



South Hams District Council

Response to the

Stoke Fleming Neighbourhood Plan Regulation 16 consultation

The Stoke Fleming Neighbourhood Plan has been submitted to South Hams District Council. The Council is satisfied that the submission draft and accompanying documents comply 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 20th February and 3rd April 2018.

The Council made a full response to the Regulation 14 consultation carried out by the Qualifying Body in respect of the Stoke Fleming Neighbourhood Plan. This document sets out the Council's response to the Regulation 16 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 Regulation 14 and whether any significant concerns remain.

The Council notes that the Regulation 15 draft neighbourhood plan has taken account of many of the comments made at Regulation 14 stage, especially those relating to relatively minor points, and that the consequent rewording of the document has resulted in a stronger plan.

However, some significant concerns remain and are included in the following:

Policy/Text	Comments
<p>Para.6.6 ...'no more than 10 new homes within the main settlement are supported by the Plan.'</p>	<p>There is no justification or evidence to support this arbitrary restriction. The village of Stoke Fleming is a sustainable settlement with a defined boundary within which development is acceptable in principle. The scope for windfall development of additional dwellings within the settlement is limited, but there is no way of predicting with any accuracy what this might be over the plan period and it is not acceptable to try to impose an arbitrary cap on this number.</p>

<p>Policy H1</p> <p>First sentence. 'The visual character of the village along the A379 trunk road will be preserved.'</p> <p>Second sentence.</p> <p>'Development to the east of the A379...will not be supported.'</p> <p>'Development during the life of the Plan should be confined to sites which do not impact on the appearance of the village along the A379 axis.'</p> <p>Second para. of Policy H1</p>	<p>General: This policy as drafted is too long and some elements are superfluous.</p> <p>(Correction) the A379 is not a 'trunk road'. To 'preserve' the visual character along a whole corridor through the village is considered to be unrealistic. Suggest that 'preserved' is replaced with 'conserved' as a more positive form of wording, is less onerous and more realistic/achievable than requiring that everything along and adjoining this corridor is maintained in its current state (preserved), which is not possible or necessarily desirable.</p> <p>How will development be assessed with regard to enhancing the identity and rural character of the existing settlements, etc.? Which settlements does this apply to?</p> <p>This amounts to a blanket ban of all forms of development. This requirement is considered to be too onerous and should be qualified. Some relatively minor forms of development may be compatible with the policy provisions for the area in question and may not detract from what the NP is seeking to achieve.</p> <p>The phrase 'during the life of the Plan' is superfluous and could be removed (all policies will be applicable during the life of the plan). Any development along the A379 corridor (which runs through the centre of the village) will potentially have an impact on its appearance. This large tract through the village is within the settlement boundary where development is acceptable in principle. Development could potentially have a positive impact on appearance. This requirement is unjustifiably too onerous and is realistically un-implementable.</p> <p>This whole para. should be deleted. The 10 dwellings referred to is not an 'allowance' for the whole village (see comments above). The final sentence is not policy and should not be included.</p>
Policy H2	The word 'Therefore' at the start of the policy should be deleted.
Policy H3 Rectory Field	The Council's concerns regarding the deliverability of this site remain. S.8.3.3 second para. states: 'For development to take place the owners of Stoke Lodge Hotel have agreed in principle to boundary changes to

	<p>provide a public right of way to the field.’ This suggests that a ‘ransom’ situation exists and that no formal agreement is in place. Also, the owners in correspondence dated 23.6.17 state that they ‘consider a development of no more than 5-6 detached dwellings to be most appropriate.’</p> <p>Is the provision of the required pedestrian link within the gift of the owner of Rectory Field?</p> <p>Are the associated improvements to Bird Walk an acceptable requirement?</p> <p>There are significant doubts re. the ability of this site to meet the housing requirements of the parish during the plan period – as set out in the plan. Only ‘up to 10 new homes are proposed’ for Rectory Field (Policy H3) – this is below the AH threshold set out in Policy H2 (and the AH policy in the JLP). It is therefore unclear how the AH need set out in the NP will be met.</p>
<p>Para. 8.3.4</p>	<p>Re. housing requirements set out in the JLP. ‘That requirement can be fully met through development of site H3 and the allocated site RA22 on School Road...’ The Council does not agree with this statement. The JLP figures are not ‘requirements’ but are indicative and should be regarded as a minimum number of dwellings to be allocated on a site or sites in the NP. Completions and commitments from earlier in the plan period (such as site RA22 in School Road) are not included, nor are ‘windfalls’ that have come forward, or may come forward, through the development management process.</p> <p>Appendix B – Site SH 51 02 08/13 Field 0048, School Road. As the plan acknowledges, this site was ‘considered suitable for development in the pre-submission draft of the Plan...’ However, it has been removed from this stage of the plan. The Council questions the justification for removing this site, especially given the doubts about the deliverability of the only site proposed in the plan (Rectory Field), and the fact that the number of dwellings proposed on it falls below the affordable housing threshold.</p>
<p>Policy H6</p>	<p>This policy as currently drafted is confusing and potentially in conflict with national policy and the existing local plan/JLP.</p> <p>The first clause refers to ‘existing settlements’, whilst the second clause refers to ‘the existing settlement’. Only one settlement in the parish (the village of Stoke Fleming) has a development/settlement boundary where residential infill development would be acceptable. The urban extension at Cotton, Dartmouth is within SF parish and has a defined boundary around the allocation. The policy</p>

	<p>and text should make it clear if this policy applies to just the main village and the proposed development at Cotton (which would be appropriate).</p> <p>There are no other sustainable settlements within the parish, so residential infill development, including self-build, elsewhere would be in conflict with long-established national and local plan policies that seek to prevent new dwellings in the remote countryside. This is even more the case in the Undeveloped Coast. The policy and supporting text should be redrafted to make this clear.</p>
Policy E1	<p>The first sentence is not policy and should be deleted.</p> <p>Ref. to AONB Man. Plan - a policy cannot require adherence to <u>guidance</u> in other documents which is not adopted policy in its own right.</p>
Plan period	<p>The plan period runs to 2034. In a couple of places the NP states 'for the period up to 2035.'</p>
Para. 10.4.2 Re. Policy RT3 Car Park	<p>The text refers to '...some provision for infill housing on a suitable part of the site.' However, this is not referred to in Policy RT3 or the supporting text. If it is intended that housing development should be included on this site then it should be included in the policy proposal (RT3) and explained/justified in the supporting text (rather than being hidden away in the Action Plan section). If housing is not included in a policy proposal for this site (i.e. RT3), then any housing included as part of a development proposal for this site would be contrary to the policy.</p>

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