

Aveton Gifford Draft Neighbourhood Plan (Regulation 14 version, May 2019)

Regulation 14 consultation response on behalf of South Hams District Council

(With Neighbourhood Plan Responses inserted in red – Oct 2019)

Introduction

The Draft Aveton Gifford Neighbourhood Plan has been published for a formal 6 week public consultation. The Plan was published at Regulation 14 stage previously, with the consultation period being between 18th May 2018 and 29th June 2018, but, due to changes introduced between then and now, the Neighbourhood Planning Group have decided to republish this revised Regulation 14 version before progressing to later stages of the Plan process.

As the Local Planning Authority, South Hams District Council (SHDC) has a statutory duty to support the preparation of neighbourhood plans.

As well as its statutory duty, SHDC has an obligation to ensure that any planning document that sits within the suite of Development Plan Documents (DPDs) is consistent with its corporate objectives, and will make a positive contribution to the long term health, wellbeing and resilience of the district's communities. Advice and guidance provided to neighbourhood plan groups will reflect this wider remit, although it is acknowledged that this guidance may go beyond what is strictly required by regulation.

Advice and guidance at Regulation 14 stage is most usefully focused on:

- 1) The Draft Neighbourhood Plan: Introduction and Description of Parish (pages 1-5)
- 2) The Draft Neighbourhood Plan: Vision, Aims and Objectives (Page 8)
- 3) The Draft Neighbourhood Plan: Policies (pages 12-24)
- 4) The Draft Neighbourhood Plan: Evidence Base

1) The Draft Neighbourhood Plan: Introduction and Description of Parish (pages 1-5)

Page 3, Para 1: Suggest reference is also made to the NPPF (2019) and JLP in terms of local decision making. **Accepted.**

Page 3, Para 8: Suggest details of the Designation of the Plan Area is included. The Examiner will want this information close to hand. **Accepted.**

Page 3, Para 9: The reference to the NPPF should be specific to the 2019 version. **Not accepted. The NP has been prepared in light of the latest version of NPPF, and its publication date will make it clear which version that was, but circumstances change and the NPPF may be revised further during the life of the plan. It is not necessary and could be unhelpful to specify the 2019 version.**

2) The Draft Aveton Gifford Neighbourhood Plan: Vision and Objectives

The Aveton Gifford Draft Neighbourhood Plan (the Plan) sets out policies and approaches which will add local detail to policies in the Plymouth and South West Devon Joint Local Plan. The Plan sets out a vision for Aveton Gifford as follows:

- a) The village and surrounding areas will show a small but continuous growth in housing and population.
- b) In doing so the village will retain its village feel and remain vibrant as a community of friends and neighbours.
- c) The buildings and natural heritage of the area will be retained and protected.
- d) The open spaces and recreational areas including the River Avon will be conserved.
- e) Development must not change the nature of Aveton Gifford but will enhance it.

The vision effectively provides a good summary of what is seeking to be achieved.

It would be useful if the Vision were translated into a set of objectives that established a clear relationship between the Vision and the Policies. **Accepted. A set of objectives has been prepared and will be included in the plan.**

3) The Draft Neighbourhood Plan: The Policies

The Plan contains 10 policies as annotated in the table below. A commentary is provided for each policy that looks at the level of conformity with locally adopted policy and national guidance, as well as considering how each policy will be implemented in order to achieve the aims and objectives of the plan.

Policies and SHDC comments

Policy	SHDC comments
POLICY AG1: DEVELOPMENT AND THE SETTLEMENT BOUNDARY	No Comment. NB An Exceptions Policy has not been included in the Plan. It is acceptable to rely on JLP Policy TTV 27 unless you want to add a local dimension to supplement its content. If so then an additional Policy should be added. If not then an explanation of the reasons for relying on TTV 27 could be added into the justification of Policy AG1. Accepted. TTV27 will be relied upon and the plan will explain this.
POLICY AG2: DESIGN AND LAYOUT OF NEW DEVELOPMENT	Criterion e): Other Plans, successfully examined, have opted for 2 spaces for a two bed and an additional space if two beds is exceeded. Accepted as a helpful improvement to the plan. Criteria f), g), h) and i): suggest “where appropriate” is added into these criteria. It is considered that this is implicit and that it is not necessary to add these words. In the case of criterion i) it might even impede the policy's application in practice.
POLICY AG3: AFFORDABLE, SELF-BUILD AND SHELTERED HOUSING	Criterion c): This is not a land use consideration. A similar criterion was removed by the Examiner of the Malborough Plan. Accepted, although allocation of affordable homes first of all to those with a local connection remains an aspiration in Aveton Gifford.

<p>POLICY AG4: NEW BUSINESS AND EMPLOYMENT DEVELOPMENT</p>	<p>In the preamble to this Policy at para 52, third sentence issues relating to the number of second homes is discussed. Whilst recognising the impact second homes have upon the economy, is this not better covered fully in the housing section? Have you an exact figure for the number? It should be noted also there is no official guidance on this matter. The advice given emanates from decisions taken in regard of made Plans elsewhere. Accepted, and the plan will be amended so that the matter is dealt with more fully in the Housing section.</p> <p>As for the Policy itself, no comment on 1. In terms of 2:- Criterion c) The reason for this needs to be evidenced. Accepted, and the plan will refer to the limited supply of such buildings suitable for conversion.</p>
<p>POLICY AG5: DEVELOPMENT AT MILLHAYE AND CHURCH FIELD</p>	<p>In the preamble to this Policy it is suggested reference is made to the method by which the sites identified were identified (SHLAA/Call for Sites) and the role played by the AECOM Site Appraisal Report in informing the choice of the Millhaye site. Accepted. This will be included in the plan.</p> <p>As for the Policy concerns have already been expressed regarding the viability of the Millhaye proposal. The examiner will expect evidence that the landowner is in full accord with the contents of Policy. It is recommended the landowner is formally approached following the consultation to ascertain his/her position in regard of this allocation. Accepted, this is being done.</p> <p>Clear cross referencing of the Policy to the allocated sites on the Proposed Development Site Plan required. Accepted. This will be done.</p>
<p>POLICY AG6: DEVELOPMENT ADJOINING PULLEYS CLOSE – BARTON FIELD</p>	<p>No comment apart from those above in respect of the evidence trail for the identification of selected sites. Accepted. An evidence trail will be incorporated.</p>
<p>POLICY AG7: COMMUNITY FACILITIES, TRANSPORT AND INFRASTRUCTURE</p>	<p>3. Have Devon County Council agreed to support this inclusion? This proposal is identified as a land allocation on the Proposed Development Site Plan (page 19). If DCC have supported its inclusion then it needs to be clearly cross referenced to this Policy under which it is proposed. DCC Education comment that the school site is constrained and falls below DfE standards, so that this site could help to meet future school needs, although there are no current plans to</p>

	<p>expand the school. The plan will be appropriately cross referenced and the site will be excluded from the settlement boundary.</p> <p>4. It is suggested that the assets referred to here are specifically identified. Most Neighbourhood Plans include a marketing test to ensure that every effort is made to enable continuation of the use. Accepted. The plan will specify the shop, church and pub and a standard marketing test will be incorporated.</p> <p>On a general note this Policy includes a range of somewhat disparate elements it may be more logical to split into the separate Policies and position the justifications accordingly.</p>
POLICY AG8: PROTECTING THE LANDSCAPE AND BIODIVERSITY	No comment
POLICY AG9: HERITAGE AND CONSERVATION	<p>Non-designated Heritage Assets are mentioned in this Policy but have not been identified in the evidence base. Other Groups have identified, justified their inclusion and listed as an Appendix. The section of this Policy relating to such assets should be removed if this is not done. Accepted. Such an appendix will be prepared or the policy amended to remove reference to non-designated heritage assets.</p>
POLICY AG10: LOCAL GREEN SPACES	<p>No comment on the Policy itself. Suggest the box illustrating compliance with the NPPF goes into an Appendix and is annotated to explain the ticks in the boxes. Some of the areas are extensive so an Examiner should be fully informed as to why they are appropriate in terms of the NPPF. Accepted. This will be done.</p>

4) The Draft Aveton Gifford Neighbourhood Plan: Evidence Base

The Evidence Base needs to be expanded to include:-

- 1) Facts and figures relating to the presence of second home. A policy to include this was strongly supported by residents. As such the present situation should be clearly presented along with the trends over the last 10 years or so even if the conclusion is that a specific Policy is not pursued. (See comments on AG4).
- 2) The evidence base gathered in respect of the housing allocations in AG5 and AG6 need to be explicitly stated in the justification of this Policy as indicated on the comments attached to each Policy.
- 3) The evidence base to accompany Policy AG9 needs to be produced as advised in the comments above.

- 4) The evidence base accompanying the allocation of LGS needs to be expanded as set out in the comments under Policy AG10.

Accepted. The appropriate evidence will be presented both in the plan and / or in separate papers.

Conclusion

The Aveton Gifford Neighbourhood Plan seeks to manage development within a sensitive landscape, whilst enabling small-scale organic development that meets the priorities and needs of the local community. The broad aspirations of the plan are consistent with adopted and emerging local policy.

For the most part, this consultation response poses questions or proposes amendments that are designed to make a positive contribution to the next iteration of the neighbourhood plan.

It is clear that a great deal of work has been undertaken to bring the Plan to this stage of the Neighbourhood Planning process. The draft plan is well presented with good illustrations and clear plans and graphics.

SHDC considers that the draft Aveton Gifford Neighbourhood Plan can be brought into compliance with local policy and national guidance subject to the advice and guidance provided being followed and would welcome dialogue with the NP group to help achieve this.

Support and advice gratefully welcomed.

June 2019