

# Staverton Draft Neighbourhood Plan (Regulation 14 Version, January 2022)

## Regulation 14 Consultation response on behalf of South Hams District Council

**Staverton Neighbourhood Plan Group reply shown in red**  
**My suggested amendments (*and comments in italics*) for the group's  
consideration are shown in blue**

### Introduction

The Draft Staverton Neighbourhood Plan has been published for a formal 6 week public consultation which took place between 29 January 2022 and 12 March 2022. This represents the plan reaching Regulation 14 stage of the plan preparation process, and offers the first formal opportunity for all stakeholders to comment on the emerging plan.

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 Vision, Aims and Objectives
- 2) Comments on Supporting Text
- 3) The Draft Neighbourhood Plan Policies
- 4) Comments on Housing Strategy.
- 5) The Draft Neighbourhood Plan Evidence Base
- 6) Strategic Environmental Assessment/Habitat Regulations Assessment

On a general note, comments were made on the texts of the Neighbourhood Plan prior to consultation on this Regulation 14 Version. In some instance those comments are repeated below. I would suggest, if there are specific reasons why those comments have not been addressed, that the reasoning is discussed with the Council during preparation of the Regulation 15 Version of the NP.

Thank you for sending me the comments that the Group have received from other bodies/individuals in regard of the Regulation 14 consultation. I have referred to these, where

appropriate, in my comments below. I note that the Group are following up these comments where necessary to inform the content of the Regulation 15 Version of the NP.

## 1) The Draft Staverton Neighbourhood Plan: Vision and Objectives

The Staverton 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 Staverton as follows:

*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.*

The objectives are as follows:-

- **Healthy Communities** – to provide facilities that promote a peaceful harmonious community spirit with healthy opportunities for all whilst maintaining the essence of a quiet rural environment.
- **Housing** – 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.
- **Business and Enterprise** – to deliver new and improved employment opportunities to help sustain a vibrant parish community with a balanced demographic profile that attracts and retains young people and working age families.
- **Design and Heritage** – 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.
- **Natural Environment** – 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.
- **Transport** – to provide an infrastructure that supports both homes and business to thrive and to encourage the development of free flowing, safe and appropriate transport networks.
- **Energy Efficiency and Flooding** – to deliver new development with high energy efficiency and to encourage the production of energy from a range of appropriate renewable energy sources.

The vision effectively provides a good summary of what is seeking to be achieved for the Staverton Parish. The objectives, in largest part, relate well to the Vision and the Policies. In terms of housing, concerns, already expressed to the Group, remain regarding the mismatch between the housing objective and the chosen housing strategy.

General support welcomed.

Concerns related to the housing objective and housing strategy are addressed below.

## 2) Comments on Supporting Text

**Para 1.5:** *The Basic Conditions (taken from a recent Examiner's report) are:-*

*"An Examiner must determine whether the Neighbourhood Plan:*

- 1. Has regard to national policies and advice*
- 2. Contributes to sustainable development*
- 3. Is in general conformity with the strategic policies in the appropriate Development Plan*
- 4. Is not in breach and is otherwise compatible with EU obligations and Human Rights requirements.*
- 5. There is now an additional Basic Condition to be considered. Since the 28th of December 2018, the Neighbourhood Planning (General) Regulations 2012 para 1 has stated:*

*"In relation to the examination of neighbourhood development plans the following basic condition is prescribed for the purpose of paragraph 8(2) (g) of Schedule 4B to the 1990 Act—*

*The making of the neighbourhood development plan does not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017." (Prescribed Matters)"*

**Foreword: Page 3: 1<sup>st</sup> Paragraph in bold; 2<sup>nd</sup> sentence:** The NP will not have full force as a part of the Development Plan until it has passed through Examination and been made by the District Council. **Add at the beginning of the last sentence of para 1 " When passed through examination and made by the district council it will form...."**

**Para 2.5: 3<sup>rd</sup> sentence page 7:** As already raised in emails the Parish does not include a small piece of the Dartmoor NP. **Delete "(apart from a small piece of Dartmoor)"**

**Objective: Page 15 second para:** The rider at the end of this sentence... "as practicable as the circumstances of each case allows" .....At present the Government's current requirements apply, this wording seem to imply there is leeway. Suggest that NP simply encourages exceedance of the Government requirements. **Last sentence second para " .....we wish all housing to be low carbon and we encourage applications to exceed the current government requirements."**

**Para 2.9: page 7:** This paragraph gives two average house prices for Staverton whilst para 4.3 gives a third which differs from both those quoted in Para 2.7. **We will unify these figures with the current average house price.**

**Para 4.2:** As indicated in the comments on the Policies SNP1 1 and SNP4 3 justification and evidence for the types of homes required to meet local need, should be provided. **The evidence is provided by our parish survey, opinions expressed at local consultations and also our HNS.**

**Para 3.6:** As indicated in the comments on Policy SNP 2 full justification of the Settlement Boundaries is required. The choice to identify a Settlement Boundary for Memory Cross is not clear. Similarly the choice to omit the area around Staverton Bridge requires clarification. **We will prepare a justification for the boundary around Memory Cross and we will remove reference to Staverton Bridge as it is a secondary centre of activity – a geographical focal point or node - not a settlement centre. (But you say at p20 below that it isn't a secondary centre)**

**Aspiration f): page 20:** Suggest a definition/explanation of eco tourism is given. **We will provide this (responsible travel to natural areas that conserves the environment, sustains the well-being of the local people, and involves interpretation and education).**

**Other Issue:** Some respondees to the Regulation 14 Consultation have raised issues relating to a Prior Approval and Consent issued by the Council in respect of Whyteways Farm (Code Nos 0146/18/FUL and 50/2308/15/PNNEW). Please seek clarification from Council officers if required.

### 3) The Draft Staverton Neighbourhood Plan: The Policies

The Plan contains 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	Staverton NPSG Responses
<p><b>POLICY SNP1: SUSTAINABLE COMMUNITIES</b></p> <p>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.</p> <p>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.</p> <p>3. The following priorities for the provision or enhancement of local facilities have been identified: improvements to local green spaces and new play equipment, 20 mph zones in Staverton and Woolston Green/Landscope, measures to support green energy and sustainable travel, including cycle routes, and improved mobile and broadband connectivity.</p> <p>New development will be required, where appropriate and where the requirement arises directly from the</p>	<p>1. The NP makes the point here and elsewhere of the need for new development to meet local needs. If this is to be translated into a material consideration then the evidence base attached to this NP needs to be enhanced to provide a basis for requiring the type of dwellings that are proven as needed. Suggest JLP Policy DEV 8 is used as a starting point.</p> <p>3. The provision of a 20 mph Zone is not a land use matter. It will be necessary to agree with the Highway Authority (Devon CC) this is necessary and supported before it can be included as a priority.</p> <p>In terms of green energy, sustainable travel and broadband it will be necessary to give more detail on what is actually proposed.</p>	<p><b>1. This policy deals with the overall sustainability and well-being of the local community and not with housing alone. Comments about the need for additional housing evidence are dealt with at the relevant policies (below).</b></p> <p><b>3. The group will contact Devon Highways to ascertain their support for 20mph zones. The nature of measures to support green energy, sustainable travel and improved mobile and broadband connectivity will be such as may be appropriate in each case, varying with the individual application and the needs at the time.</b></p>

<p>proposed development, to contribute to these priorities through a S106 obligation or Community Infrastructure Levy (CIL), in accordance with adopted standards.</p> <p>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, particularly the parish churches, halls and pubs, will not be permitted unless there is adequate alternative provision in the parish.</p>	<p>4. It is suggested this is a separate policy in its own right. It will be necessary to identify the community facilities that are being protected as a list in the Policy and show them on the Proposals Map.</p>	<p>4. The group prefers to keep this within policy SNP1 since it is an integral part of the same topic (sustainable communities).</p>
<p><b>POLICY SNP2: SETTLEMENT BOUNDARIES</b></p> <p>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.</p> <p>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</p>	<p>It will be necessary to prepare a background paper justifying the choice the Settlement Boundaries. It is noted that the settlement boundaries submitted to the JLP Inquiry (but not adopted in the JLP) have been used as a starting point for Staverton and Landscope/Woolston Green. Specific issues are as follows:-</p> <p>a. Staverton: The inclusion of open area to the west of the village and south of Nelson House and Nelson Coach House requires clarity. As it stands there is a presumption of principle support for development at this location. It is acknowledged this is included in the Council's proposed Settlement Boundaries.</p> <p>b. Woolston Green/Landscape: Substantial land to the north west and south east of the village has been included, over and above that subject of</p>	<p><b>The settlement boundaries for Staverton and Landscope/Woolston Green are indeed those drawn in the topic paper prepared by SHDC for the JLP inquiry.</b></p> <p>a. The boundary is as that submitted to the JLP inquiry. It follows the boundary of Nelson House and Nelson Coach House. There is no open area.</p> <p>b. The settlement boundary is as that submitted to the JLP inquiry extended to include the two sites allocated.</p>

	<p>the Beara Farm approval, that does not appear in the Council's Settlement Boundary Plans. If this land is included justification is required.</p> <p>c Memory Cross: The JLP does not identify Memory Cross as a Sustainable Village. It will be necessary to fully justify this hamlet being subject of a Settlement Boundary. Justification for the location of the Settlement Boundary is also required.</p> <p>2 It is not clear in the policy nor the justification what is meant by "local need".</p>	<p><b>c. The group will prepare an evidence paper to justify the settlement boundary at Memory Cross.</b> <i>(It may be just as quick for me to draft this for you ... ?)</i></p> <p><b>2. A local need might relate to housing, employment, open space or any other lack in local provision. The plan will be amended to make this clear.</b></p>
<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.</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>Have the owners of the Local Green Space been individually consulted?</p>	<p><b>Riverside Walk and Woolston Green Triangle are owned by Staverton PC. Staverton Nature Reserve by parishioners and members of the Community Benefit Trust.</b></p> <p><b>All are aware of the plan but we will inform them specifically of this clause.</b></p>
<p><b>POLICY SNP4: HOUSING DEVELOPMENT</b></p> <p>1. New housing developments are proposed in Woolston Green/ Landscope as follows:</p>		

<p>a) 14 dwellings at Beara Farm, to include 5 affordable homes, and</p> <p>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.</p> <p>2. Other new housing shall be limited to smaller sites to ensure that growth is at a scale in keeping with the special qualities of the locality.</p> <p>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.</p> <p>4. Extensions to existing dwellings should be in keeping with and consistent in scale and form to the original dwelling.</p> <p>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.</p> <p>6. New homes shall provide sufficient off-road parking in</p>	<p>1b) The site allocated and shown on the Proposals Map is significantly larger than would be required to accommodate 6 dwellings. Furthermore the allocation of a site for 6 dwelling houses will have minimal effect on the provision of affordable housing.</p> <p>2 This statement lacks clarity: what is meant by smaller sites? If the housing need identified is to be met then a quantum of housing numbers is necessary to support affordable housing at sufficient quantity.</p> <p>3 See comments on SNP1 1. If an appropriate local mix is to be sought then an evidence base is necessary to support that contention and provide guidance as to what is required.</p>	<p><b>1b) The map will be corrected to show only the eastern part of the site. 14 dwellings have already been approved at the Beara Farm site. To propose more than 6 dwellings on this site would result in excessive development in the village during the plan period. The group is aware that only developments of 11 dwellings or more are required to provide affordable homes on site, but 6 dwellings should deliver a commuted sum.</b></p> <p><b>2. The Parish Survey, local opinions at consultations and the HNS indicate a local desire for developments of less than 6 houses. The plan will be amended to refer to that number.</b></p> <p><b>The evidence base will be enhanced to refer to the appropriate evidence (local opinions, surveys, HNS and ONS).</b></p>
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<p>accordance with the adopted JLP Supplementary Planning Document.</p> <p>7. Proposals for housing must include a Connectivity Statement and provide for suitable ducting to enable service providers to install appropriate connections.</p> <p>8. 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.</p>	<p>7 Is this not better included in Policy SNP 8 dealing with Broadband requirements.</p> <p>8 As with SNP1 1 and 3 above local need requires full clarification. See Policy SNP5 for comments on single site exception issue.</p>	<p>7. The group prefer to leave this in here and also to add it at SNP 8.</p> <p>8. The evidence is provided by our parish survey, opinions expressed at local consultations and also our HNS.</p>
<p><b>POLICY SNP5: AFFORDABLE HOUSING AND SINGLE PLOT EXCEPTION SITES</b></p> <p>1. The provision of affordable homes on a suitable exception site or sites in the parish will be a priority and will be 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.</p> <p>2. In accordance with JLP policy a maximum of 40% of the dwellings may be market homes if necessary to attain viability.</p> <p>3. Single plot exception sites will be welcomed, providing the following criteria can be met:</p> <p>a) the applicant is able to demonstrate that:</p> <p>(i) they require affordable housing and have a strong local connection and need to live within</p>	<p>1 It is not permissible to preclude private developers from bringing forward exception site proposals.</p> <p>2 This is not required since it simply repeats JLP Policy.</p> <p>3 The Council has engaged in correspondence with the Group regarding this matter, including contacting Shropshire CC, as follows:- <i>“I contacted Maria Howells, a Shropshire planner, just after Christmas to gain an assessment of the success of</i></p>	<p>1. The group have no intention to preclude private developers. Delete “...will be a priority and” replace with “ ...will be welcome particularly where ....”</p> <p>2. Although repeating JLP policy the group will leave this in as it clarifies the thinking behind the plan’s exception site policy.</p> <p>3. The group understand the viewpoint expressed in your response. They are not including the Shropshire Model. It has been amended to their own model with consideration of TTV27.</p> <p>After many enquiries the group</p>



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;  
f) the dwelling is designed to meet current and future household requirements and should not exceed the maximum floorspace prescribed in the Nationally Described Space Standards for a 6-person household, although the provision of a single garage to the maximum of 18 sq. metres would be supported in addition.

*operating the single plot affordable housing Policy. As you are probably aware the Shropshire Local Plan is currently being reviewed. As part of this review officers undertook informal discussions with Members relating to the future of this Policy. Officers concerns were in summary: that whilst the policy has had limited success, it did generate "spurious" proposals which involved considerable officer time. Despite this Members opted to retain the Policy but it has been amended to take account of those concerns. I enclose (second enclosure) Shropshire's Reg 19 version of the Affordable Housing policies.*

*I have discussed this matter with my colleagues in Strategic Planning and DM who, in the light of the Shropshire information and their own experience, do not support, at this stage of the process, the inclusion of a like policy in the Staverton Plan.*

*You may be aware that the SDP (enclosed), which provides guidance on the use of Policy TTV27, does state that this Policy can apply to single dwellings. I have copied the relevant advice from the SDP on TTV27 below and highlighted in red the relevant words.*

**11.62 TTV27 provides the basis for bringing forward proposals that are an exception to adopted policy**

have never been given clear guidelines as to the robust evidence required. They believe that they have a very clear evidence statement in support of their approach.

The group do not agree with this response.

*I fully understand (and share) the group's frustration in this, but fear that you will struggle to make progress unless you respond more positively to SHDC's opinion as now expressed. I suggest an alternative response, as follows:*

**JLP policy TTV27 allows for single plot affordable dwellings, but doesn't specify or encourage them. The policy will be redrafted to reflect and build upon that, specifying and encouraging single plots, as follows:**

**"3. Single plot exception sites will be welcomed, in line with the provisions of JLP policy TTV27, providing the site area does not exceed 0.1ha."**

**The group presumes that SDP is a mistype for SPD.**

	<p><i>providing that they are demonstrably Affordable Housing-led. This policy may be applied to proposals of any scale, including single dwellings.</i></p> <p><i>My suggestion is that you consider TTV27 and its applicability to the Staverton area. It is possible to use TTV27 as a basis for formulating a locally appropriate policy which reflects local circumstances if TTV27 falls short in taking them into account.</i></p> <p><i>As I have stressed, however, in my advice to the Staverton Group any deviation from JLP Policy must be based on a firm and robust evidence base.”</i></p> <p>Concerns remain that no specific justification for including this Policy requirement in Policy SNP5 has been given.</p>	
<p><b>POLICY SNP6: BUSINESS, EMPLOYMENT AND TOURISM DEVELOPMENT</b></p> <p>1. Business, employment and tourism development will be welcomed providing:</p> <p>a) it will be in keeping with the locality and is well designed,</p> <p>b) it includes safe and adequate access and parking, and</p> <p>c) it causes no detriment to the local environment and amenities.</p> <p>2. Development of adaptable spaces for business start ups, live/work accommodation and adaptations to enable</p>	<p>1 The reference policy for this Policy is JLP Policy DEV15. Suggest a criteria is added that covers the sustainability aspects of such proposals in terms of trip generation, accessibility for non car visitors etc.</p>	<p><i>The JLP has been approved as suitable for the rural area. I strongly advise that you don't try to say that it's inconsistent. The change suggested here by SHDC ought not to undermine your policy. I've altered your response accordingly.</i></p> <p><b>1. Criterion b will be amended as follows: "... safe and adequate access and parking, avoids significant increase in the use of the private car and facilitates sustainable transport where</b></p>

<p> dwellings to support home-working will be supported providing they meet the above criteria.</p> <p>3. A site is proposed for light industrial and/or business development at Barkington.</p> <p>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.</p>	<p>3 This site is not shown on the Proposals Map. Following a request for information it was stated that the assessment for this site was located in Appendix 1 although no plan illustrating the site appears in this document. It is suggested that this allocation, if included, is covered in a stand-alone Policy that sets out criteria against which development of the site will be gauged. It is suggested that the site assessment needs to be more comprehensive given the use proposed. Furthermore, there are concerns that the site is located well away from the main villages in a largely rural location not involving the conversion of existing buildings. I would suggest a full discussion with officers, prior to embarking on the work detailed above, in order that full consideration is given to the suitability of this proposal at this location.</p> <p>4 Suggest reference is made to JLP Policy DEV14, linked to Paragraph 5.9 to 5.13 of the JLP Supplementary Planning Document 2020, which set out details of the marketing test that applies through the JLP. Any deviation from this will require justification.</p>	<p>appropriate".</p> <p>The proposal for <b>Barkington</b> (site 30) is to reduce car journeys by providing employment where people are already working.</p> <p>Barkington is already an existing industrial area.</p> <p>However the existing facilities do not allow for the growth that the existing business requires and the group would like the business to remain in the parish for the industrial health of the parish.</p> <p><b>Barkington</b> will be added to the site map.</p> <p><b>4. Reference to JLP Policy DEV14, and paras 5.9 to 5.13 of the JLP SPD will be added to the plan.</b></p>
<p><b>POLICY SNP7: REUSE OF REDUNDANT FARM BUILDINGS</b></p> <p>Change of use of redundant</p>	<p>As with Policy SNP6 1 suggest</p>	<p><b>The amendment to criterion</b></p>

<p>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 SNP5 clause 1 above.</p>	<p>JLP Policy DEV 15 is used as a basis for reworking the Policy wording.</p>	<p><b>b of clause 1 of Policy SNP6 will be referenced from Policy SNP7, although the policy ought to refer to "the requirements of Policy SNP6 clause1" (not Policy SNP5) and will be amended accordingly.</b></p>
<p><b>POLICY SNP8: BROADBAND AND TELECOMMUNICATIONS INFRASTRUCTURE</b></p> <p>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>The Council have issued a standard Policy to be used by NPGs in formulating Broadband Policies. Suggest this is used in conjunction with this Policy and SNP4 7 to formulate a single Policy for the Staverton NP. <b>NB</b> A copy of this document is enclosed.</p>	<p>The group has considered the council's standard broadband policy and consider the present form of SNP 8 to be in accord with this.</p>
<p><b>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, meeting the latest sustainable construction standards, minimising use of non-renewable resources and any adverse</p>	<p>b) Most Groups go with a Policy requirement that developments meet Government requirements whilst encouraging</p>	<p><b>Clause b will be amended to read "target zero carbon, at least meeting government standards for sustainable</b></p>

<p>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, and planting should use only mixed native species for hedges and traditional laid Devon hedgebanks wherever boundaries abut open countryside;</p> <p>d) cause no unnecessary noise, light or other pollution, safeguarding against risks of erosion or contamination;</p> <p>e) incorporate appropriate landscaping, in keeping with the locality;</p> <p>f) be safe, inclusive and accessible, reducing opportunities for crime and the fear of crime,</p> <p>g) incorporate meters, bin storage and other features appropriately, conveniently and so as not to clutter the street scene; and</p> <p>h) provide for its own car parking requirements, with at least two car parking spaces per dwelling and electric charging points.</p>	<p>exceedance. As it stands this clause includes requirements that would be difficult to gauge and measure for the decision maker.</p> <p>c) This clause is difficult to understand.</p> <p>h.The JLP Supplementary Planning Document 2020 sets out car parking standards for the Local Plan area. Any deviation from those standards should be fully justified. If you are content with those standards then no need to mention in the Policy.</p>	<p><b>construction, minimising use of... "</b></p> <p><b>The group does not agree that clause c is difficult to understand but will split it into two in order to assist clarity (one clause dealing with the use of stone and the other with planting)</b></p> <p><b><i>h. It seems to me that the JLP's SPD parking standards could simply be required - (1 bed dwellings 1 space, 2 and 3 beds 2 spaces, 4 beds 3 spaces). It will be hard to evidence that more is required. Does the group agree?</i></b></p>
<p><b>POLICY SNP10: HERITAGE AND CONSERVATION</b></p> <p>1. Development shall not harm but conserve and enhance designated and non-designated historic and</p>	<p>1 There is no need to refer to Designated Assets since National/Local Policy adequately deals with their</p>	<p><b>1. Penn Reca and Bumpston Bridge to be added to the list of non-designated assets in 6.7. The list would then be</b></p>

<p>heritage assets and their settings, including archaeological features and historic field boundaries and structures.</p> <p>2. Where historic buildings and features form a group any development should maintain the spaces between buildings and preserve any elements of the landscape and/or street scene which contribute to the value of the group and its setting.</p> <p>3. 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. Some of the most important known undesignated assets are listed at para 6.7 above.</p>	<p>protection. As for Non Designated Assets, paragraph 6.7 identifies some. Most Groups produce a list which is presented in the Policy itself or as an Appendix. It is noted that one Regulation 14 consultee suggested there were additional structures that could be considered for inclusion. It is suggested that a list is compiled and consulted on before Regulation 15 submission.</p> <p>2 This is difficult to understand and translate into action for developers and decision makers.</p> <p>3 See comments on 1) above.</p> <p><b>NB</b> Historic England have raised a number of concerns in regard of Heritage matters these are not repeated in full in the Council's comments.</p>	<p>complete. The original list was consulted on at pre reg-14 consultation and the other two were brought forward in response to pre reg-14 consultation. The group do not see the necessity for a further consultation.</p> <p><b>The words "maintain the spaces between buildings and..." will be deleted from the policy.</b></p> <p><b>Clause 3 will be deleted and the closing sentence added to the end of para 6.8 rather than included in the policy.</b></p>
<p><b>POLICY SNP11: LANDSCAPE AND BIODIVERSITY</b></p> <p>1. Development shall not harm but should protect and enhance features that make a positive contribution to either local landscape or biodiversity.</p> <p>2. In particular orchards, trees, woodlands,</p>	<p>2 This clause is gives</p>	<p><b>The features listed are</b></p>

<p>hedgebanks, 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.</p> <p>3. New tree planting will be welcomed in association with development, as will wilding of verges and hedges, to establish or reinforce wildlife corridors.</p> <p>4. Development should, wherever possible, avoid building on good and moderate quality agricultural land (grades 1, 2, 3a and 3b) and, unless there is no practicable alternative and the benefits of the development to the community outweigh the need to protect it.</p>	<p>prominence/priority to certain features which may have the effect of “down grading “ features of equally high importance that are not identified.</p> <p>4 National Policy defines the best and most versatile land as falling in grades 1,2,3 and 3a.. Suggest the removal of 3b form this Policy.</p>	<p><b>deliberately intended to be highlighted. It is unclear what other "features of equally high importance" SHDC has in mind that it fears will be "downgraded".</b></p> <p><b>This point is accepted. Reference to grade 3b land will be deleted from the policy.</b></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, i.e. above 800 lumens, and should illuminate only in response to motion sensors.</p>	<p>Suggest reference is made to adopted NPs that have included a Dark Skies policy. The Policy as currently written would be difficult, if not impossible, to enforce.</p>	<p><b>In line with recently adopted dark skies policies in other NPs, the policy will be amended as follows:</b></p> <p><b>1.Proposals should be designed so as to limit impact of light pollution from artificial light on local amenities, on intrinsically dark landscapes and the natural environment.</b></p> <p><b>2.Applicants are encouraged to have regard to the advice in the Institute of Lighting Professionals “Guidance Note 1 for the reduction of obtrusive light 2021”.</b></p>
<p><b>POLICY SNP13: TRAVEL AND TRANSPORT</b></p> <p>1. Development should wherever reasonably</p>	<p>1 It is suggested this paragraph is reviewed and</p>	<p><b>The policy will be redrafted along the suggested lines,</b></p>

<p>possible integrate and connect with social, community and green infrastructure, making appropriate provision for pedestrians and cyclists, contributing towards maintaining and enhancing local public and community transport services, resulting in no worsening of highway safety and conditions, incorporating electric car charging points and providing for its own car parking requirements, with at least two car parking spaces per dwelling.</p> <p>2. Improvements to local footpaths, cycle-paths (including the National Cycle Network), green lanes, public and community transport services and highways will be welcomed. Development will be expected to contribute towards these improvements where they are directly related to the development. The loss of existing footpaths, cycle-paths, green lanes and public and community transport services will be resisted.</p> <p>3. The introduction of reduced traffic speeds in the villages will be welcomed.</p>	<p>split into those requirements that will be expected from new development and those that can only be encouraged. In terms of car parking requirements see comments on SNP9 h.</p> <p>2 Suggest only appropriate development should be expected to contribute towards improvements.</p> <p>3 As indicated in the comments on SNP1 3 this issue should be discussed with the Highway Authority.</p>	<p><b>to read as follows:</b></p> <p><b>1. Development will be required to maintain or improve highway safety, make appropriate provision for pedestrians and cyclists, and include car parking which at least meets the requirements set out in the adopted JLP's SPD.</b></p> <p><b>2. Proposals which integrate and connect well with social, community and green infrastructure will be welcomed.</b></p> <p><b>3. Wherever appropriate and directly related to the development, proposals are also encouraged to:</b></p> <p><b>a) include improvements to local footpaths, cycle-paths (including the National Cycle Network) and green lanes,</b></p> <p><b>b) maintain or enhance local public and community transport services,</b></p> <p><b>c) incorporate electric car charging points, and</b></p> <p><b>d) assist in the reduction of traffic speeds in the villages.</b></p>
<p><b>POLICY SNP14:</b></p>		



<p><b>RENEWABLE ENERGY</b></p> <p>1. Proposals for small scale renewable energy developments will be welcomed where the purpose is to generate power for use within the parish and 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. Large scale renewable energy developments would cause wide impacts on the parish and beyond and will be discouraged.</p> <p>4. 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>1 I don't believe you can limit the use of power generated to the Parish.</p> <p>3 Whilst this is likely the case there is no evidence presented to uphold this claim. I would suggest reference to JLP Policy DEV34 this may obviate the need for this paragraph.</p>	<p>1. Remove “..where the purpose is to generate power for use within the parish and ...”</p> <p>3. Para 9.6 of the plan already makes reference to the JLP. Amend this to add specific reference to JLP policy DEV34 as suggested and delete clause 3 of the NP policy.</p>
<p><b>POLICY SNP15: ENERGY IN NEW DEVELOPMENT</b></p> <p>All new non-domestic development should achieve a 'Very Good' BREEAM rating,</p>	<p>The Government Standards for new development are set in the Building Regulations. It is</p>	<p>Replace the word "should" by the words "are encouraged to ...".</p>

and all domestic development a '4 Star' BREHQM rating.	possible to encourage exceedance but not insist upon it. It is suggested this Policy is reworded with this in mind.	
<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>	Suggest the Environment Agency are consulted upon the content of this Policy.	<p><b>The EA were among Reg 14 consultees but raised no comment.</b></p>

#### 4) Comments on Housing Strategy

The objective identified in the NP relating to Housing is as follows:-

**Housing** – 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.

Furthermore the specific Objectives and Aspirations which open the Housing Section state:-

**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 as low carbon as practicable as the circumstances of each case allows.*

*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.*
- h. *We consider that the JLP indicative figures of 20 new dwellings in Woolston Green/Landscape and 20 new dwellings in Staverton to be built before 2034 are an appropriate total number for*

Both the JLP and the Housing Needs Survey recognise the need for more housing, and particularly more affordable housing, in the Staverton Parish. This is reflected in the objectives and aspirations identified in the Draft NP. Despite this the NP makes only two allocations in Landscape/ Woolston Green aimed at addressing the JLP Indicative figures/affordable housing issues. The Beara Farm allocation (14 dwellings) which recently obtained planning consent and Landscape/Woolston Green allocation (6 dwellings) on a site that could accommodate substantially more dwellings. This latter allocation appears simply to have been made, at the quantum proposed, to meet the JLP Indicative figure.

No allocations are proposed for Staverton. The NP and Appendices 1 and 2 cite the constraint imposed by the Church of England Covenants creating a lack of financial incentive for owners to put forward their sites at least during the period of the NP. No clear, definitive evidence has been advanced in the NP locating sites affected by the Covenants nor has this constraint been considered, apart from general comments, as part of the site assessment process.

**The evidence base will be enhanced to include a map of the land affected by the covenants. The assessment of individual sites was carried out without reference to the existence of the covenants. It therefore provides a useful basis for the consideration of the suitability of sites which might be brought forward as covenants expire.**

As such the NP places a reliance on exceptions sites (Policy SNP5) to, on face value, fill the gap. The NPG's attention is directed to two factors that could impact on the number of house that could potentially arise if the NP proceeds as it stands

- 1) The JLP Indicative Figure for Staverton could be met by a speculative development outside the Settlement Boundary (but well related to the village) which would only be required to provide 30% affordable housing.
- 2) With a housing need identified in the NP of 19 and applying the JLP 60% affordable /40% market rate of provision, the number of house that will actually be built will be greater than the number of affordable house required. The market housing proportion is necessary to enable viable projects whilst providing some incentive to release land on these terms.

Although the potential outcomes have been set out in the starkest terms this illustrates that substantial risk may arise from speculative proposals if the NP does not seek to actively address the JLP Indicative/affordable housing issues.

In summary it is considered reliance on exception sites to fulfil JLP requirements is inappropriate and that the allocations that have been proposed do little to address the very real affordable housing issues that exist in the Staverton Parish.

**It is considered that the restrictions imposed by the covenants leave no options open in and around Staverton village during the plan period and that the risks highlighted by SHDC are therefore minimised.**

## 5) The Draft Neighbourhood Plan Evidence Base

### Appendix 1: Site Assessments **These points will be addressed while the group consider amendments to the draft plan.**

There are concerns (also expressed by some Regulation 14 consultees) regarding the content of Appendix 1-Site Assessment which may be summarised as follows:-

- There appears to be a mismatch between sites assessed and the number of sites identified on the Plan labelled “*Sites which have been assessed*”.
- Sites have not been numbered and labelled on the Plan.
- No clear explanation is given on how the “*Staverton NP Site Scoring Matrix*” (pages 64/65) was compiled nor how the differences in scoring between Lee Bray and the Group arose.
- Both Natural England and Historic England have questioned the sources used in the Site Assessments.
- Sites 8,13 and 15 have been identified as “Overall Very Good” and “Understood to be available” . Why have these been dismissed from consideration?

### Appendix 2: Evidence Paper to support approach taken to making development site proposals

*This evidence paper was originally drafted, at least in part, to try to support the group's desire to justify scattering development around the parish. Since that approach was so strongly resisted by SHDC and has now been dropped by the group it would be wise to carefully review the paper to ensure that the evidence it contains is suitable to support the plan as published.*

I set out below the comments on housing strategy supplied to the Group prior to publication of the Regulation 14 Version of the NP. Whilst these comments pertain to a wider approach to housing allocation than proposed in the current version of the NP they do encapsulate the Council's position on where best to concentrate efforts to meet JLP requirements and affordable housing need:-

*“Whilst accepting the historic context to the distribution of houses is specific to the Staverton Parish, I am not sure that the distribution of houses differs greatly from other Parishes in the vicinity or indeed from rural parishes in South Hams as a whole. It is usual that “sustainable village(s)” exist alongside smaller hamlets or groups of houses with a historic raison d’etre. JLP policy is, in a nutshell, aimed at encouraging the concentration of required development in those “sustainable villages” as explicitly stated in the JLP’s justification for this approach (see JLP Policies TTV1, TTV2 and TTV25). A move away for this requires very specific robust justification. I do not believe the historic developments patterns exhibited by Staverton Parish provide such a justification.*

*I do, however, accept that Staverton (the settlement) does exhibit issues that are unusual:-*

- 1) *I concur with the view that the Staverton settlement is of two parts with the greater concentration around the Church and Pub but also around Staverton Bridge. I believe this gives opportunities to consider development opportunities at these locations and between them. **There has never been any support within the parish for considering Staverton Bridge a second centre in Staverton.***

***I advise caution in making such a blunt statement. I recall some support for the view early in the process.***

2) *Much play has been made of the covenanted land which disincentivises owners from early land release. I have asked for (but have not received as yet) a plan showing the extent of this land. I need this to appreciate the full nature of this issue.*

*As said previously this land has not been brought forward for consideration in this NP. The importance to the housing policy is that it has not been brought forward as the covenant discourages development until 2034. We cannot give details of areas that have not been presented for consideration. Suffice to say that the group have not received any land within or adjacent to the settlement boundary which would provide a development large enough for the required amount of affordable housing. However this could be achieved with the consideration of exception sites with the provision of 30% affordable housing.*

***As I indicted above, I suggest that you provide a map showing the extent of the land affected by the covenants.***

*I have raised strong concerns regarding the dispersal strategy which are well documented. As indicated already in my email I do not believe the justification provides specific and tenable reasons why developments at, for example Memory Cross and Beara, should be allocated. Furthermore, despite my making contact with Shropshire regarding the single plot exception policy, I have had no justification as to why this is necessary in the Staverton NP against the existing provisions in JLP Policy TTV27; nor why the Staverton Parish so differs from other S Hams parishes that it is required. I do not believe, in any event, relying on this proposed policy alongside dispersed development will, with any certainty, meet the JLP Indicative and local housing needs. Furthermore, the provisions of JLP Policy 27 and the proven housing need could, if the NP does not meet the JLP Indicative and ensure the provision of affordable properties, lead to speculative planning applications with outcomes less favourable than robustly justified allocations in the NP. I accept making such allocations is difficult against the backdrop of the expressed wishes of the local community. I would suggest, however, that these issues alongside the potential consequences, if allocations do not meet the JLP requirements, are fully explained by the Group to parishioners and discussed with them as part of the process of addressing the housing allocation conundrum.”*

***I suggest that here you point out the amendments made to the plan (assuming you accept my advice in that regard).***

## **6) Strategic Environmental Assessment/Habitat Regulations Assessment (SEA/HRA)**

It became apparent to the Council, whilst preparing the SEA/HRA Screening Opinion that, as a result of the allocations proposed (apart from the Beara Farm allocation: SNP 1a), that Strategic Environmental Assessment may be required in respect of the potential Heritage impacts that may arise. I would suggest, in the first instance the advice of Historic England is fully considered and addressed. This may obviate the need for full SEA.

In terms of HRA, Appropriate Assessment is certainly required given the location of the above mentioned allocations in relation to the South Hams SAC.

This information has already been relayed to the Staverton Group and it is understood that moves to address the issues raised are being made. Please contact Duncan Smith if further information or assistance is required.

**The group have applied to Locality for a grant for Aecom to carry out SEA and HRA**

## **7) Conclusion**

The Staverton 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.

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.

As is clear, however, from the comments presented above the Council have significant concerns regarding the Housing Strategy proposed in the Draft Neighbourhood Plan.

**The group hopes that the justifications given and amendments to the plan which are proposed will overcome SHDC's concerns.**

SHDC considers, however, that the draft Staverton 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.

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