

Working together



South Hams District Council

Response to the

Aveton Gifford Neighbourhood Plan Regulation 16 consultation

February 2020

The Aveton Gifford Neighbourhood Plan was submitted to South Hams District Council on 8th November 2019. The Council was satisfied that the submission draft and accompanying documents complied with all the relevant statutory requirements

The plan was publicised in accordance with Regulation 16 of the Neighbourhood Planning (General) Regulations and representations invited between Friday 15th November 2019 to 3rd February 2020 (NB: the consultation period was extended to the 10th January 2020 to allow for Christmas then to 3rd February 2020 since access to certain documentation relating to the Plan proved difficult to access for some consultees) . South Hams District Council made a full response to the Regulation 14 consultation carried out by the Qualifying Body in respect of the Aveton Gifford Neighbourhood Plan. This response is attached to this document

This document sets out South Hams District Council's response to the Regulation 16 version of the plan, focussing on the extent to which it is considered that the current version of the draft plan has responded to comments made at Regulation 14 and whether any significant concerns remain.

Overall, the Council is satisfied that the Regulation 15 draft neighbourhood plan has taken adequate account of comments made at Regulation 14, and that the consequent rewording of the document has resulted in a stronger plan.

Comments on the General Text

- 1) Page 14, Paragraph 45 The reference to "JLP Policy TTV 31" should read "JLP Policies TTV 25 and 26".

Policy/Text	Comments
POLICY AG1: DEVELOPMENT AND THE SETTLEMENT BOUNDARY	No comment.

<p>1. Development will be permitted inside the village settlement boundary 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 the AONB, natural or historic assets, local amenity, traffic, parking or safety.</p> <p>2. Elsewhere in the parish development will be strictly controlled and only permitted where it can be delivered sustainably and requires a countryside location or will meet a proven local need which cannot be met inside the settlement boundary.</p>	
<p><u>POLICY AG2: DESIGN AND LAYOUT OF NEW DEVELOPMENT</u> New development should:</p> <ul style="list-style-type: none"> a) be of high design quality appropriate to the site and not compromising the character or amenity of the AONB, b) be generally small-scale and in keeping with the village scene, c) be attractive, inclusive and accessible, reducing opportunities for crime, disorder and antisocial behaviour and supporting community safety and cohesion, d) be linked to the village centre by safe walking and cycling routes and be served by safe highway access, e) incorporate adequate car parking with at least one space for a single bedroom dwelling, at least two spaces for a two bedroom dwelling and at least three spaces for anything larger, f) incorporate a high standard (quality and quantity) of private open space and provision of public open space or contribution towards off site provision, g) incorporate measures to minimise flood risk and assure satisfactory foul and surface water drainage, h) incorporate measures to reduce carbon through the use of renewable energy, water and waste recycling and energy efficiency measures, and i) contribute towards the provision or enhancement of community facilities and infrastructure in line with Policy AG7: Community Facilities and Infrastructure. 	<p>No comment</p>
<p><u>AG3: AFFORDABLE, SELF-BUILD AND SHELTERED HOUSING</u> a) Affordable homes and/or contributions towards affordable homes will be welcomed and should be included in new housing development at least in line with adopted policies.</p>	<p>No comment</p>

<p>b) Where affordable homes form part of a scheme, development should be designed and laid out so that open market and affordable homes are all of good locally distinctive design, suitably mixed in with and indistinguishable from one another.</p> <p>c) Affordable homes should first be made available to those with a local connection.</p> <p>d) Self-build housing will be welcomed and should be incorporated in new housing schemes if possible.</p> <p>e) Sheltered housing and accommodation for the elderly will be welcomed and should be laid out to incorporate high quality outdoor communal space, good access to public transport and suitable parking provision for residents, staff and visitors.</p>	
<p><u>POLICY AG4: NEW BUSINESS AND EMPLOYMENT DEVELOPMENT</u></p> <p>1. New business development will be welcomed providing it will:</p> <p>a) be in keeping with the locality,</p> <p>b) cause no nuisance to neighbours,</p> <p>c) incorporate safe access and adequate parking, and</p> <p>d) not increase traffic through the village.</p> <p>2. Change of use of suitable redundant farm buildings to employment use will be supported providing the conversion will:</p> <p>a) not compromise the rural setting of the building,</p> <p>b) be converted to no more than minimal alteration to the existing structure,</p> <p>c) not involve residential or holiday housing, and</p> <p>d) meet the requirements of clause 1 above.</p>	<p>No comment.</p>
<p><u>POLICY AG5: DEVELOPMENT AT MILLHAYE AND CHURCH FIELD</u></p> <p>Development is proposed at Millhaye and Church Field. It should demonstrate high quality design that respects the special architectural and historic interest of the Conservation Area and contributes positively to its setting. Development should also seek to conserve and enhance the setting of the Grade II listed farm buildings at Tree Farm to the south of the site. The development shall include:</p> <p>a) About 20 new open market homes on sites 1b & 1c, and in addition about 6 affordable homes (inclusion of self-build homes within this number will also be welcomed, as well as provision for senior living accommodation).</p>	<p>As a result of comments made by Historic England the Council's Specialist (Heritage) Graham Lawrence has clarified the Council's views in respect of this Policy</p> <p>"1 Millhaye – This presents no significant issues in heritage terms in principle as inter-visibility is limited. Design and materials must be complementary to the CA character so the proposal for a masterplan is welcome. How the site is accessed and how car parking is screened by landscaping will be important. Poorly sited and designed vehicular access could harm the attractive approach</p>

<p>b) Space for a public car park to the south of the site, with about 30-50 car parking spaces to serve the needs of the village, which shall be laid out and usable for public use before the first house is occupied.</p> <p>c) Good safe pedestrian and vehicular access, including good pedestrian circulation within the site, and</p> <p>d) suitable and satisfactory drainage and flood prevention measures.</p> <p>A masterplan shall be prepared for the whole site, including consultation with and involvement of the local community, showing how the whole of the development can be safely and satisfactorily laid out and delivered, and how construction traffic will be able to access the site from its northern edge so as to minimise disturbance.</p> <p>Development shall not commence until that masterplan has been approved in writing by the local planning authority.</p>	<p>to the village conservation area. The shape of the plot suggests access via the old lay-by is being considered as there is substantial Devon banking from there to the village. If so this could lead to a quite evident feeder road parallel with existing and if this is poorly designed with streetlamps, excessive pavements etc it would urbanise what is a very rural edge of village scene.</p> <p>1b Churchfield – The same issues apply here. It looks like access will be from the west which will necessitate a bridge which will need careful design consideration.”</p>
<p><u>POLICY AG6: DEVELOPMENT ADJOINING PULLEYS CLOSE – BARTON FIELD</u></p> <p>Development of 6-8 new houses is proposed at a site adjacent to Pulleys Close. Development should demonstrate high quality design that respects the special architectural and historic interest of the Conservation Area and contributes positively to its setting. A contribution towards affordable housing will be required.</p>	<p>As a result of comments made by Historic England the Council’s Specialist (Heritage) Graham Lawrence has clarified the Council’s views in respect of this Policy</p> <p>“The Barton Field site has been well assessed by Jenny Chester and Richard Gage so I have nothing to add.”</p> <p>NB The assessment referred to at 2) prepared by Jenny Chester of Historic England is attached to the Council’s regulation 16 response</p>
<p><u>POLICY AG7: COMMUNITY FACILITIES, TRANSPORT AND INFRASTRUCTURE</u></p> <p>1. Development that will demonstrably support the vibrancy and vitality of the village and wider community will be supported.</p> <p>2. Proposals for additional community facilities and infrastructure will be supported, providing the proposal will include safe and satisfactory access and parking arrangements, sustainable drainage which will not exacerbate existing overflow problems, and will not cause loss of privacy or nuisance to neighbours.</p> <p>3. Potential expansion land (site 3) is safeguarded for school use only.</p>	<p>a) In terms of 3) As a result of comments made by Historic England the Council’s Specialist (Heritage) Graham Lawrence has clarified the Council’s views in respect of this Policy:-</p> <p>“The positive benefits of school improvement would likely outweigh any slight harm to setting of heritage assets but design is key. Not only building design but how any required groundworks are accommodated.”</p> <p>b) The question was asked in the Council’s Regulation 14 comments whether Devon County Council supported this allocation. No evidence appears in the Regulation 15 Version of the Plan to answer this question.</p>

<p>4. To safeguard the sustainability of the local community, development that would result in the loss of the village shop, church or pub, or which would adversely affect the amenity value of a local community facility, will not be permitted unless</p> <ul style="list-style-type: none"> (a) there is no longer any need or demand for the facility, (b) it can be shown to be no longer economically viable, or (c) alternative equivalent or better provision of the facility is made at a suitable location elsewhere in the parish. <p>The church is added into the list of specified facilities to reflect para 70a of the plan, and the three tests (a, b and c) are specified to respond to SHDC's expressed concerns. The policy clause as written closely resembles others that have been successfully adopted all around the country.</p> <p>5. The following-g priorities for the provision or enhancement of community facilities and infrastructure in Aveton Gifford have been identified: Page 23 Aveton Gifford Neighbourhood Plan to 2034 v1.27</p> <ul style="list-style-type: none"> a) refurbishment or rebuilding of the Memorial Hall (village hall), b) relocation of Memorial Hall car park to facilitate the village hall scheme, c) contributions to help support parish and community-owned amenities, d) traffic calming and other measures to reduce traffic speeds and volumes and improve pedestrian safety in the village, e) contribution towards the maintenance of Parsons Brook, which is vital to minimise fluvial flood risk to the village, and f) provision of a footbridge to cross the Avon. <p>New development in Aveton Gifford will be required, where appropriate and where the requirement arises from the proposed development, to contribute to the above priorities through a Section 106 obligation or CIL, in accordance with adopted standards.</p>	
<p><u>POLICY AG8: PROTECTING THE LANDSCAPE AND BIODIVERSITY</u> Development shall not harm but should conserve and enhance landscape and biodiversity by:</p>	<p>No Comment</p>

<p>a) having regard to the special qualities of and national and local strategic policies to protect and enhance the AONB and the South Devon AONB Planning Guidance</p> <p>b) having regard to national and local strategic policies to protect and enhance Sites of Special Scientific Interest (SSSIs), County Wildlife Sites, species and habitats,</p> <p>c) safeguarding and enhancing local features that make a positive contribution to the landscape, particularly areas of green space, green lanes, estuary, salt marshes and trees, and</p> <p>d) incorporating high quality landscaping which retains existing features, reinforces local landscape character, restores degraded landscapes, and provides mitigation from harm.</p>	
<p><u>POLICY AG9: HERITAGE AND CONSERVATION</u></p> <p>Development shall not harm but shall conserve and enhance designated and non-designated historic and heritage assets and their settings, both above and below ground, by having regard to national and local strategic policies for heritage and conservation.</p>	<p>If non designated assets are to be mentioned in this Policy then they should be identified in an appendix which is cross referenced in text of the Plan. This does not appear to be the case.</p>
<p><u>POLICY AG10: LOCAL GREEN SPACES</u></p> <p>1. The following areas are designated as green spaces in the plan:</p> <p>a) The Village Green and adventure play area</p> <p>b) Rectory Lawn</p> <p>c) Memorial Hall grounds</p> <p>d) Pittens Walk</p> <p>e) Allotments Field</p> <p>f) Junior play area at Icy Park</p> <p>The local green spaces identified in the plan will be safeguarded from development. Only minor development directly associated with and necessary for the public enjoyment of the green space will be permitted. All these Local Green Spaces are in current use by the parish.</p>	<p>No comment</p>