

Brixton Parish Neighbourhood Plan

Comments on SHDC Response

7th April 2019



South Hams District Council

Response to the

Brixton Neighbourhood Plan Regulation 16 consultation

March 2019

The Brixton Neighbourhood Plan was submitted to South Hams District Council on 31st January 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 1st February 2019 and 15th March 2019.

South Hams District Council made a full response to the Regulation 14 consultation carried out by the Qualifying Body in respect of the Brixton Neighbourhood Plan. 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.

Modifications to the Plymouth and South West Devon Joint Local Plan (JLP) were consulted on during the final preparation of the Brixton Neighbourhood Plan as a result minor revisions are required to the text of the Plan are required in certain instances where the JLP is referred to as follows:-

- Preface, Page 1, first sentence... the JLP has not as yet been adopted
- Preface, Page 1, sixth sentence... the published modifications to the JLP remove Brixton's status as a Sustainable Village.
- Page 17, fourth paragraph, second sentence... the published modifications remove Special Landscape Areas from the JLP.
- Page 41, fourth para, third sentence...the published JLP removes the indicative housing allocations from AONB settlements and their status as Sustainable Villages.

In terms of the Brixton Neighbourhood Plan policies (it should be noted that Policy D7 is not present, it is assumed this is a numbering error) the following minor amendments are suggested:-

Policy/Text	Comments
<p>Env1. No development shall be permitted that would harm the natural beauty and special qualities of the South Devon AONB. Any development must maintain and enhance the South Devon AONB and its setting, paying full regard to national and local strategic policies for the AONB and to the South Devon AONB Planning Guidance. This is particularly relevant in the case of cumulative impact of individual developments, and the preservation of tranquillity and biodiversity of the Yealm Estuary and Cofflete Creek environs.</p>	<p>No comments</p>
<p>Env2. The fields identified on Environment and Landscape Policy Env Map 3: Policy Area Env2 will be protected from development to maintain the important public open views across the South Devon AONB that define the setting and character of Brixton village and its eastern and western approaches.</p>	<p>Env2 replicates National and Local Policy aimed at protecting areas such as this. If there are specific local attributes/issues that require consideration these should be clearly identified.</p> <p>BNP Comment:The 2 fields are immediately adjacent the defined settlement boundary and both have been identified for their significant contribution in visually defining the eastern and western ends of the village. Both fields provide important views across open countryside, particularly from the A379, to allow for the appreciation and enjoyment of the beauty of the South Devon AONB by residents and visitors alike. Whilst the eastern field lies within the South Devon AONB, the western field lies adjacent the AONB and not within it. There is great concern that these 2 fields which mark the boundary of the village along the A379 are at risk of opportunist development due to their proximity to the settlement boundary. The western field in particular is vulnerable as it does not have the benefit of the protection afforded by being within the AONB and it is known that the eastern field landowners have an interest in developing this particular field.</p>
<p>Env3.</p>	<p>No comment</p>

<p>(a) Priority Habitat throughout the parish, including parkland at Cofflete Park, ancient woodland along Cofflete Creek, and the River Yealm estuary at Steer Point and its mud flats as shown on Environment Habitat Policy Map (Env Map1), will be protected and enhanced.</p> <p>(b) Important woodlands are to be conserved and enhanced for their contribution to the character and bio-diversity of the parish. See Appendix 8: Env Map 5.</p> <p>(c) No development that could result in pollution of the estuarine waters will be permitted.</p>	
<p>Env4. (a) A green corridor will be maintained for visual and ecological significance to protect against the further urban expansion east of Plymouth along the A379, and to safeguard the individual identities of Chittleburn, Combe, and Brixton village, as defined on Env Map 3: Policy Area Env4.</p> <p>(b) Measures to improve the appearance of the A379 route through Brixton, particularly through measures such as tree planting and green landscaping, will be supported. See Env Map 3.</p>	<p>Env 4 (a) This replicates National and Local Policy aimed at protecting areas such as this. If there are specific local attributes/issues that require consideration these should be clearly identified.</p> <p>BNPN Comment: There is concern that continued pressure to expand the western boundary of Plymouth will start to erode the green corridor that currently defines the separate hamlets of Chittleburn and Combe. The green corridor is also important in maintaining an ecological link to, through, and beyond Brixton village by safeguarding the existing green spaces and existing trees. Env 4 (b) exists to support this protected green corridor.</p>
<p>Env5. The Local Green Spaces identified on Environment Policy Map Env Map 3 will be protected and enhanced. Only development directly associated with and necessary to improve the green spaces will be permitted within them. See Appendix 7 for selection criteria.</p>	<p>It would be helpful to list the allocated LGS sites in the Policy</p> <p>BNPN Comment: The LGS sites are clearly listed in the Policy Map Env Map 3 to which the policy refers to. Evidence for the selection of the LGS spaces is provided in Appendix 7.</p>
<p>Env6. The area identified as the Brixton Strategic Countryside (Env Map 3) shall be safeguarded during the Plan period (2014-</p>	<p>Discussions have taken place with the Brixton Group regarding this Policy replicating National and Local policy. The Group consider this approach is necessary in the light of the Sherford allocation.</p>

<p>2034) except in the event that a future Housing Needs Survey identifies the need for essential, affordable local housing for Brixton community. In which case small numbers of well designed, sensitively located housing might be considered; in any event not before 2023 when the first review of this Plan is due. This review will also consider the development progress of Sherford and any impact on the Brixton Strategic Countryside. No development will be permitted that adds substantially to the cumulative impact of development in the village that will adversely impact on the social wellbeing and character of the village.</p>	
<p>Env7. Development proposals are required to avoid harm and must conserve, restore and enhance designated and nondesignated historic and heritage assets (both above and below ground) and their settings.</p>	<p>No comment</p>
<p>Env8. Private or community renewable energy generation schemes will be supported provided they are designed to avoid harm to the South Devon AONB, local heritage, biodiversity, landscape, views and skylines, through noise or other nuisance and are appropriate to the setting of Brixton Parish.</p>	<p>No comment</p>
<p>Env9. Located in the South Devon AONB, the land currently occupied by the South Devon Repairs and Sales Garage (Env Map 5) is of strategic value to Brixton due to its location at the core of the village and its open character within the setting of</p>	<p>No comment</p>

<p>the AONB. Any development on this site must retain the open frontage to the A379 and the far reaching views over the AONB.</p>	
<p>Env10. Any development of the former Steer Point Brickworks hard standing (refer to Env Map 5) must be tightly controlled. This large area of previously developed land is within a highly sensitive area of the South Devon AONB and other landscape designations. Only sustainable development proposals to enhance this sensitive site and provide substantial community benefit in perpetuity in this special location will be considered and should take fully into account the following factors:-</p> <ol style="list-style-type: none"> 1) The sites location in the South Devon AONB and the designated Heritage Coast and adjoining SSSI designations. 2) The site's isolated nature in terms of the Brixton settlement. 3) The unsatisfactory system of roads that serve the site. 4) The potential of the sites redevelopment to offer sustainable benefits to the Brixton community. 	<p>No comment</p>
<p>Cof1. The following local facilities are being proposed as Assets of Community Value*: St Mary's Church, The Post Office, The Foxhound pub, The Scout hut, St Mary's School and Ladybirds Nursery. Assets of Community Value shall be protected and retained. The loss or redevelopment of the these facilities will not be permitted without overriding justification. Where justification for</p>	<p>No comment</p>

<p>change of use is claimed, at least one of the following must be demonstrated:</p> <ul style="list-style-type: none"> • that the facility has been or will be replaced with a similar one of equal or greater value to the local community; • that the facility is no longer needed by the community; or • in the case of privately owned businesses, that the facility is no longer financially viable. 	
<p>Cof2. New development will be required to contribute, where appropriate, towards the provision or improvement of community facilities, in accordance with the Brixton Parish Community Facilities Plan* and local priorities which could include but is not restricted to:</p> <p>Contribution can be either as a part of the development proposal or in the form of a financial contribution.</p> <ul style="list-style-type: none"> • a parish hall • off-street car parking/car park • visitor car park in the village • play spaces • allotments • footpath/bridleway/cycle path improvements • traffic speed mitigation • 'greening' the A379 corridor • public river access 	<p>No comment</p>
<p>Cof3. Developments of more than 5 homes shall prioritise the on-site provision of well designed, public landscaped space.</p> <p>Safe children's play areas should be provided on site where appropriate.</p>	<p>Add in after "space"....add in..."where appropriate".</p> <p>BNP Comment: We disagree with this comment to add 'where appropriate' as well designed public realm is very important, however small. Brixton village has suffered from recent poorly designed public landscape space.</p>
<p>Sar1. Public open space, private outdoor sports grounds,</p>	<p>No comment</p>

<p>school playing fields, play spaces and allotments as identified on Policy Sar 1 Map, shall be protected and retained in that use. Only development directly associated with and necessary for their improvement will be permitted unless:</p> <p>(a). an alternative and improved provision is provided that retains its original functional requirements for existing and future users; and</p> <p>(b). the proposal would not result in the loss of an area important for its amenity or contribution to the character of the area.</p>	
<p>Sar2. (a.) Development that will enhance or extend the footpath, bridleway and cycle network will be supported, providing it meets other policy requirements. Proposals will be particularly welcome which will improve those routes identified in the Sport and Recreation Plan</p> <p>(b). Recreational connectivity with Sherford and the Community Park shall be provided by a designated pedestrian, cycle and bridleway route along Monkey Lane. Improvements for nonvehicular recreational access to Monkey Lane will be supported.</p> <p>c) . A new footpath shall be provided between Hilltop Lane, and the junction of Dodovens Farm access with the A379 at Chittleburn. Refer to Sar Map2 and Tpt Map1 .</p>	<p>No comment</p>
<p>Sar3. Development that will enhance public access to the River Yealm and/or Cofflete Creek will be welcomed and permitted, providing it meets other policy requirements.</p>	<p>No comment</p>
<p>Sar4. New development will be required to contribute,</p>	<p>No comment</p>

<p>where appropriate, to existing and the provision of new sport and recreation facilities as identified in the Brixton Parish Sport and Recreation Plan.</p>	
<p>Tpt1. Development shall be designed to enable and encourage the use of sustainable modes of transport. Nonresidential developments shall provide suitable secure cycle racks.</p>	<p>Replace "shall be" in first sentence with "should" and end this sentence with "where appropriate". Replace "shall " in second sentence with "should" and end this sentence with "where appropriate". BPNP Comment: We do not agree to substitution of the 'Shall' with 'Should' as 'should' is not definitive enough.</p>
<p>Emp1. The change of use of existing employment land will not be permitted without a clear demonstration of community benefit.</p>	<p>This policy would be better served by using a criteria based policy. A marketing test criterion should be included. BPNP Comment: This is the first time the group has received this comment. However, we feel that it is important to protect rural employment opportunities on land within the Parish for the local and wider community. SEE BELOW**</p>
<p>Emp2. Employment Area 1 (refer to inset Map Emp1: Insert 2) (a) Within the existing employment area at Chittleburn, Employment Area 1, the change of use resulting in the loss of land or premises from employment use will not be permitted. (b) The identified sites EMP2a and 2b in the vicinity of Dodovens Farm/Chittleburn Business Park are preferred for B1 light industrial development to complement the existing businesses already operating at this location and Chittleburn. In addition to other policy requirements sites EMP2a and 2b will be required to deliver:</p> <ul style="list-style-type: none"> • The footpath link from Hilltop Lane to Chittleburn • Suitably designed car parking in terms of numbers and visual impact mitigation 	<p>Emp2 (a) This policy would be better served by using a criteria based policy. A marketing test criterion should be included. BPNP Comment: This is the first time the group has received this comment. However, we feel that it is important to protect rural employment on this land as it is easily accessible, well screened in terms of visual impact and provides an identifiable and appropriate location where numerous businesses can co-exist.</p> <p>Emp2 (b) No comment</p>

** Perhaps the Policy could be amended after the wording "not be permitted without a clear demonstration of community benefit" to include "or where demonstrable evidence provides proof that employment use is no longer viable"

<ul style="list-style-type: none"> • Maintain existing Screening landscaping along the A379 and provide new tree/hedgerow screening along Hilltop Lane and to the proposed southern edge of Dodovens Farm. • Buildings shall be integrated into the landscape to mitigate visual impact from public view points • Attenuation of surface water to prevent flooding of the stream on the northern boundary of Dodovens Farm. 	
<p>Emp3. Employment Policy Area at Staddiscombe Service Station/Supermarket . See Map Emp1: Insert 1. The site at Carrollsland/Wembury Road and Staddiscombe Road shall be retained in use for the existing supermarket/petrol filling station or, should that cease to operate, for A1 or B1 uses only. Other changes of use will not be permitted.</p>	<p>This policy would be better served by using a criteria based policy. A marketing test criterion should be included.</p> <p>BPNP Comment: This is the first time the group has received this comment. However, we feel that it is important to protect this small parcel of employment land within the Parish for the benefit of local and wider community with appropriate employment uses.</p>
<p>Emp4. Existing recreational and tourism facilities shall be retained for that use. Only improvements directly associated with and necessary for their viability will be permitted unless:</p> <p>(a) alternative and improved provision will be made in a location well related to the functional requirements of that use; and</p> <p>(b) the proposal would not result in the loss of, or harm to, an area important for its contribution to recreation and tourism.</p>	<p>This policy would be better served by including a marketing test criterion.</p> <p>BPNP Comment: The existing recreational and tourism facilities are a small but important addition to Brixton Parish. These small scale facilities vary in nature and therefore we are not sure how a market test criterion would work?</p>
<p>Dev1. Location, scale and character of development. Within the settlement boundary the scale, density and character of</p>	<p>No comment</p>

<p>development shall be in keeping with its site and surroundings and shall cause no adverse impacts on natural or historic assets, important views, outlooks or skylines, local amenity, traffic, parking or safety.</p>	
<p>Dev2. All new development must be of high quality and appropriately designed for the context in which it is proposed, with respect to its neighbours and the rural character of Brixton village and across the Parish. Development shall take into account topography, layout, building orientation, massing, landscaping, public green space and associated public realm, to minimise visual, ecological and social impact.</p>	<p>No comment</p>
<p>Dev3. Appropriate and sensitive restoration or conversion that secures a viable long-term future for a non-designated heritage asset, which would otherwise be lost, may be permitted.</p>	<p>No comment</p>
<p>Dev4. Design, where appropriate, shall optimise the orientation of new development to capitalise on solar energy to reduce energy consumption. Development comprising the use of renewable energy and low carbon materials will be encouraged where it does not harm the character and appearance of the Parish and the landscape.</p>	<p>No comment</p>
<p>Dev5. To ensure that pressure on existing on-street parking is not increased all new developments must include well designed</p>	<p>Replace “must” in first sentence with “should where appropriate”. Second sentence to be replaced with ... “In residential developments at least two parking space should be provided provided for two bed properties, with a further additional parking</p>

<p>off-street parking and cycle storage for residents and visitors. In residential developments at least one parking space must be provided for each bedroom, with a further additional parking space for properties with more than 3 bedrooms.</p>	<p>space for properties with more than 3 bedrooms. BNP Comment: We disagree with changing 'must' to 'should where appropriate' as it is not unreasonable to expect that all new provision will be well designed. We do not agree with the proposals for car parking spaces set out by SHDC. However, we would accept the parking standards as set out and adopted in the Newton and Noss NP:</p>
<p>Dev6. No development will be permitted that adds substantially to the cumulative impact of development in Brixton village that will have an adverse affect on the social wellbeing and character of the village.</p>	<p>This policy needs clearer definition in terms of adverse effect. BNP Comment: Recent developments in the Parish (130+ homes), particularly at Canes Orchard have added substantially to the village housing numbers but there has been no increase in facilities, infrastructure, education or employment.</p>
<p>Dev8. Any proposed infill within the village settlement boundary will be required to meet the following criteria: (a) It is sensitive to the history/background of the site (b) Existing non-designated historical features are retained (c) Where an infill site immediately adjacent the A379 is identified for redevelopment, the open character of the site must be retained as part of any plan for its future use. This will preserve the important breaks in the pattern of buildings that contribute to the rural village identity and provide views across the AONB.</p>	<p>No comment BNP Comment: There is no Dev7. Dev8 will be re-numbered as Dev7.</p>
<p>Dev9. The land identified on Dev Map 2, in the ownership of South Hams District Council, is allocated for Affordable Housing for local people in perpetuity. Any loss of hedgerows and trees must be mitigated through the design and layout in respect of the sensitive setting of AONB</p>	<p>No comment</p>

POLICY N3P-5 : MOVEMENT AND PARKING

d. New developments will provide enough off-road parking spaces to ensure that pressure on existing parking is not increased; i. New developments of residential properties must provide:

1 bed = 1 Space, 2 bed = 2 Spaces, 3 bed = 2 Spaces

4 bed = 3 Spaces, 5 bed = 3 Spaces, 6 plus bed = 4 Spaces

Garages will not normally be counted as parking spaces

Commented[SP1]: DEV 7 missing???