

Modbury Neighbourhood Plan – Regulation 16 Consultation Responses – extended comments

Name/Organisation	Comments
<p>MARTIN RANWELL 10 The Priory Modbury PL21 0TL</p>	<p>Dear Sirs</p> <p>This plan is deficient to the extent that it is totally devoid of any demand assessment. Presumptions have been made by SHDC regarding the housing needs of Modbury without any basic research taking place.</p> <p>It seems obvious to me that a survey should be carried out to ascertain the fundamental and very important data regarding the development by Bloor Homes at Palm Cross - before any further developments are planned or sanctioned for Modbury.</p> <p>The following data should be sought and built into future planning :</p> <ol style="list-style-type: none">1. Where did the new occupiers come from ?2. Why did they choose a) Modbury and b) Palm Cross ?3. What is the number and age of the occupants ?4. How many cars do they have ?5. How many children are there of school age ?6. Where do the adults work ?7. Where do the occupants shop ?8. Do they use public transport ? <p>Yours faithfully</p>

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Dear Duncan Smith,

RE. Modbury Neighbourhood Plan : Regulation 16 Consultation Period: Extension until 21st December 2020

I have made representation to the SHDC and Modbury Parish Council as the representative of Mr Peter Phillips of Pennpark Farm, Modbury back in the beginning of January 2020.

I would like to attach my original letter dated the 3rd January 2020 as further representation for the Examiners viewing with regards to the ongoing consultation period of the Modbury Neighbourhood Plan..

Please could you acknowledge the receipt of my letter.

Yours sincerely

Jonathan

Martyn Dunn Pre-Development
Technical Advisor



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www.southwestwater.co.uk

Thank you for this notification – South West Water has no further comment.

Regards

Mrs. Burda Gage

I have been a resident of Modbury for 57 years.

I totally support the Modbury NHP document and declare I have worked with the group in an advisory capacity as a past PC councillor.

I think the document is well researched and the community have had ample opportunities to comment and consult the working group through displays etc.

I wish to totally support the development east of Alyston Park.

1 When Alyston Park was built the land owners requested two entrances into further fields from the main site should be included in the planning application for future development. This was done.

2 One has already been taken up and is the entrance to Tuckers Brook which the PC helped the developer take forward using the councils Village Design Statement. It includes a small block of flats, mixed size dwellings, and at the time a couple of social houses, and three flats for key workers. The design and developer have won several national awards with the development. This is now a very admired sort after area to live and has integrated well.

3 The proposed taking up the second entrance, which has been there from the very beginning so anybody buying a house in Alyston Park are aware development is on the cards, knew this will take place at some time.

4 The generous offer by the land owner to give further land for amenity and a wood would enhance and make the whole area a great asset to Modbury.

5 The discrimination towards building social and low cost housing is disgraceful as there is huge waiting lists, Modbury having lost much of its social houses with the right to buy.

6. I believe this development with our Village Design Statement as guidance will be as successful as Tuckers Brook which is totally accepted and very much part of Modbury.

Mrs. Burda Gage

David Stuart | Historic Places Adviser South West
Direct Line: 0117 975 0680 | Mobile: 0797 924 0316

Hi Graham

Many thanks for copying me in. Your comments are most helpful.

We haven't completed our own assessment of the report yet which I understand Duncan has also shared with you. Given your comments below it will be interesting to see how its conclusions might chime with them and our own!

Kind regards

David

David Stuart | Historic Places Adviser South West
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From: Graham Lawrence [<mailto:Graham.Lawrence@swdevon.gov.uk>]

Sent: 27 November 2020 13:13

To: Duncan Smith

Cc: Stuart, David

Subject: Modbury NP: Regulation 16 consultation response

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Duncan

I have visited and assessed the Ayleston Park site via the PROW that runs through Old Traine and then across the middle of the proposed allocation.

The most apparent issue from a heritage perspective is the likely effect on the setting of the Old Traine group which consists of a collection of grade II heritage assets and the main II* house. Whilst the rural setting has been lost on the western side due to the later 20th century developments of Silverwell Park and Aylestone Park it remains effectively intact to the south and east. This is appreciated mostly as Old Traine is approached from the south along the footpath. As the viewer passes the crest of the hill the historic group is revealed in a sequence of views (pics 3 and 4). The path as used follows a 'desire line' directly across the

field, but that is not how it is represented on the DCC mapping – that indicates the route that is on the 1st edition OS map. I have asked for clarification on this from DCC but have not heard yet. The positive experience of approaching Old Traine from the south on foot would need to be a conscious design feature in any proposal coming forward.

There is also a potentially significant view of the site from the Church of St George (grade I) so the setting of the Conservation Area as well as Old Traine needs consideration from there. The view towards the church over the roofscape of the Conservation Area from the PROW is one that must be captured in the layout of any development proposal. (pic 5)

Development of the proposed allocation site would change the setting to the south of Old Traine quite fundamentally. That change of character can only constitute some degree of harm. This would certainly be 'less than substantial' in NPPF terms, but it will still 'require clear and convincing justification' (NPPF194). The actual level of harm can only be properly assessed if there were a Development Brief or Masterplan available. How any proposed development is laid out in terms of orientation, variation of density, massing, scale and use of green infrastructure across the site will add to or lessen impact. There is the possibility of mitigation but that should be considered now to demonstrate that harm can be minimised through design.

It may be argued that there are 'public benefits' to development of this site that outweigh the harm as per NPPF196. The fact that the JLP has already identified sites for further development which were assessed for heritage impact cannot be avoided in considering the planning balance.

A simple summary from a heritage perspective is that harm to the setting of the heritage assets I have identified could be avoided by not allocating this site for development. I suggest that the proposers of the site seek to identify how the harms may be mitigated through good design and balanced by evident public benefit.

Graham

Graham Lawrence IHBC | Specialist (heritage) : Development Management
South Hams District Council | West Devon Borough Council

Clive Holgate

I am writing in response to the latest iteration from the Modbury Neighbourhood Planning Group and Modbury Parish Council in support of their proposal for the development of Old Traine Field instead of the site at Penn Parks already designated and agreed in the Joint Local Plan.

The latest version of their proposal was only distributed to the people of Modbury in the December issue of the Messenger, approximately two weeks after the end of the consultation period. Fortunately, the District Council has had the presence of mind to extend the period in order to allow responses from local residents to this last minute change.

The Parish Council has produced an aerial plan of the site. Unfortunately, this not a view of the development any of us will have. In reality, we shall see the unsatisfactory layout already criticised by many respondents. In particular, the steep and narrow access to the site with high retaining structures on either side of the access road will remain. The vista of rendered, painted walls which, despite the impression given in the plan, will also remain because open space on this cramped site will not allow sufficient camouflaging by foliage.

The promise of adjacent land for community use is somewhat disingenuous as this land is already accessible in that the public right of way which crosses Old Traine Field traverses it. The proposal to turn it into a children's play area is inappropriate. The nature of the proposed play area is not clearly specified. It is important to note that this land, like Old Traine Field, is on a steep slope severely limiting its value for recreational use. Furthermore, it is somewhat hidden away from public gaze and therefore only closely supervised play would be appropriate. Additionally, the area adjoins the bund which, although fenced off, is easily accessible. The bund would be an appealing structure for exploration by unsupervised children and a dangerous one

The proposed gift of this land in return for the purchase of Old Traine Field for development seems little reward for the loss of the path across an open field connecting two parts of the town and giving local people some beautiful views over the town and surrounding countryside.

Shelagh Tearle
7, Ayleston Park
17.12.20.

Further objections and comments on MNP3 December 2020.

Following yet a further extension to the consultation period for MNP3, I would like to bring to the notice of the examiner the following comments.

- 1) The formal notification of this extension has only recently been published and many residents may be unaware of the delay.
- 2) The NPG/MPC have apparently submitted another document (Modbury "East of Ayleston Park" FEASIBILITY) and people should be given time to comment on it. This document appeared in the free local paper, a medium in which we have not been afforded the right to reply before the next consultation closing date of 21st December.
- 3) The document is not based on any clear evidence and appears to be yet another sleight of hand to deflect any sensible discussion of the real problems associated with this proposal. It does appear to be based on an artist's sketch and a fanciful list of wishes, many of which may prove to be impractical or unviable for this site. It is important to remember that none of these "possibilities" will be compulsory and many may not be incorporated into the final design due to "extenuating circumstances" such as the topography of the site, the amount of usable land within the site, drainage and access problems.
- 4) The document is not drawn to scale and takes no account of the contours of the site, both of the original GREENFIELD development plot and the now added adjacent fields, which are unfortunately unsuitable as recreational space due to their precipitous nature and the presence of the dam and brook.
- 5) The configuration of the apartments has been changed and the layout of the entrance road has been marginally, but not sufficiently, changed to make it any more viable than it was before.

- 6) There has been no effort made to show the equivalent ideas for the Penn Park site, thus not affording any possible comparison of pros and cons. Surely the designs so enthusiastically put forward for this site could be equally well, if not better applied to the already agreed, larger, more suitable and less difficult BROWNFIELD site at Penn Park.
- 7) The addition of the adjacent fields is interesting. The public already have access to these fields via the public footpath. This new boundary line would imply that this is a new site submission as it is materially different to the original site boundary. It would also indicate that the original site was not big enough to allow the proposed development of 40 dwellings. Indeed it has previously been turned down as unsuitable for the development of even 25 dwellings. The addition of the extra green space does not address the fact that the usable construction land area has not changed, it merely seeks to disguise it. Nevertheless I would support any efforts to keep green spaces green, and the proposed planting of trees shows environmental awareness. Any plan to improve the local environment and preserve our rural heritage should be applauded.
- 8) However, if indeed the adjoining land is adopted as part of the plan the question of ongoing care and maintenance would be a major consideration at a time when the council is cutting back on such activity and local volunteer help is already stretched to breaking point in trying to care for the Millennium Meadow Field which adjoins and has a similar difficult topography. The realignment of the public footpath is not shown in the new plan, and I am unsure as to how to interpret "enhancement of the existing public right of way by planting and visual connections to spaces". Details of the future ownership of this land have not been imparted in the document.

9) Now I will return to the main problems and objections to the development of this site, WHICH WE SHOULD NOT LOOSE TRACK OF:

10) The vehicular access to the site is totally unsuitable and unviable. It could potentially lead to accidents at every road junction, traffic chaos in Brownston street and particular hazards for pedestrians should they choose to walk to the School, Sports field, Memorial hall or Church via Dark Lane and Barracks Road. It is also worth reiterating that it is totally unsafe for over 100 dwellings to be served by 4 narrow, cul-de-sac roads with poor access for emergency and other large vehicles. The gradient of Ayleston Park itself is such as to make access treacherous, if not impossible, in conditions of snow and ice. THE ACCESS PROBLEMS CAN NOT BE ADRESSED BY THE VERY MINOR CHANGE IN THE PROPOSED SITE ACCESS ROAD LAYOUT. Access at Penn Park would not pose any major problems.

11) Flooding potential is a major concern as the site would in theory drain into the brook in front of the dam. The construction of the substantial retaining walls necessary because of the topography will block off the existing underground drainage from the field to the brook. The large expanse of roof and road will add too run off problems. The existing drainage system in Ayleston Park is already working at capacity. Future flooding of the lower part of the town is again a real possibility notwithstanding the recent dam construction. THE PENN PARK SITE DOES NOT OFFER SUCH WORRYING FLOOD RISK. Development of a site with such a flood risk potential should not occur when an alternative more suitable site is available.

12) There is still no adequate provision for off-road parking in the new plan.

13) The provision of green space in the adjoining fields does not address the problem of recreational outdoor space within the proposed development as it does not meet the criteria for children's recreation. The severe slope and presence of the

dam and brook make it particularly dangerous. Even reasonably fit adults would find it difficult to negotiate the steep incline.

14) This plan represents overdevelopment of a greenfield site, and does not take into account the "historic setting" of Old Traine. Penn Park is a larger, brownfield site which already forms part of the JLP and has been agreed by the local community as a more suitable site for development.

15) So far SHDC have been unable to provide any information regarding the current local demand for affordable housing, such as numbers of people applying, and more particularly whether or not family or single person accommodation is required. Obviously this would be essential information in the planning of any development as the housing needs would vary significantly.

16) Finally I will turn to the wishes of the late Mary Rose Rogers. Mary Rose was a much respected member of the community who always had the best interests of Modbury at heart. She was, I believe perhaps the last member of the Rogers family (the current land owners) to actually live in Modbury. It is worth noting that contrary to some rumours, the land in question has not always been earmarked for development. Mary Rose is on record as being against any further development east of Ayleston Park as "it was not right for Modbury", and indeed she successfully resisted the occurrence of such a plan. We should consider carefully and respect if at all possible her wishes for the continued good future of the community.



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To whom it may concern.

Please accept my apologies for leaving it to the last minute to engage with you on this matter. I wish to congratulate the local NP team on producing a well-considered draft plan.

My comments are relatively minor and are intended to support the approval of a final document. The NP area in Modbury lies wholly within and in the setting of the SDAONB designation and management plan and would benefit from a wider reference of the reference of the national protected landscape designation.

Map 8 and throughout the document – Ensure that the correct reference is made to the national protected landscape designation ‘South Devon Area of Outstanding Natural Beauty’. The document would be stronger if it referenced the statutory management plan <https://www.southdevonaonb.org.uk/management-plan/> and has considered all of the guidance in Annex 1 https://www.southdevonaonb.org.uk/wp-content/uploads/2019/07/AONB_Planning_Guidance_version_1.pdf in particular Section 5.

Many thanks, kind regards Adam

David Bush

Dear Sir/Madam

I wish to express my dismay the proposed development in Traine field .

I totally agree with the Heritage Specialist Graham Lawrence, this is a very special green space adjacent a 14 h Century Tithe Barn, and would be better served as an open space to serve the good people of Modbury and Keep the original development in Penn Park, as this has easy access to the main road to Plymouth where surely most of the people will commute to work, and easier access to the local school.

Regards

MARTIN RANWELL
10 The Priory
Modbury
PL21 0TL

Dear Sirs

I find the plan unacceptable, and wish to make the following observations:

1. What is the biggest problem in Modbury ? PARKING AND TRAFFIC FLOW.
2. Which are the worst streets for this ? BROWNSTON STREET AND GALPIN STREET
3. Would the proposed development of land adjacent to Ayleston Park / Old Traine ease or exacerbate this problem ? EXACERBATE THE PROBLEM IN BROWNSTON STREET
4. Would traffic gridlocks become a possibility or a probability ? They are already a possibility and would become A FUTURE PROBABILITY
5. Does the Neighbourhood Plan address these issues ? NO. THE PLAN TOTALLY IGNORES TRAFFIC PROBLEMS
6. Is the proposed development the result of a well researched viability study and market research ? NO, IT IS THE OPPORTUNISTIC RESULT OF AN OFFER FROM A LOCAL LANDOWNER THAT HAS BEEN SEIZED UPON.
7. Why has this land been chosen for development ? Solely because it is CHEAP ENOUGH TO SUPPORT AFFORDABLE HOUSING
8. Has a Housing Needs Survey been carried out recently to establish how many affordable homes are actually needed ? NOT TO MY KNOWLEDGE
9. Has a survey been carried out to establish vital data regarding the recent development at Palm Cross Green ? Where have the newcomers arrived from and why ? How many cars do they have ? Where do they work, shop and go to school ? NO SUCH SURVEY HAS BEEN CARRIED OUT TO MY KNOWLEDGE
10. Who will maintain and fund the additional green space that has now been made available adjoining the proposed site ? MODBURY PARISH COUNCIL OR SOUTH HAMS DISTRICT COUNCIL ?

In my view the current development proposal is inadequately researched and ill conceived, and all further development in the town should be shelved until the traffic and parking problems in Modbury are addressed and resolved. The town is of Georgian origin with narrow streets and an inherent lack of garaging / parking facilities. We now have a modern society with at least two cars per household. BUILDING MORE HOUSING IN THE WRONG PLACE WILL ONLY EXACERBATE THESE PROBLEMS TO THE DETRIMENT OF ALL MODBURY RESIDENTS.

The planners and the Neighbourhood Plan Team should re-think the whole strategy for this historic town.

Yours faithfully

Dear Mr Smith,

I wish to submit an additional comment on the MNP. Please make ensure the Independent Examiner sees it.

Thank you,

John Archibald

This gateway is 4.2 metres wide from stone wall to stone wall. It is the only access from Old Traine field to the bottom end of Ayleston Park. If 40 dwellings were built on that field, all vehicular access for residents cars, deliveries and commercial vehicles would have to enter and leave through this gateway. Clearly an impractical proposal; it is very steep as well as very narrow.



Graham Meaden

2 Ayleston Park

Modbury
Devon
PL21 0TX
10 Dec 2020

Deborah McCann
The Modbury Neighbourhood Planning Examiner
C/O SHDC
Follaton House
Plymouth Rd
Totnes
TQ9 5NE

Dear Ms McCann,

Modbury Neighbourhood Plan – Consultation Extension.

Although there has been no formal notification from SHDC or the Parish Council, I understand that the consultation period has been extended further, so I would like to add a few more comments to my earlier submission.

It appears that another document /development plan has been submitted by the NPG and the Parish Council which is the reason for further consultation. This refers to a revised housing development layout and additional fields at Old Traine Field being included in the plan

It is not clear to me whether the additional fields that are now included as recreation land for Modbury are a gift from Mr Rogers to the community, to be owned by the Parish Council in which case it is a very generous action, or is the gift contingent upon approval being given for the development of Old Traine Field. In the latter case a different description and connotation could be put on it. Of course, should Japanese Knotweed be identified in one of the fields, there would be a considerable expense to manage, destroy and dispose of the knotweed as well as the ongoing maintenance costs of paths, bridges and green areas, which cost would fall on the Parish Council.

Either way, it does not change the fundamentals of the argument. The SHDC, NPG and Parish Council are proposing to develop a greenfield site at Old Traine Field in preference to a site at PennPark which is predominately brownfield.

The problems associated with additional traffic generated from the development of Old Traine Field remain, and Devon Highways have highlighted the difficulties for Brownston St and the junction with the A 379.

The safety of pedestrians on Dark Lane and Barracks Rd and the School have not changed by any updated submission. In recognition of the dangers to pedestrians and schoolchildren, the Parish Council have now put up temporary caution signs at the school, and that is before any potential additional traffic generated by development of Old Traine Field .

Flooding remains a serious issue with the development of Old Traine Field creating additional run off from roofs and roads. In the December issue of the Modbury Messenger, Cllr Margaret Middleton wrote “ Even with the new flood defences proving to be working, the Health Centre was recently saved from being waterlogged by the quick actions of our team following a heavy downpour.”

With regard to the activities of SHDC, there has been no explanation or justification as to why they are now supporting a development of 40 houses at Old Traine Field, whereas previously in the consultation for the Plymouth and SW Devon JLP, they had determined that a the site was not suitable for development , not even for 25 houses.. They have undertaken no comparative study of the Pennpark and Old Traine Field sites and the reason for the change can only be a matter for conjecture.

As has been demonstrated by the weight of evidence and the responses from members of the community, neither the Parish Council or SHDC have the support of the local community and it has been very sad for Modbury that anyone who has opposed the Council has been subjected to offensive and disparaging comments from some Parish Councillors and their mouthpieces, who seem to forget that they should be representing the whole of the community and which should have been consulted before the Parish Council reached their decision.

There is further and recent evidence that the Parish Council does not have the respect and confidence of the local community in its planning decisions. The Parish Council voted to approve the development of a Poultry Factory on a greenfield site overlooking Modbury, apparently without anyone from the Parish Council even visiting the site and failing to understand the siting of the development and the implications

of Heavy Goods vehicles using minor lanes and the extremely dangerous Harraton Cross junction to the A379. There are reportedly nearly one hundred objections to this proposal.
It is a pity that I have had to write this type of letter because we all support more affordable housing within the South Hams but it has to be on the right site with the right justification and with the right community support. SHDC , the Neighbourhood Planning Group and the Parish Council have all failed in this respect and Pennpark should remain as the preferred housing development site.

Yours Sincerely