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Planning Policy
South Hams District Council
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Consultation response to Neighbourhood Plan

Neighbourhood Plan	Kingsbridge, West Alvington and Churchstow Neighbourhood Plan
Consultation Stage	Regulation 16 Submission Plan

Neighbourhood Plans within the AONB and its setting must have regard to the conservation and enhancement of the natural beauty in the South Devon AONB (s85 to The Countryside and Rights of Way Act 2000). The South Devon AONB Management Plan sets out how bodies can meet this statutory duty. They also need to meet the Basic Conditions set out in the Neighbourhood Planning (General) Regulations 2012 including:

- Basic Condition 1. Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan; and
- Basic Condition 3. The making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority.

National policy and advice includes NPPF 176 and 177 relating to AONBs and Planning Practice Guidance on the Natural Environment. Strategic policies in the Plymouth & South West Devon Joint Local Plan include DEV25 on Nationally Protected Landscapes.

The policies for the development and use of land in the Neighbourhood Plan will become part of the statutory development plan and be used to help determine planning applications. It is therefore crucial that they are clear and unambiguous so they are interpreted correctly by the decision-maker.

Overall, the South Devon AONB Unit considers that the Kingsbridge, West Alvington and Churchstow Neighbourhood Plan supports the conservation and enhancement of the AONB and conforms with the national and local policies on AONBs. The following comments are either in support of policies or suggest amendments intended to ensure that they will be applied appropriately.

Policy KWAC Env3 Impact on the Natural Environment, South Devon Area of Outstanding Natural Beauty (AONB), green corridors and green infrastructure.

Criterion a) requiring “an awareness of and management for wildlife corridors through the plan area” does not say how the applicant should reflect this awareness in their application. It is recommended that be replaced by wording such as “how the proposal will conserve and enhance the management of wildlife corridors...”

Similarly criterion d) requires demonstration of “how the natural assets and constraints of a development site have been assessed” but doesn’t require this assessment to influence the proposal. It also only limits ‘substantial’ harm to irreplaceable habitats which is contrary to NPPF 180c) which says that any loss or deterioration should be refused unless there are wholly exceptional reasons. Alternative wording could be “how the proposal protects the natural assets of the site and avoids harm to irreplaceable habitats such as ancient woodland, historic boundary features, banks and ditches unless there are wholly exceptional reasons for the development”.

Policy KWAC Env 4 Locally Important Views

The AONB Unit supports this policy which will contribute to meeting Management Plan policy Lan/P5 Skyline and Views which says “The character of skylines and open views into, within and out of the South Devon AONB will be protected...”

Policy KWAC Env 5 Prevention of light pollution.

The AONB Unit supports this policy which will contribute to meeting Management Plan policy Lan/P4 Tranquillity which says that “The tranquillity, natural nightscapes and dark skies of the AONB will be enhanced and maintained in a consistent, cross boundary evidence based approach”.

Policy KWAC Env 8, Encouraging renewable energy

The AONB Unit supports this policy which reflects the [South Devon AONB Planning Guidance](#) on Renewable Energy (section 8.8) which supports sensitively sited, small-scale renewable initiatives which serve individual homes or farmsteads but identifies that large, commercial scale renewable energy schemes have the potential to harm the AONB’s special qualities and should be sited outside the AONB and its setting.

Policy KWAC Env 10 Promotion of tree planting

This policy supports tree planting without any caveats. Whilst tree planting can be beneficial this is not always the case as it can replace other valued habitats and carbon stores such as species rich grassland and wetland. It can also detract from the scenic beauty of an area where that is characterised by open panoramic views, which is one of the special qualities of the South Devon AONB.

It is recommended that this policy be amended to “Additional tree and other planting will be supported where it is demonstrated that the proposals achieve a net gain in biodiversity and carbon capture, and do not displace other important habitats or detract from open views that are characteristic of the landscape or special qualities of the AONB”.

Further information is available on this matter in the Devon Local Nature Partnership's Right Place Right Tree <https://www.devonlnp.org.uk/knowledge-hub/trees-and-hedges/right-place-right-tree/> guidance.

Policy KWAC Em5 Promotion of innovative tourism businesses

The AONB Unit supports this policy, and in particular that development that is contrary to the [South Devon AONB Estuaries Plan](#) will not be supported and that the proposed uses should be compatible with their surroundings and setting within the town, river, countryside and must have no adverse effect on the South Devon AONB.

Policy KWAC BE3 Design Quality

The AONB Unit supports this policy, and in particular criterion g) that prominent and strategically important schemes of all scales should be considered at an independent, bespoke Design Review Panel and that this is of particular importance where proposals impact on the AONB and heritage assets.

Yours sincerely,
Roger English, South Devon AONB Manager
on advice from
Claire Tester MSc MRTPI
Planning Consultant on behalf of the South Devon AONB Unit

General notes.

1. *This response presents the professional views of the South Devon AONB Unit following an assessment of the proposals. It does not necessarily represent the views of member organisations of the wider AONB Partnership Committee, some of which may be involved in making their own separate representations.*
2. *Although the South Devon AONB Unit is based at the offices of South Hams District Council, this response should be treated by the local planning authority as a representation from an outside body, rather than an internal officer comment.*
3. *This response is based on adopted development plan policies including the Development Plan, NPPF, and the policies and objectives of the statutory South Devon AONB Management Plan.*