zero carbon for both new buildings and modifications to existing buildings. <b>This can appropriately include traditional materials and construction methods.</b></i></li> <li>c. <i>We want <del>to ensure appropriate landscaping of new development,</del> <b>where appropriate, to include a well-designed landscape scheme which contributes to the character, biodiversity and amenity value of the area.</b></i></li> </ul>

	<p><i>d. We would like the historic heritage of sites and their surrounding areas to be considered in any development, <b>including the impact on setting and views and respect given to the local vernacular.</b></i></p>
<p><b>POLICY SNP9: DESIGN AND CONSTRUCTION</b></p> <p>Innovative modern design which is locally sympathetic and attains high environmental standards will be welcomed. All new development, including extensions and conversions, should:</p> <p>a) be of high design quality and in scale and keeping with its setting, respect and enhance local character, safeguard local distinctiveness, protect and conserve and enhance local landscape and biodiversity;</p> <p>b) target zero-carbon, at least meeting government standards for sustainable construction, minimising use of non-renewable resources and any adverse environmental impacts, maximising solar gain, and incorporating technologies to maximise sustainability and energy efficiency;</p> <p>c) any stone should be in keeping with local stone and laid on its natural bed;</p> <p>d) planting should use only mixed native species for hedges and traditional laid Devon hedgebanks wherever boundaries abut open countryside;</p> <p>e) cause no unnecessary noise, light or other pollution, safeguarding against risks of erosion or contamination;</p> <p>f) incorporate appropriate landscaping, in keeping with the locality;</p> <p>g) be safe, inclusive and accessible, reducing opportunities for crime and the fear of crime,</p> <p>h) incorporate meters, bin storage and other features appropriately, conveniently and so as not to clutter the street scene; and</p>	<p>Design and Construction.</p> <p>c) The wording of this clause should be replaced with: <i>'All alterations and repairs to existing walls shall be carried out to match the existing stonework with any repairs in lime mortar to match the colour and texture of the existing. New stone walls shall be constructed to match the existing stone walling of the development. The stonework shall be laid on its natural bed and pointed in a lime mortar recessed from the outer face of the stone. Machine cut or sawn faces shall not be used in the wall or for quoin stones.'</i></p> <p>d) As currently worded this is very restrictive. A native hedge can be a single species, and still be appropriate to the local area, even when located in / next to open countryside, such as beech, holly and yew hedges. Suggest the wording is amended as follows: <i>'d) planting should use only <del>mixed</del> <b>locally appropriate</b>, native species for hedges and traditional laid Devon hedgebanks wherever boundaries abut open countryside;'</i></p>

<p>i) provide for its own car parking requirements, with car parking provision in line with the JLP's SPD (1 space for 1 bed dwellings, 2 spaces for 2 and 3 bed dwellings, and 3 spaces for 4 bed dwellings).</p>	
<p><b>POLICY SNP10: HERITAGE AND CONSERVATION</b></p> <p>1. Development shall not harm but conserve and enhance non-designated historic and heritage assets and their settings, including archaeological features and historic field boundaries and structures. Non-designated heritage assets, buildings and groups of buildings that make a positive contribution to the character, views and setting of their location, including assets identified during the lifetime of the plan, should be conserved and where possible enhanced. Non-designated heritage assets in the parish include the two mills, the railway station, the Court Room, the Butterwell at Bumpston, the Church Commission cottages, Penn Reca and Bumpston Bridge.</p> <p>2. Where historic buildings and features form a group any development should preserve any elements of the landscape and/or street scene which contribute to the value of the group and its setting.</p>	<p>Heritage and Conservation.</p> <p>Policy SNP10, clause 1. Where is the evidence to support this assessment for the non-designated heritage assets? There is a NDHA Flowchart in the Joint Local Plan SPD to aid the assessment of NDHAs. There is scope to create a formal local list.</p>



## 7. Natural Environment

**Objective:** To conserve and enhance the natural landscape and biodiversity of the parish; whilst improving green links and access to our green spaces for the enjoyment of current and future residents.

Para.7.2 Development must be designed to respect and conserve the landscape and local landscape assets and features must be protected and conserved as an intrinsic part of development. The best and most versatile agricultural land, especially that classified as grade 1,2 and 3a, should also be protected.

Para. 7.3 The parish also provides varied habitats for flora and fauna. In particular, in the north-west extremity of the parish, the Pridhamsleigh Caves Site of Special Scientific Interest (SSSI) is protected for its fossil remains, mineral deposits and crustacean species. Wide parts of the parish provide potential habitat for protected species. Large expanses of the parish in the west, are important for the Great Horseshoe Bat and lie within the South Hams Special Area of Conservation (SAC). Some eastern parts of the parish also provide potential habitat for the Cirl Bunting. Just downstream from Staverton Bridge a small nature reserve is held in perpetuity by the Staverton Wildlife Conservation Society.

Para. 7.4 The plan aims to protect the landscape and biodiversity value of the parish, augmenting national and strategic policies to protect the appearance of the area and its role in helping species to flourish. Development proposals must satisfy JLP policy DEV26 which requires that the integrity of any European site will not be adversely affected. In addition, any new development within 4km of the South Hams SAC greater horseshoe bat consultation zone will be required to prepare a Habitats Regulations Assessment (HRA) and follow advice from the relevant South Hams SAC

Natural Environment.

In line with para. 2.14 above, suggest the **Objective** wording is amended as follows: 'To conserve and enhance the natural landscape **features** and biodiversity **value** of the parish, whilst improving green links and access to our green spaces for the enjoyment of current and future residents.'

Para. 7.2: suggest the wording is amended as follows: 'Development must be designed to respect and conserve the landscape **character**, and local landscape assets and features must be protected and conserved as an intrinsic part of development. The **Best and Most Versatile (BMV)** agricultural land, ~~especially that classified as grade 1,2 and 3a,~~ should also be protected.'

Note: The Best and Most Versatile (BMV) agricultural land is defined as land which falls in Agricultural Land Classification grades 1 to 3a, so the middle clause in the final sentence seems unnecessarily repetitive.

The wording of paras. 7.3 and 7.4 should be amended as follows:

7.3 'The parish also provides varied habitats for flora and fauna. In particular, in the north-west extremity of the parish, the Pridhamsleigh Caves Site of Special Scientific Interest (SSSI) is protected for its fossil remains, mineral deposits and crustacean species. Wide parts of the parish provide potential habitat for protected species. Large expanses of the parish in the west, are important for the Greater Horseshoe Bat **supporting the integrity of the South Hams Special Area of Conservation (SAC)**. Some eastern parts of the parish also provide potential habitat for the Cirl Bunting. Just downstream from Staverton Bridge a small nature reserve is held in perpetuity by the Staverton Wildlife Conservation Society.'

7.4 'The plan aims to protect the landscape and biodiversity value of the parish, augmenting national and strategic policies to protect the appearance of the area and its role in helping species to flourish. Development proposals must satisfy JLP policy DEV26 which requires that the integrity of any European site will not be adversely affected. In addition, **any new development within a South Hams SAC Sustainance Zone or within the Landscape Connectivity Zone should follow advice in the South Hams SAC Habitats Regulations Assessment Guidance (2019) to establish whether it may result in a likely significant effect on the South Hams SAC and trigger the requirement for a detailed Habitats Regulations Assessment.**'

~~any new development within 4km of the South Hams SAC greater horseshoe bat consultation zone will be required to prepare a Habitats Regulations Assessment (HRA)~~

planning guidance published by Natural England in 2010 and the South Hams SAC HRA guidance published by Devon County Council in 2019 as to whether survey and mitigation would be required

## **POLICY SNP11: LANDSCAPE AND BIODIVERSITY**

1. Development shall not harm but should protect and enhance features that make a positive contribution to either local landscape or biodiversity.

2. Development proposals must ensure that the integrity of any European site will not be adversely affected. Any new development within 4km of the South Hams SAC greater horseshoe bat consultation zone must prepare a Habitats Regulations Assessment (HRA) and follow advice from the relevant South Hams SAC planning guidance published by Natural England in 2010 and the South Hams SAC HRA guidance published by Devon County Council in 2019 as to whether survey and mitigation would be required.

3. Orchards, trees, woodlands, hedgerows, green lanes and green spaces should be protected and enhanced wherever they make a positive contribution to the local landscape or are of potential value for biodiversity.

4. New tree planting will be welcomed in association with development, as will wilding of verges and hedges, to establish or reinforce wildlife corridors.

5. Development should, wherever possible, avoid building on good quality agricultural land (grades 1, 2 and 3a) and, unless there is no practicable alternative and the benefits of the development to the community outweigh the need to protect it.

~~and follow advice from the relevant South Hams SAC planning guidance published by Natural England in 2010 and the South Hams SAC HRA guidance published by Devon County Council in 2019 as to whether survey and mitigation would be required.~~

### Landscape and Biodiversity

Policy SNP11 Clause 1: Suggest the wording is amended as follows: '*1. Development shall ~~not harm but should~~ protect and enhance, **and should avoid significant and adverse impacts on**, features that make a positive contribution to ~~either local landscape character or and to~~ biodiversity.'*

Clause 2 of Policy SNP11 and the map on p.30 refer to the *South Hams SAC Planning Guidance* published by Natural England in 2010. This document is out-of-date and has been superseded by the *South Hams SAC HRA Guidance 2019*. The map also needs updating as it shows bat flyways and flight corridors that have been superseded, and it doesn't include the Landscape Connectivity Zone which came into being instead (with the 2019 guidance).

Clause 2 of the policy should be re-drafted to read: '*Development proposals must ensure that the integrity of any European site will not be adversely affected. Any new development within a South Hams SAC Sustainment Zone or within the Landscape Connectivity Zone should follow advice in the South Hams SAC Habitats Regulations Assessment Guidance (2019) to establish whether it may result in a likely significant effect on the South Hams SAC and trigger the requirement for a detailed Habitats Regulations Assessment.*'

Clause 3: The Council is concerned that the wording of this is flawed and that it conflicts with adopted JLP Policy DEV28. It implies that trees, woodlands, hedgerows, etc. should **only** be protected where they make a positive contribution to the local landscape or are of potential value for biodiversity. The wording should be amended to: '*3. Orchards, trees, woodlands, hedgerows, green lanes and green spaces **make a positive contribution to local landscape character and have biodiversity value** should be protected and enhanced wherever they make a positive contribution to the local landscape or are of potential value for biodiversity.*' Development should be designed to avoid the loss or deterioration in quality of orchards, trees, woodlands, hedgerows, green lanes and green spaces. If loss cannot be avoided, new native and locally appropriate trees and hedgerows will be secured as mitigation, and to ensure they contribute to a 'net gain'.

Clause 5: For consistency, this should repeat the terminology used in 7.2. Suggest the wording is amended as follows: '*5. Development should, wherever possible, avoid*

	<p><i>building on <b>Best and Most Versatile (BMV) good-quality agricultural land (grades 1, 2 and 3a) and, unless there is no practicable alternative and the benefits of the development to the community outweigh the need to protect it.</b></i></p> <p>Policies SNP11 and SNP12 or the supporting text could helpfully include reference to the Devon dark corridors guidance note that has been produced by a number of Devon Local Authorities to help protect bat flight lines – <i>Maintaining dark corridors through the landscape for bats</i>, which should be used by all consultants dealing with bat flight lines in Devon. Also Guidance Note 08/18, <i>Bats and artificial lighting in the UK</i>, Bat Conservation Trust (BCT) and Institution of Lighting Professionals (ILP) - the Bat Conservation Trust website.</p>
<p><b>POLICY SNP12: TRANQUILLITY AND DARK SKIES</b></p> <p>Development shall cause no undue disturbance, noise or light pollution. No additional street lights shall be installed and any security or external lighting installed as part of development shall not be permanently switched on or unnecessarily bright.</p>	<p>Tranquillity and Dark Skies.</p> <p>Policy SNP12. The Council suggests that the wording is amended as follows:  <del><i>Development shall cause no undue</i></del> <b>All development proposals should be designed to minimise disturbance, noise or light pollution and to prevent adverse impacts from artificial light on intrinsically dark landscapes and nature conservation interests..</b>  <del><i>No additional street lights shall be installed. and any security or external lighting installed as part of development shall not be permanently switched on or unnecessarily bright.</i></del> <b>New developments should follow the latest local and national guidance on artificial lighting in relation to rural areas, protected species and sensitive habitats.</b></p> <p>Policies SNP11 and SNP12 or the supporting text could helpfully include reference to the Devon dark corridors guidance note that has been produced by a number of Devon Local Authorities to help protect bat flight lines – <i>Maintaining dark corridors through the landscape for bats</i>, which should be used by all consultants dealing with bat flight lines in Devon. Also Guidance Note 08/18, <i>Bats and artificial lighting in the UK</i>, Bat Conservation Trust (BCT) and Institution of Lighting Professionals (ILP) - the Bat Conservation Trust website.</p>
<p><b>8. Transport and Communications</b></p> <p><b>POLICY SNP13: TRAVEL AND TRANSPORT</b></p> <p>1. New development will be required to maintain or improve highway safety, make appropriate provision for pedestrians</p>	<p>Transport and Communications.</p> <p>Policy SNP13. As worded this policy adds very little to the policies of the JLP.</p> <p>It is suggested that clause 1 of the policy be redrafted as follows:</p>

<p>and cyclists, and include car parking which at least meets the requirements set out in the adopted JLP's SPD.</p> <p>2. Proposals which integrate and connect well with social, community and green infrastructure will be welcomed.</p> <p>3. Wherever appropriate and directly related to the development, proposals are also encouraged to: a) include improvements to local footpaths, cycle-paths (including the National Cycle Network) and green lanes, b) maintain or enhance local public and community transport services, c) incorporate electric car charging points, and d) assist in the reduction of traffic speeds in the villages.</p>	<p>'New development will <b>be required to ensure it is safe and encourages access by walking and cycling and</b> will maintain or improve highway safety, <del>make appropriate provision for pedestrians and cyclists,</del> and include <b>provision for cycle facilities</b> and car parking consistent with the guidance and standards set-out in the JLP's SPD.'</p> <p>As drafted, clause 1 of the policy seeks to reinforce the parking 'requirements' as identified in the Plymouth and South West Devon Supplementary Planning Document (SPD). Page 154 of the SPD gives figures for <u>indicative</u> parking provision. These are for guidance only, not 'requirements', and need to be considered on a site-by-site basis. As such, any consideration of the matter of parking in the NP risks introducing contradictory language about expectations for onsite parking. Given that the NP only seeks to repeat what the SPD already says, it would be appropriate to remove this from the policy or amend the wording so that it is consistent with the SPD.</p>
<p><b>9. Energy Efficiency and Flooding</b></p> <p><b>POLICY SNP14: RENEWABLE ENERGY</b></p> <p>1. Proposals for small scale renewable energy developments will be welcomed where they can be shown to have no unacceptable impacts, particularly on landscape, biodiversity or local amenities.</p> <p>2. Proposals for individual or community scale renewable energy schemes, such as solar voltaic panels, hydroelectric, biomass facilities, anaerobic digesters and wood fuel products, will be supported providing they will (a) be appropriate in siting and scale to the local setting and the wider landscape, (b) create no unacceptable impact on the amenities of local residents, (c) have no unacceptable impact on any important natural or biodiversity feature, and (d) no unacceptable increase in traffic.</p> <p>3. The installation of solar panels on a listed building will be supported only if it can be shown that there will be no negative effect on the appearance, character or historic value of the building.</p>	<p>Energy Efficiency and Flooding.</p> <p>Para. 9.7. 'Solar panels on historic buildings will be acceptable if there will be no harm to the appearance, character or value of the building. This may be achieved by the use of appropriate low visual impact solar tiles or solar slates.' This wording clearly implies that it includes listed buildings, but <b>this is NOT correct</b>. This statement is too generic and goes against Historic England guidance. This clause should either be deleted or replaced with, <i>'Solar panels on Non-Designated Heritage Assets may be acceptable if it can be demonstrated that there will be no harm to the appearance, character or special interest of the building. A 'whole-house' approach identifying opportunities for improved thermal efficiencies and carbon reduction should be adopted'</i>.</p> <p>Policy SNP14. The policy includes the terms 'no unacceptable impacts' and 'no negative effect' several times. These are very subjective and difficult to apply in the decision-taking process. Terms such as 'respects character and appearance' and 'does not unduly effect' would be better.</p> <p>Policy SNP14, clause 3. This clause is contrary to advice and best practice. Each proposal for a listed building is decided on its own merits via a listed building consent application. In most cases the advice is to consider other areas first e.g. ground installation or outbuilding (preferably not curtilage listed). Therefore, replace this clause with, <i>'The installation of Solar Panels on roofs of NDHAs or on outbuildings/or ground mounted within the curtilage of listed buildings may be acceptable if it can be demonstrated that there will be no harm to the appearance, character or special interest of the building.'</i></p>

<p><b>POLICY SNP15: ENERGY IN NEW DEVELOPMENT</b></p> <p>All new non-domestic development are encouraged to achieve a 'Very Good' BREEAM rating, and all domestic development a '4 Star' BREHQM rating.</p>	<p>No comment.</p>
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<p><b>POLICY SNP16: SUSTAINABLE DRAINAGE</b></p> <p>All development should provide for safe and satisfactory foul and surface water drainage, incorporating a Sustainable Drainage System (SuDS) that at least meets current standards, incorporating permeable surfaces, water harvesting and storage, green roofs and soakaways, so as to mitigate the risk of flooding which might cause harm to people, property or ecosystems on or beyond the site. No surface water should enter the foul sewage network.</p>	<p>Sustainable Drainage.</p> <p>Policy SNP16. Support the last line of the policy regarding no surface water in the foul network, although this will probably mean that all developments will have to undertake soakaway testing at application stage to make sure they have a feasible drainage solution.</p> <p>Aspiration c. mentions flooding but the policy only covers SuDs. A lot of Staverton is in Flood Zone 2/3 so it would be appropriate for the policy to set-out the restrictions relating to new-build development within these areas.</p> <p>To note: The Staverton open space is in Flood Zone 2/3 - so any development or improvement schemes would require consultation with planning and the Environment Agency.</p>
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