
From: Parish, Sally <Sally.Parish@highwaysengland.co.uk>
Sent: 01 June 2020 09:29
To: SW-Neighbourhood Planning
Cc: Garnier, Chrystèle
Subject: Kingswear Neighbourhood Plan Regulation 16 Consultation - Highways England Response.

Dear SW-Neighbourhood Planning,

Thank you for providing Highways England with the opportunity to comment on the submission draft of the Kingswear Neighbourhood Plan. Highways England are responsible for operating, maintaining and improving the strategic road network (SRN) which in this case comprises the A38 which passes some distance to the west of the Plan area. We previously provided comments on the pre-submission draft Plan in September 2019.

We have reviewed the submission version draft and remain satisfied that the proposed policies within the Plan are unlikely to result in development which will adversely impact the SRN and we therefore have no specific comments to make. These comments do not however prejudice any future responses Highways England may make on site specific applications as they come forward through the planning process, and which will be considered by us on their merits under the appropriate policy at the time.

Kind regards

Sally

Sally Parish, Planning Manager (Highways Development Management), Operations

Highways England | Ash House | Falcon Road, Sowton Ind. Estate | Exeter | EX2 7LB

Phone: 07834 974215

Web: <http://www.highways.gov.uk>

Please note I am currently working from home and can be contacted by phone on the above mobile number



From: SW-Neighbourhood Planning [<mailto:NeighbourhoodPlan@swdevon.gov.uk>]

Sent: 28 May 2020 13:31

Subject: FW: Kingswear NP

Dear Consultee,

As a consultee to the Kingswear Neighbourhood Plan, I am writing to you in accordance with Regulation 16 of the Neighbourhood Planning Regulations to inform you that we have now received the Kingswear Neighbourhood Plan proposal.

We will formally consult on this document for a period of 6 weeks from Monday 1st June 2020 to Monday 13th July 2020.

The consultation will take place during a period when Government restrictions relating to COVID 19 will be in place. The Government have issued guidance regarding consultation process during these difficult times which can be accessed on the following link

<https://www.gov.uk/guidance/neighbourhood-planning--2#covid-19>

Having considered this advice South Hams Council, following discussions with Kingswear Parish Council, have decided to proceed with this consultation. In order to take account of the restrictions the Parish Council will make hard copies of the Plan available if requested subject to necessary Covid19 precautions being adhered to. Please contact Kingswear Parish Clerk, by mail or telephone if you wish to obtain a copy (details below):-

Kingswear Parish Clerk

Sue Balsdon

Flat 3

9 St Matthews Road

Torquay

Devon TQ2 6JA

Tel: 07863227031

Please response to this consultation by email to SW-Neighbourhood Planning <NeighbourhoodPlan@swdevon.gov.uk>

If we do not hear from you before the 13th July 2020 we shall assume you have no comments to make.

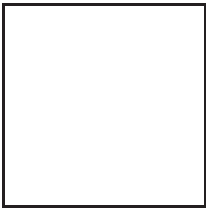
You may view a copy of the plan and accompanying documentation via our [website](#) or the Neighbourhood Plan website: kingswearneighbourhoodplan.co.uk

Many thanks

Sarah Packham | Neighbourhood Planning Senior Case Manager
West Devon Borough Council | South Hams District Council

Working days - Tuesday, Wednesday, Thursday





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<https://www.gov.uk/government/organisations/highways-england> | info@highwaysengland.co.uk

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From: Developer Services Planning <DeveloperServicesPlanning@southwestwater.co.uk>
Sent: 10 June 2020 15:05
To: SW-Neighbourhood Planning
Subject: RE: Kingswear NP

Sarah thanks for this content noted and upon which South West Water has no comment.

Regards

Martyn Dunn Pre-Development Technical Advisor



D: 01392 443702

Peninsula House, Rydon Lane, Exeter, EX2 7HR
www.southwestwater.co.uk

From: SW-Neighbourhood Planning [mailto:NeighbourhoodPlan@swdevon.gov.uk]
Sent: 28 May 2020 13:31
Subject: FW: Kingswear NP

EXTERNAL EMAIL - This email is from an external source.

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Kingswear Parish Clerk

Sue Balsdon

Flat 3

9 St Matthews Road

Torquay

Devon TQ2 6JA

Tel: 07863227031

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Many thanks

Sarah Packham | Neighbourhood Planning Senior Case Manager
West Devon Borough Council | South Hams District Council

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www.southhams.gov.uk



www.westdevon.gov.uk



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Registered Office:
Peninsula House
Rydon Lane
Exeter
Devon EX2 7HR

From: SM-NE-Consultations (NE) <consultations@naturalengland.org.uk>
Sent: 22 June 2020 15:44
To: SW-Neighbourhood Planning
Subject: NE Response 319960 Kingswear NP
Attachments: Public Notice - Kingswear (002).pdf; 319960 NE Response.pdf

For the attention of Ms Packham

Kingswear Neighbourhood Plan - Regulation 16

Please find attached Natural England's response in relation to the above mentioned consultation.

Kind regards,

Victoria Kirkham
Operations Delivery
Consultations Team
Natural England
County Hall
Spetchley Road
Worcester WR5 2NP

www.gov.uk/natural-england

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.



During the current coronavirus situation, Natural England staff are working remotely to provide our services and support our customers and stakeholders. All offices and our Mail Hub are closed, so please send any documents by email or contact us by phone or email to let us know how we can help you. See the latest news on the coronavirus at <http://www.gov.uk/coronavirus> and Natural England's regularly updated operational update at <https://www.gov.uk/government/news/operational-update-covid-19>.

Stay alert, control the virus, save lives.

Natural England offers two chargeable services - the Discretionary Advice Service, which provides pre-application and post-consent advice on planning/licensing proposals to developers and consultants, and the Pre-submission Screening Service for European Protected Species mitigation licence applications. These services help applicants take appropriate account of environmental considerations at an early stage of project development, reduce uncertainty, the risk of delay and added cost at a later stage, whilst securing good results for the natural environment.

For further information on the Discretionary Advice Service see [here](#)

For further information on the Pre-submission Screening Service see [here](#)

From: SW-Neighbourhood Planning [<mailto:NeighbourhoodPlan@swdevon.gov.uk>]

Sent: 28 May 2020 13:31

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Kingswear Parish Clerk

Sue Balsdon

Flat 3

9 St Matthews Road

Torquay

Devon TQ2 6JA

Tel: 07863227031

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Many thanks

Sarah Packham | Neighbourhood Planning Senior Case Manager



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Public Notice



Kingswear Parish Council has submitted their plan proposal to South Hams District Council for their designated Neighbourhood Development Plan Area, in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended).

South Hams District Council is consulting residents and other interested stakeholders on the plan proposal for the Kingswear Parish Neighbourhood Development Plan Area.

Consultation will run for 6 weeks between Monday 1st June and Monday 13th July 2020.

To view the full plan proposal please visit:

<https://www.neighbourhoodplanning.swdevon.gov.uk/kingswear>

or kingswearneighbourhoodplan.co.uk



Please note: Any comments made about the proposed plan area cannot be treated as confidential and may be made publicly available at the Council's offices and on the website. Your personal information will be held securely by South Hams District Council for the above purpose, in accordance with the Data Protection Act 1998

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Kingswear Parish Clerk, Sue Balsdon, Flat 3, 9 St Matthews Road, Torquay, Devon, TQ2 6JA
Tel: 07863227031

You can comment by emailing us at neighbourhood.planning@swdevon.gov.uk, or send us your response in writing to: Neighbourhood Planning, South Hams District Council, Follaton House, Plymouth Road, Totnes, TQ9 5NE.

Please make any representations to the Council by 13th July 2020.

If you wish to be notified of the local planning authority's decision under Regulation 19 (the outcome of the independent examination of the plan), please clearly request this when you make comment.

Date: 22 June 2020
Our ref: 319960
Your ref: Kingswear NP



Sarah Packham
Neighbourhood Planning
South Hams District Council
Follaton House
Plymouth Road
Totnes, TQ9 5NE

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

neighbourhood.planning@swdevon.gov.uk

Dear Ms Packham

Kingswear Neighbourhood Plan - Regulation 16

Thank you for your consultation on the above dated 28 May 2020.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made.

Natural England does not have any specific comments on the Kingswear Neighbourhood Plan.

For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

Yours sincerely

Victoria Kirkham
Consultations Team

From: Duncan Smith
Sent: 03 July 2020 14:38
To: Sarah Packham
Subject: FW: Kingswear NP
Attachments: KINGSWEAR PARISH NEIGHBOURHOOD PLAN APRIL 2020ED FINAL PB comments.pdf

Sarah....Can you file with Kingswear responsesTa D

From: Phil Baker <Phil.Baker@swdevon.gov.uk>
Sent: 09 June 2020 10:04
To: Duncan Smith <Duncan.Smith@swdevon.gov.uk>
Cc: Richard Grant <Richard.Grant@plymouth.gov.uk>; Caitlin Murray <Caitlin.Murray@swdevon.gov.uk>
Subject: FW: Kingswear NP

Hi Duncan,
Please see my annotated comments on the draft Kingswear Neighbourhood Plan.

Kind regards

Phil

Phil Baker MA(Hons) MRTPI | Planning Officer | Joint Local Plan Team
For **South Hams District Council**, **West Devon Borough Council** & **Plymouth City Council**
Follaton House | Plymouth Road | Totnes | TQ9 5NE
E Phil.Baker@swdevon.gov.uk | T 01803 861210

From: SW-Neighbourhood Planning <NeighbourhoodPlan@swdevon.gov.uk>
Sent: 28 May 2020 13:31
Subject: FW: Kingswear NP

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Torquay

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Tel: 07863227031

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Many thanks

Sarah Packham | Neighbourhood Planning Senior Case Manager
West Devon Borough Council | South Hams District Council

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www.westdevon.gov.uk

From: Libby Wilton <libbywilton@stantonstone.com>
Sent: 08 July 2020 08:56
To: SW-Neighbourhood Planning
Cc: Tom Wilton
Subject: FW: Response to Kingswear Neighbourhood Plan
Attachments: Response to South Hams District Council.pdf; Pavilion Homes KWNH Plan Review for Mr T Wilton.pdf; Strategic Assessment plan.pdf

Dear Sirs,

I attach my response to the Kingswear Neighbourhood Plan and for ease of reference, I have also attached the initial report produced for me by Pavilion Homes together with a plan showing the two sites referred to. I would be grateful if you would acknowledge receipt of this email.

I would like to be notified of your decision under Regulation 19 in respect of the Neighbourhood Plan.

Yours faithfully,

Tom Wilton

RESPONSE IN RESPECT OF
THE NEIGHBOURHOOD PLAN PROPOSAL
SUBMITTED TO
SOUTH HAMS DISTRICT COUNCIL
BY KINGSWEAR PARISH COUNCIL

Thomas Wilton

7 July 2020

I wish to respond to comments made in one of the accompanying documents submitted with the Neighbourhood Plan, namely the Kingswear Parish Neighbourhood Plan Consultation Statement dated April 2020 (the KPNPC Statement) in relation to a report produced on my behalf by Pavilion Homes following production of the proposed Neighbourhood Plan (the Plan).

With reference to the Plan's **policy K1**, on page 103 the KPNPC Statement points out correctly that the Pavilion Homes report mistook Site RA19 for site SH_30_01_08/13. As a result, Pavilion Homes' assertion that site RA19 was considered viable for development is incorrect, and as the KPNPC Statement continues, "Site RA19 is site SH_30_06_16 in the site information pack for the SHLAA2017 and is considered to have 'Significant Constraints'".

However, the KPNPC Statement omitted the description of the site contained in that information pack which was as follows:

"Site reference SH_30_06_16 – DPD allocated site RA19

Access - Site relates well to the built form of the village with existing housing to both sides. Has frontage onto Brixham Road with a footpath connection towards the village centre opposite the site.

Landscape and Ecology - Located within the AONB. Much of the site is on the steep slope between Brixham Road and Lower Contour Road. **Relates well to the built form of the village is well contained in the local landscape.** Site and surrounding area lie within the Bat SAC Sustenance Zone. The trees on the site are covered by a TPO. Waterhead Creek opposite the site is designated as a County Wildlife Site. **The site is in a sustainable location and relates well to the built-form of the village.** Although much of Kingswear is built on a steep slope, the topography of the site is a challenge to its development."

The conclusion that the site had 'Significant Constraints' clearly reflects the site's topography only, not that it would have an adverse impact on Kingswear or the AONB. The Parish Council's stated view that it is not suitable for development due to its adverse impact on the setting of Kingswear and the AONB is clearly at odds with this and it is unclear why the site has been specifically excluded from the proposed Plan's settlement boundary.

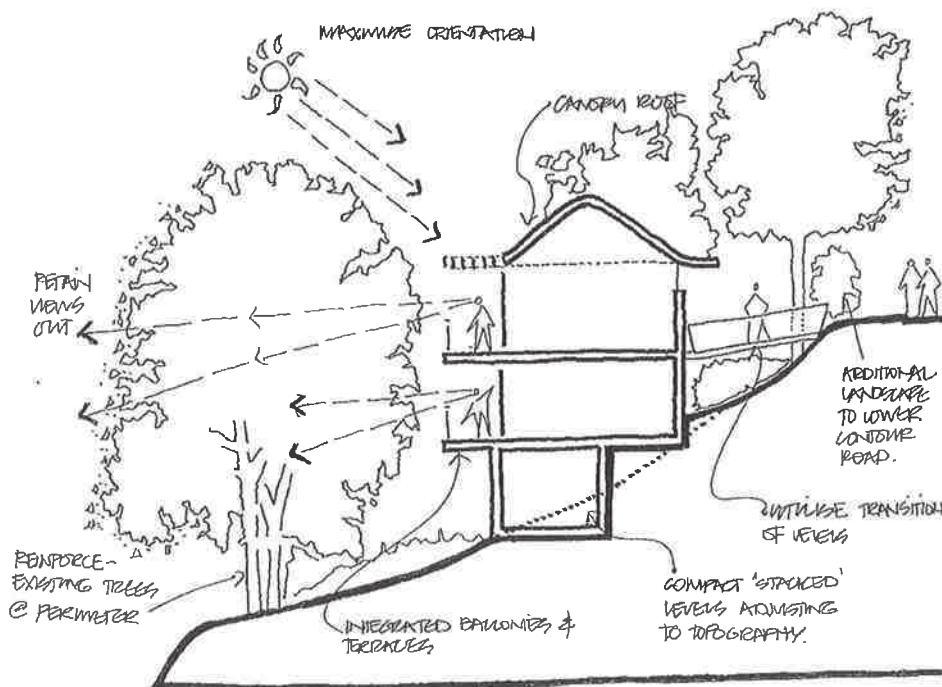
Referring back to **site SH_30_01_08/13**, in Section 11, Annex 4 of the JLP, document HO3 (P338) – South Hams and West Devon Strategic Housing Land Availability Assessment Viability Report dated February 2017 - is referenced. This document states that site SH_30_01_08/13 **is viable for development, with limited constraints that can be overcome.** It is again unclear why this site, and in particular, the section of the site closest to the existing residential curtilage of 'Waterhead House', 'Castella', 'Sunny Cottage' and 'Longfield' has been specifically excluded from the settlement boundary proposed by the Kingswear Parish Neighbourhood Plan.

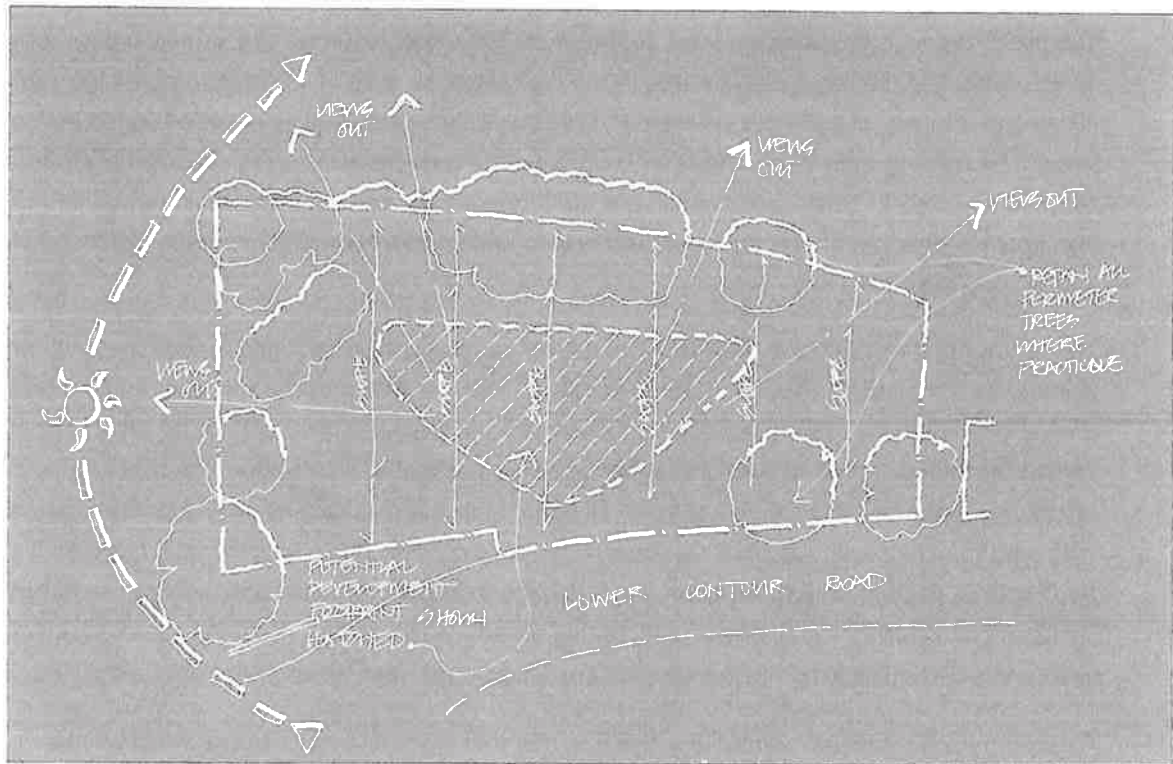
Sensitive development within these sites would naturally take account of **Policy K4** of the Plan in respect of design of development in Kingswear. K4 states that the unique character of the built form in Kingswear village and the wider Parish should be reflected in new development proposals, which should have regard to the guidelines in the Kingswear Parish Character Assessment 2020 (KCPA 2020).

The prevailing architectural character of Kingswear is a direct response to the local topography and as the KCPA 2020 states, it has resulted in the typical appearance of a Dart Estuary village – one clinging to a slope, all buildings visible – and in Kingswear’s case, a village nestled within a wooded slope. The stacked, split level houses with cantilevered terraces and access via external steps have resulted in buildings being more visible but not impeding the view of other buildings behind them. This housing typology allows for maximum developable potential and exploits the expansive views in and around the local area.

The topography within these two sites is consistent with much to be found in the Kingswear area because of the underlying natural landforms. This gives the area and the resultant architecture its unique characteristic as a village clinging to a slope, and we believe should not be seen as a constraint to development. With intelligent massing and spatial distribution, the topography can be effectively employed to minimise the overall scale, bulk and mass of any proposals and to accord fully with the Kingswear Design Guidelines set out in the KCPA 2020. For example, this would allow a two or three storey home to be formed in a stacked, compact configuration utilising the natural slope and maximising the available landscaping to reduce the overall visual impact from surrounding viewpoints without any significant adverse impact on Important Views or the village’s skyline.

For example, what would appear as a single storey dwelling on Lower Contour Road would effectively have the lower storeys concealed sensitively within the site’s contours. To illustrate this, please see the two sketch drawings below depicting potential development within the existing residential curtilage of ‘Waterhead House’, ‘Castella’, ‘Sunny Cottage’ and ‘Longfield’ (in site SH_30_01_08/13).





A development of truly outstanding, innovative and sustainable design within these sites would significantly enhance the immediate setting, and be fully sensitive to the defining characteristics of the local area and the KPCA 2020, and I believe these sites should be included within the settlement boundary proposed by the Kingswear Parish Neighbourhood Plan.

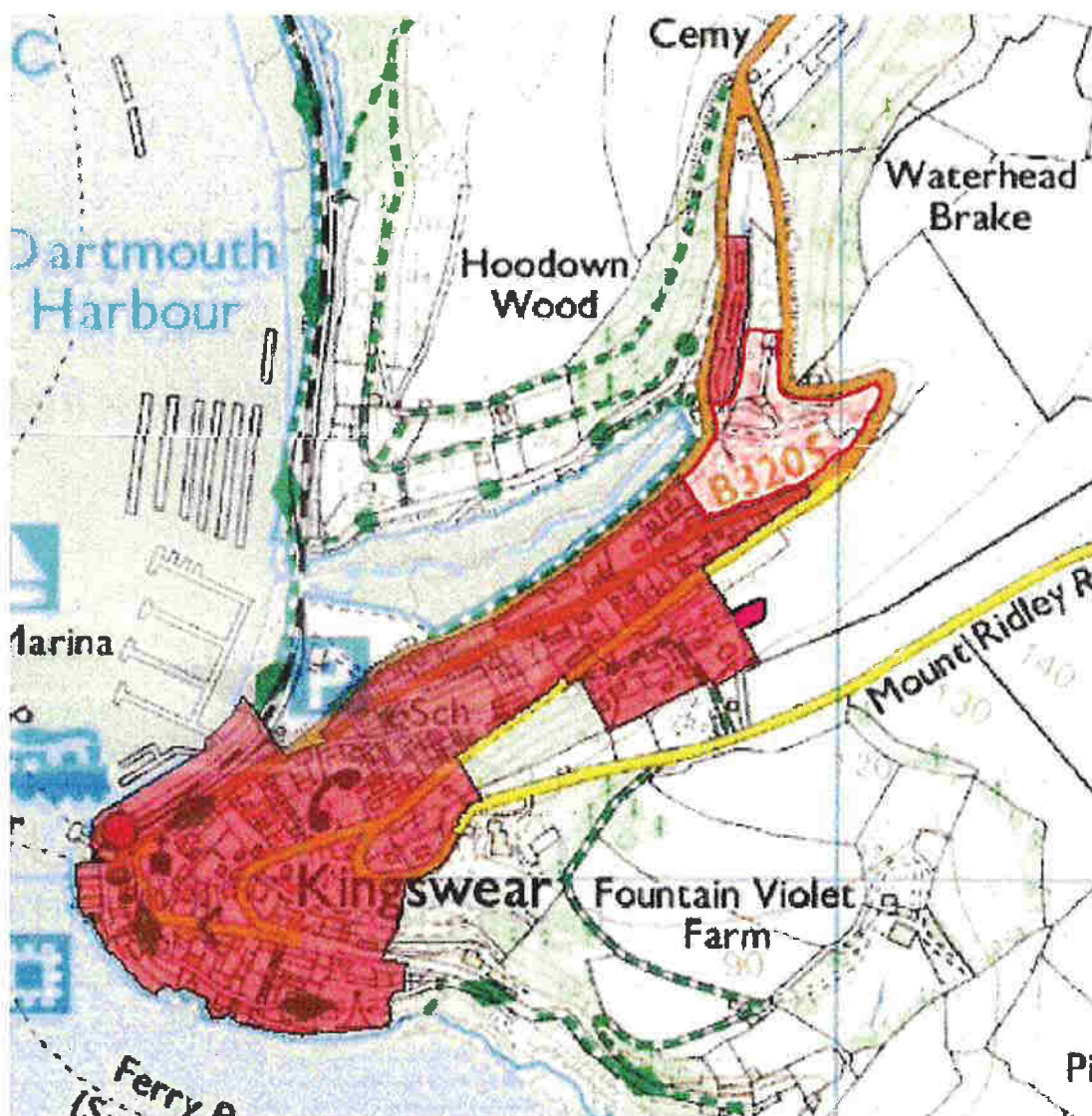
With regard to the Plan's **policy K5**, the Statement confirms that existing homes in Kingswear will be unaffected by the requirement for primary residency. If very few new homes are built, as the Plan asserts will be the case, the Statement's argument that there will be no premium in respect of the sale of existing properties, whether to second home buyers or primary residence buyers, cannot be valid. In addition, as existing homeowners will be free to sell to second home buyers, the 'uncontrolled growth of dwellings used for holiday accommodation' to which the policy refers, is unlikely to be prevented by residency controls over the limited number of new dwellings the Plan is likely to permit. We therefore believe this policy should be revised or revoked.

I would be grateful if you would notify me of your decision under Regulation 19.

Thomas Wilton

7 July 2020

Review in consideration of the pre-submission version June 2019 of the Kingswear Parish Neighbourhood Settlement Boundary Plan 2019-2034



October 2019.

On behalf of Mr Thomas Wilton - in ownership of land off Brixton Road between Lower and Higher Contour Road.

Review in consideration of the pre-submission version June 2019 of the Kingswear Parish Neighbourhood Settlement Boundary Plan 2019-2034.

Prepared by Pavilion Homes.
39 Portland Road,
Hove,
East Sussex, BN3 5DQ
www.sussexcc.co.uk

October 2019

CONTENT

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4) CONCLUSION	20-22

APPENDICES

<https://app.box.com/s/plowgotaf203ja2iojgz6k0iq87s3e28>

- A) Historic Maps of Kingswear, Devon
- B) Arboricultural Survey commissioned for the land off Brixham Road, Waterhead Brake, Kingswear Including site SH_30_01_08/13.
- C) Photographs of land off Brixham Road, Waterhead Brake, Kingswear Including site SH_30_01_08/13.
- D) Ecological Survey commissioned for infill garden land between 'Castella' and 'Longfields' on Higher Contour Road, Kingswear.
- E) Arboricultural Survey commissioned for infill garden land between 'Castella' and 'Longfields' on Higher Contour Road, Kingswear.
- F) Photographs of infill garden land between 'Castella' and 'Longfields' on Higher Contour Road, Kingswear.
- G) Pre-submission version (June 2019) of proposed Kingswear Parish Settlement Boundary.
- H) Display notice referencing Policy 1. Settlement Boundaries at the Open Session held at Hillhead Park on 19th October 2019.

1 INTRODUCTION

- 1.1 This review in consideration of the pre-submission version June 2019 of the Kingswear Parish Neighbourhood Plan 2019-2034 (KPNH Plan) and Kingswear Parish Character Assessment consultation version - June 2019 (KPCA), has been prepared by Pavilion Homes Construction Consultants (PHCC) to examine the proposed Kingswear Parish Settlement Boundary Plan.
- 1.2 PHCC act on behalf of Mr Thomas Wilton who is in ownership of land off Brixham Road between Lower and Higher Contour Road following his grandfather Dr. Thomas Wilton's ownership of 'Longfields' from 1935 to 1976.
- 1.2 The Applicant (Mr Thomas Wilton) is in the process of bringing forward proposals which aim to deliver achievable sustainable development and to enhance the landscape and character within Kingswear Parish.
- 1.3 This Assessment has been structured as follows:
- **Background Summary** – summary of the location and nature of the existing asset;
 - **Planning Policy** – review of the key national, regional and local planning policies.
 - **Conclusions** – statement including concluding rationale.
- 1.4 To inform the report, information prepared by the following independent consultants has been relied upon;
- PHCC – Author
 - Doug Pratt Tree Consultancy
 - Nicolls Basker Partners - Consulting Structural Engineers
 - Western Ecology
 - Dart Forest Tree Works

Limitations

- 1.5 PHCC can confirm that they have the necessary experience in preparing this Assessment and undertaking reviews of this nature.

-
- 1.6** It is provided for the sole use of the party to whom it is addressed. PHCC accepts no responsibility whatsoever to any person other than the client themselves.
- 1.7** Neither the whole nor any part of the report nor any reference thereto may be included in any published document, circular, or statement, or published in any way, without the prior written approval of Pavilion Homes Construction Consultants Limited.

2 BACKGROUND SUMMARY

- 2.1 Mr Wilton's ownership includes Land off Brixham Road adopted as appropriate for development (RA 19) within South Hams Local Development Framework for Rural Areas Site Allocation Development Plan Document February 2011.
- 2.2 The existing Kingswear Parish Settlement Boundary was adopted in 1996 and included land set aside for development (RA 19).
- 2.3 Mr Wilton submitted a pre-application enquiry in 2016 for land adopted as appropriate for development (RA 19) with South Hams District Council – reference 160362 0305/16/PRE - whereby the determining local planning authority issued a report recommending Partial Officer Support (Subject to content within the report and because part of the proposal extended outside the identified settlement boundary).
- 2.4 In 2016 The Kingswear Parish Council applied to South Hams District Council to prepare a Neighbourhood Plan covering Kingswear parish. This plan was to potentially consider how and where future development could take place in Kingswear. The area proposed was to be consistent with the existing Kingswear Parish boundary.
- 2.5 Plymouth & South West Devon Joint Local Plan 2014 -2034 adopted version for full council's March 2019 (JLP) provides strategic role, growth and policies.
- 2.6 The JLP replaces South Hams Rural Areas Site Allocations Development Plan Document adopted 2011.
- 2.7 The JLP within Section 5 refers to strategy for Thriving Towns and Villages. Relevant. Item 5.5 states 'The plan does not define settlement boundaries. However, development outside built up areas will be considered in the context of Policy TTV26 (development in the countryside). Neighbourhood plans may choose to identify settlement boundaries for their towns and villages. A consistent approach

will be encouraged using overarching principles for the drawing of settlement boundaries established by the LPAs. These principles, which were published in the JLP Settlement Boundaries Topic Paper, will be incorporated in the Thriving Towns and Villages SPD.'

- 2.8** The JLP notes that referenced specific sites as Table 5.8 does not include villages within AONBs. This is in acknowledgement of the great weight that should be given to conserving their landscapes and scenic beauty. However, neighbourhood plans may wish to bring forward positive allocations to meet local housing need where justified by an appropriate evidence base. Policy DEV25 sets out the policy approach to considering development proposals in AONBs.
- 2.9** The JLP, within Section 11, Annex 4, references document HO3 (P338). – South Hams and West Devon Strategic Housing Land Availability Assessment Viability Report dated February 2017.

Reference Document HO3 considers site SH_30_01_08/13 – Land off Brixham Road, Waterhead Brake, Kingswear as Viable.

- 2.10** The JLP, within Section 11, Annex 4, references Document HO4B (P339). – Site Information Pack (for Development in Kingswear Parish) issued by South Hams District Council dated March 2017

Reference Document HO4B considers site SH_30_01_08/13 - Land off Brixham Road, Waterhead Brake, Kingswear, - to have limited constraints that can be overcome. Furthermore, it is shown to be the only site without significant constraints considered as part of the exercise.

- 2.11** Historic Ordinance Survey maps of Kingswear show the land between Brixton Road and Lower and Higher Contour Road as greenfield. There has been continued development throughout the 20th Century on this land. Woodland areas shown on these maps are clearly defined as Kingswear Wood, Waterhead Brake (old Quarry) and Hoodown Wood (Appendix A).

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- 2.12** An active Tree preservation Order (TPO) for the land between Lower Contour Road and Brixham Road was confirmed in April 1993 (No.19)
- 2.13** An Arboricultural Survey was commissioned for the land between Lower Contour Road and Brixham Road provided by Doug Pratt Tree Consultancy in March 2015. The report (Appendix B) concludes *'the site is a strand of Sycamore with occasional Ash trees and an individual Turkey Oak, all of which self-seeded approximately 40 years ago. The quality of the great majority of trees is poor; either due to historic bark stripping by squirrels, or due to poor structural form. Therefore, all surveyed trees are 'C' quality, with the potential to be retained for another 10 years, except for one 'B' quality tree: an ASH (T3) with the potential to be retained beyond 20 years'*.
- 2.14** As Appendix C of this document, we provide photographs taken in February 2019 that confirm the tree specimens to be of poor quality and unsustainable.
- 2.15** Land between Lower Contour Road and Brixham Road through development has mitigated the potential of Land Slip. By proposing the frontage of Brixham Road remain undeveloped (as previous incidents in relation to the land), this could present long-term traffic management problems due to the site's proximity to the only highway out of Kingswear.

Consulting Structural Engineers – Nicolls Basker Partners of Teignmouth, Devon have previously provided a report on Landslip to land off Brixham Road, Kingswear.

- 2.16** An ecological survey was commissioned in September 2018 for a site proposal very nearby (infill garden land between 'Castella' and 'Longfields' on Higher Contour Road). The report (Appendix D) confirms in desk study that there are 4 records for Bat species within the 1KM record search area: 2 records for Common pipistrelle: 2 records for Brown Long-eared Bat. It is stated the Site is within a South Hams SAC Berry Head GHB sustenance zone and is 300m to the west and 500m east of a South Hams SAC strategic flyways buffer.

'The flyway is centred along the River Dart to the west, and unlit farmland to the east. These flyways are a network of established routes 500m wide through the landscape, between known roosts and foraging areas. The proposed development site is unlikely to be used on a regular basis by commuting Greater Horseshoe bats, as its suitable features for commuting bats, the eastern hedgerow, is immediately adjacent to a byway, with residences to the north, south and west, and it sits within wooded landscape to either side that has greater potential for foraging and commuting bats.'

'The Greater Horseshoe bat sustenance areas are habitats within 4km of each component roost. Important habitats for foraging Greater Horseshoe bats are permanent pasture grazed by cattle, hay meadows, and wetland features such as streamlines and wet woodland.'

- 2.17** An Arboricultural Survey (Appendix 5) was carried out on this proposed site between 'Castella' and 'Longfield' by Dart Forest Tree works in November 2018, Of the 27 trees surveyed none are 'A' (high quality) category, four are 'B' (moderate quality) category, twenty two are 'C' (low quality) category and one is 'U' (unsuitable for retention quality) category.

'The four 'B' (moderate quality) category surveyed trees are of sufficient quality, in principle, to require that their root protection areas (RPA) and above ground parts are protected through the course of any development. Remaining low quality surveyed trees are notionally of insufficient quality to present a constraint to development in terms of individual arboricultural or collective landscape quality, unless potentially where providing screening or in aggregate i.e. as part of a woodland for instance'.

- 2.18** There is no Ancient Semi Natural Woodland (ASNW) on or immediately adjacent to the site. SHDC electronic mapping service suggests that surveyed trees at Hoodown Wood & Waterhead Brake (this includes trees surveyed in this report) are subject to a Tree Preservation Order ref 525 Varied. Full details are: South Hams District

Council (Parish of Kingswear) (No 36) TPO 2003 varied June 2004 original confirmation date 29 September 2003.

2.19 The Ecological and Arboricultural Surveys follows the Applicant (Mr Wilton) submitting a pre-application enquiry and response reference 1808/18/PRE dated 16th August 2018.

2.20 Within the KWNH Plan, Kingswear Settlement boundary *'has been altered to include Waterhead Close as the last part of the settlement heading North which links the village with the facilities of the Creek and Jubilee Park'*.

As Appendix G, the existing residential curtilage of 'Waterhead House', 'Castella', 'Sunny Cottage' and 'Longfields' which are West and South of Waterhead Close, alongside site allocation RA19 (SH_30_01_08/13) have not been included in the settlement boundary.

2.21 As policy K5 within the KWNH plan, all New Market Properties will be available to be sold only with a covenant for the use of principal residence.

2.22 A Notice Board at the Open Session held at Hillhead Park, 19th October 2019 displayed (as Appendix H) Policy 1. Settlement Boundaries and states as the first sentence:

'The Settlement Boundary (SB) set in the 1996 Local Plan has been repeated in the Kingswear Neighbourhood Plan.'

3 PLANNING POLICY

- 3.1 The following section of this document provides a summary review of the key national, regional and local planning policy

National Planning Policy Framework

- 3.2 The Government’s National Planning Policy Framework (“NPPF”) was adopted in February 2019. At the heart of the NPPF is a presumption in favour of sustainable development, the objective of such can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

The overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and
- c) **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

Relevant NPPF Paragraphs relating to proposed development in Kingswear Parish
Include as listed below;

12. Achieving well-designed places

3.3 Para 124 The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. So too is effective engagement between applicants, communities, local planning authorities and other interests throughout the process.

125. Plans should, at the most appropriate level, set out a clear design vision and expectations, so that applicants have as much certainty as possible about what is likely to be acceptable. Design policies should be developed with local communities so they reflect local aspirations, and are grounded in an understanding and evaluation of each area's defining characteristics. Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.

126. To provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high-quality standard of design. However, their level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified.

127. Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users⁴⁶; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience

3.4 **Para 170 – Conserving and enhancing the natural environment.**

Planning policies and decisions should contribute to and enhance the natural and local environment by:

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and
- f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

3.5 **Para 172 – Conserving and enhancing the natural environment.**

Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks and the Broads⁵⁴. The scale and extent of development within these designated areas should be limited. Planning permission should be refused for major development⁵⁵ other than in exceptional circumstances, and where it can be demonstrated that the development is in the public interest. Consideration of such applications should include an assessment of:

- a) the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- b) the cost of, and scope for, developing outside the designated area, or meeting the need for it in some other way; and
- c) any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

Regional Policy

Plymouth & South West Devon Joint Local Plan 2014 – 2034 adopted March 2019

3.6 Policy TTV1 - Prioritising growth through a hierarchy of sustainable settlements.

The LPAs will distribute growth and development delivering homes and jobs in accordance with the following hierarchy of settlements, enabling each town and village to play its role within the rural area:

1. The Main Towns - which will be prioritised for growth to enable them to continue to thrive, achieve strong levels of self-containment, and provide a broad range of services for the wider area.
2. Smaller Towns and Key Villages - which will receive support for growth commensurate with their roles in supporting the small villages and hamlets.
3. Sustainable Villages - where development to meet locally identified needs and to sustain limited services and amenities will be supported.
4. Smaller villages, Hamlets and the Countryside - where development will be permitted only if it can be demonstrated to support the principles of sustainable development and sustainable communities (Policies SPT1 and 2) including as provided for in Policies TTV26 and TTV27.

5.4 Policy TTV1 sets out the principles to be used to distribute new employment and housing across the Thriving Towns and Villages Policy Area. The distribution is based upon an understanding of the settlement pattern within the rural areas, the role of each of the settlements within this pattern, and how they relate to each other and to the wider Plymouth Housing Market Area (HMA).

5.5 The plan does not define settlement boundaries. However, development outside built up areas will be considered in the context of Policy TTV26 (development in the countryside). Neighbourhood plans may choose to identify settlement boundaries for their towns and villages. A consistent approach will be encouraged through the use of overarching principles for the drawing of settlement boundaries established by the LPAs. These principles, which were published in the JLP Settlement Boundaries Topic Paper, will be incorporated in the Thriving Towns and Villages SPD.

3.7 Policy DEV20 - Place shaping and the quality of the built environment

Development proposals will be required to meet good standards of design, contributing positively to both townscape and landscape, and protect and improve the quality of the built environment through:

1. Using materials and design solutions that are resilient to their context and will endure over time. Larger scale development should seek to address Building for Life criteria or a similar design framework
2. Having proper regard to the pattern of local development and the wider development context and surroundings in terms of style, local distinctiveness, siting, layout, orientation, visual impact, views, scale, massing, height, density, materials, detailing, historic value, landscaping and character, and the demands for movement to and from nearby locations.

3. Achieving a good quality sense of place and character through good utilisation of existing assets such as quality buildings, heritage assets, trees and landscape features and attention to the design details of the scheme. Masterplanning approaches will be strongly encouraged for major schemes.
4. Delivering locally distinctive design.
5. Delivering landscape design that is appropriate to the location of the development, with full consideration given to its future management and maintenance and the need for landscape measures that are resilient.
6. Ensuring that the layout and details of new development adequately contribute towards high standards of community safety and reduce opportunities for crime and fear of crime.
7. Rectifying and repairing damaged environments and townscapes.
8. Enhancing the appearance of key gateway locations and routes into Plymouth and the main towns.
9. Integrating public art into proposals for major developments in Plymouth. Artists should be engaged in the process at an early stage, when the design brief is being scoped. The use of public art will be particularly promoted in strategically important gateway locations for Plymouth and in the city's core tourism area, including the City Centre.

3.8 Policy DEV21 - Development affecting the historic environment

Development proposals will need to sustain the local character and distinctiveness of the area by conserving and where appropriate enhancing its historic environment, both designated and non-designated heritage assets and their settings, according to their national and local significance. The following provisions will apply:

1. The significance, character, setting and local distinctiveness of heritage assets should be considered within an appropriate assessment to determine impact.
2. Great weight will be given to the conservation of the Plan Area's designated heritage assets. Where development proposals will lead to any harm to the significance of a designated heritage asset, they must be fully justified against:
 - i. the public benefits of the development, and whether there are substantial public benefits in cases where there would be substantial harm
 - ii. whether it has been demonstrated that all reasonable efforts have been made to sustain the existing use, find new uses or mitigate the extent of harm to the assets significance and if the work is the minimum required to secure its long term use.
3. Development that harms the significance of locally important non-designated heritage assets, or their contribution to the character of a place will only be permitted where it can be justified on the basis of a balanced judgement, having regard to the scale of any harm or loss and the significance of the heritage asset.
4. Where harm to designated and non-designated heritage assets can be justified applicants will be required to undertake excavation or recording as appropriate, followed by analysis and publication to professionally acceptable standards.
5. Development should help secure the long term sustainable future for the Plan Area's heritage assets, especially those identified as being of greater risk of loss and decay and that might have a community benefit where possible.
6. Development should respond positively and creatively to ensure those elements that contribute to the special character and appearance of conservation areas are conserved or

enhanced using, where appropriate, Conservation Area Appraisals and Management Plans to inform future development.

3.9 Policy TTV25 - Development in the Sustainable Villages

Provision in the order of 550 homes will be sought from the sustainable villages as part of the overall housing supply for the TTV Policy Area.

The LPAs support the preparation of neighbourhood plans as a means of identifying local housing and other development needs in the sustainable villages. Development within the sustainable villages, including the indicative level of housing set out in Figure 5.8, should be provided through neighbourhood plans, unless such provision would conflict with other policies of the JLP. Within sustainable villages without neighbourhood plans the LPAs will still support development that meets the identified local needs of local communities and development which responds positively to the indicative housing figures set out in Figure 5.8. All development proposals, whether in villages which have neighbourhood plans or not, will be considered against the other policies of this plan

3.10 Policy TTV26 - Development in the countryside

The LPAs will protect the special characteristics and role of the countryside. The following provisions will apply to the consideration of development proposals: 1. Isolated development in the countryside will be avoided and only permitted in exceptional circumstances, such as where it would:

- i. Meet an essential need for a rural worker to live permanently at or near their place of work in the countryside and maintain that role for the development in perpetuity; or
 - ii. Secure the long term future and viable use of a significant heritage asset; or
 - iii. Secure the re-use of redundant or disused buildings and brownfield sites for an appropriate use; or
 - iv. Secure a development of truly outstanding or innovative sustainability and design, which helps to raise standards of design more generally in the rural area, significantly enhances its immediate setting, and is sensitive to the defining characteristics of the local area; or
 - v. Protect or enhance the character of historic assets and their settings.
2. Development proposals should, where appropriate:
- i. Protect and improve public rights of way and bridleways.
 - ii. Re-use traditional buildings that are structurally sound enough for renovation without significant enhancement or alteration.
 - iii. Be complementary to and not prejudice any viable agricultural operations on a farm and other existing viable uses.
 - iv. Respond to a proven agricultural, forestry and other occupational need that requires a countryside location.
 - v. Avoid the use of Best and Most Versatile Agricultural Land.
 - vi. Help enhance the immediate setting of the site and include a management plan and exit strategy that demonstrates how long term degradation of the landscape and natural environment will be avoided.

3.11 Policy TTV27 - Meeting local housing needs in rural areas

Proposals for residential development on sites adjoining or very near to an existing settlement which would not otherwise be released for this purpose may be permitted provided that it can be demonstrated that:

1. It meets a proven need for affordable housing for local people.
2. It includes a mix of affordable and market housing products where necessary to be financially viable. This includes open market housing, providing it does not represent more than 40% of the homes or 40% of the land take excluding infrastructure and services.
3. Management of the scheme will ensure that the dwellings continue to meet the identified need in perpetuity.
4. The proposal meets the requirement of all other relevant policies of the Plan

3.12 Policy DEV28 - Trees, woodlands and hedgerows

Development that would result in the loss or deterioration of the quality of: Ancient woodland, aged or veteran trees or impact on their immediate surroundings;
Other woodlands or high amenity trees including protected trees; Important hedgerows including Devon hedgebanks; will not be permitted unless the need for, and benefits of, the development in that location clearly outweigh the loss and this can be demonstrated.
Development should be designed so as to avoid the loss or deterioration of woodlands, trees or hedgerows.

If the loss of trees, woodlands or hedgerows, cannot be avoided, new native and locally appropriate trees and hedgerows will be secured as mitigation to ensure they contribute to a 'net gain'. Mitigation should be delivered on site, but if this is not achievable, offsite compensation will be required to provide a net gain in canopy cover in line with local standards.

East Devon Local Plan (adopted January 2016)

3.13 Strategy 35 – Exception Mixed Market and Affordable Housing At Villages, Small Towns and Outside Built-up Area Boundaries

Exception site mixed affordable and open market housing schemes, at villages and outside of Built-up Area Boundaries, for up to or around 15 dwellings will be allowed where there is a proven local need demonstrated through an up to date robust housing needs survey. Affordable housing must account for at least 66% of the houses built. For: a) Villages WITH a Built-up Area Boundary the scheme must be abutting or physically closely related to that boundary; or b) Villages WITHOUT a Built-up Area Boundary the scheme should be physically very well related to the built form of the village. To be permitted evidence will need to show

1. The affordable housing need in any given locality would not otherwise be met, and
2. The village or small town has a population that falls below 3,000 persons, the scheme is well designed using local materials, close to a range of community services and facilities (including four or more of a school, pub, village hall, shop/post office, doctors surgery, place of worship or public transport service) and sympathetic to the character of the settlement and has a satisfactory highway access.
3. Initial and subsequent occupancy of the affordable housing is restricted to a person(s) who:

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- a) Does not have access to general market housing and is in housing need; and
 - b) Is a resident of that Parish group, or has a local connection with that parish group because of family ties or a need to be near their workplace. In the event that an occupier who fulfils both criterion (a) or (b) cannot be found within a reasonable period of time, then the criterion will be widened firstly to a person(s) with a local connection to the parish group because of family ties or a need to be near their workplace, and subsequently to a person(s) with an East Devon connection.

In this policy, local connection means one or more of the following connections in priority order in respect of parishes or the parish grouping:

- i) persons who have been permanently resident therein for a continuous period of three years out of the five years immediately prior to the Affordable Dwelling being offered to them; or
- ii) being formerly permanently resident therein for a continuous period of five years at some time in the past;
- iii) having his or her place of permanent work (normally regarded as 16 hours or more a week and not including seasonal employment) therein for a continuous period of at least twelve (12) months immediately prior to being offered the Affordable Dwelling; or
- iv) persons who can demonstrate a close family connection to the District in that the person's mother, father, son, daughter or sibling has been permanently resident therein for a continuous period of five years immediately prior to the Affordable Dwelling being offered to them and where there is independent evidence of a caring dependency relationship.

Local Policy

Kingswear Parish Neighbourhood Plan 2019-2034 pre-submission June 2019

3.14 Policy K1: Settlement Boundaries.

Settlement Boundaries have been defined as shown on Figure 1 for Hillhead and Kingswear. Within the settlement boundaries, infill development that complies with the KNP development plan and design guidance in the Kingswear Character Assessment 2019 (KCA) and policy K5, will be supported. Brownfield sites will be preferred for development.

Outside the settlement boundary development will need to comply with Policy TTV1 in the JLP and Policy K2 of this plan and conserve and, where possible, enhance the landscape and biodiversity of the South Devon AONB. The change of use of historic and attractive disused buildings, where the proposed development complies with other policy in the development plan, will be encouraged

3.15 Policy K2: Exception Sites for Local Needs.

Where evidence of exceptional local need for affordable homes is provided, sites adjacent to the settlement boundary will be considered for the provision of housing built to suit these needs provided they are of suitable tenure, management and accessibility standards. Any such site will need to comply with the following criteria:

An environmental and visual assessment of the impact on the AONB and local wildlife and historic assets will need to be undertaken for any development proposal for an exception site;

The current local need for affordable homes will need to have been demonstrated to the satisfaction of the LPA and should be supported by independent evidence from Devon Home

Choice or a successor organisation indicating a significant need for affordable housing in Kingswear from people having a local connection to Kingswear as defined in Policy K3 of this Plan. Unless viability restraints require some market housing, all dwellings are to be affordable and retained as such in perpetuity. In any case, subject to viability, at least 80% of dwellings on the site are to be affordable, and any market housing proposed must be justified in terms of viability in a report with open access to the Local Planning Authority and the local community in an unredacted form.

Access to the site and traffic generated by it is not to cause significant adverse impact on local roads and residential amenity of neighbouring property;

Any right of way of the site is to be retained and if appropriate new paths and traffic calming measures are to be incorporated;

Off street parking is to be provided within the development in line with policy K7 Sites will normally not be larger than 0.4ha and have no more than 10 dwellings in order that they are in keeping with the scale of Kingswear;

Development Proposals will need to be designed to fit well into the landscape and comply with guidance in the KCA.

3.16 Policy K5: New homes to be primary residences.

Due to the impact upon the local housing market of the continued uncontrolled growth of dwellings used for holiday accommodation (as second or holiday homes) new open market housing will only be supported where there is a restriction to ensure its occupancy as a Principal Residence.

Sufficient guarantee must be provided of such occupancy restriction through the imposition of a planning condition or legal agreement. New unrestricted second homes will not be supported at any time.

Principal Residences are defined as those occupied as the residents' sole or main residence, where the residents spend most of their time when not working away from home.

The condition or obligation on new open market homes will require that they are occupied only as the primary (principal) residence of those persons entitled to occupy them.

Occupiers of homes with a Principal Residence condition will be required to keep proof that they are meeting the obligation or condition and be obliged to provide this proof if/when South Hams District Council requests this information.

Proof of Principal Residence is via verifiable evidence which could include, for example (but not limited to) residents being registered on the local electoral register and being registered for and attending local services (such as healthcare, schools etc).

3.17 Policy K7: Traffic Calming and Parking Standards.

Measures to improve pedestrian and cycle safety on the highway will be promoted and supported. Where appropriate, development that generates significant extra journeys will be expected to contribute to measures that implement this policy and encourage sustainable transport by assisting vulnerable road users.

New residential development will be required to provide at least two off-street parking places on site. Dwellings with 3 bedrooms or more will be required to provide a minimum of three off-street parking places on site.

3.18 Policy K8: Protection of Trees and Woodland.

Development requiring planning permission that damages or results in the loss of ancient trees or mature trees or hedgerows of arboriculturally and amenity value will not be permitted.

Development proposals must be designed to retain trees or hedgerows of good arboriculturally and amenity value. Trees and areas of woodlands which are important to the setting of the urban area and views of the Parish from the sea are identified in the Kingswear Character Assessment. Development proposals should, where appropriate, be accompanied by a survey that establishes the health and longevity of any affected trees or hedgerows and a management plan to demonstrate how they will be so maintained.

Any TPO tree that is authorised to be removed shall be replaced by a native species as near as possible to the existing location of the removed tree.

4 CONCLUSIONS

- 4.1 Although the Neighbourhood plan was to potentially consider how and where future development could take place in Kingswear, there is no specific future development allocation for the period 2019 - 2034.

Noss Marina (with considerable constraints) is the only site considered for development within South Hams District Council's Document HO4B (March 2017) brought forward in the KWNH Plan. However, the inclusion of Noss Marina is irrelevant to the plan as permission was granted in August 2018 and excluded from policies being brought forward as noted in para. 4.5.3.

- 4.2 The Importance of the heritage coastline and maintaining the landscape beauty and ecology will likely provide little opportunity for Exception Sites.
- 4.3 By requiring all new dwellings to be affordable (Policy K2) and all New Market Properties available to be sold only with a covenant for the use as principal residence (Policy K5), the KPNH Plan acts to discourage development investment in the area.

Policy K5 will create a premium value on the purchase of existing homes without this covenant and is considered discriminatory.

- 4.4 Once all brownfield land within the Kingswear settlement boundary has been considered, the only suitable greenfield land that could account for new residential development is the land south and west of Waterhead Close between Brixham Road and Higher and Lower Contour Road.
- 4.5 From the Estuary, the existing residential curtilage of 'Waterhead House', 'Castella', 'Sunny Cottage' and 'Longfields' act as an attractive contrast to the surrounding woodland and reflects a General Landscape Guideline for views from the sea and estuary of the neighbourhood area.

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- 4.6 If this land is not supported for development, the historic landscape of Kingswear settlement since the 19th Century will not be consistent with development progress.
- 4.7 Development off Brixham Road can overcome construction constraints (SH_30_01_08/13). The KMNH Plan does not provide any substantiated evidence that it cannot. The plan provides inaccurate information as para. 4.1.1 (Built Environment Policies), see 4.8 and 4.9 below.
- 4.8 Ecological consultation confirms the surrounding Highways and lights levels prevent Bat species from establishing roosts and foraging areas, as such the flyways are established away from the areas between Brixham Road and Higher and Lower Contour Road.
- 4.9 Arboricultural Consultation confirms within the area off Brixham Road between Higher and Lower Contour Road that the quality of the great majority of trees is poor due mainly to structural form.
- 4.10 Biodiversity of the areas where Mr. Wilton has brought forward pre-application enquiries between the proposed Kingswear Settlement Boundaries can be overcome. The established ancient woodland surrounding the settlement of Kingswear is considerably more important as a local footprint.
- 4.11 Within the KWNH Plan pre-submission version (June 2019), the Kingswear Settlement boundary *'has been altered to include Waterhead Close as the last part of the settlement heading North which links the village with the facilities of the Creek and Jubilee Park'*.

The Existing residential curtilage of 'Waterhead House', 'Castella', 'Sunny Cottage' and 'Longfields' which are West and South of Waterhead Close have not been included, alongside site allocation RA19 (SH_30_01_08/13). We strongly believe that the information provided in the Background Summary and Appendices

demonstrates that all land off Brixham Road between Higher and Lower Contour Road should be included in the settlement boundary.

- 4.12 The display notice referencing Policy 1. Settlement Boundaries at the Open Session held at Hillhead Park on 19th October 2019 provides contradictory information to what has been included within the KWNH Plan pre-submission version (June 2019).
- 4.13 Well thought out landscape plans alongside Arboricultural impact assessments and comprehensive maintenance plans could greatly enhance this area in development.
- 4.14 We are able to organise a Professional Design Team to take on the challenge of creating a Plan for this land. We enjoy the opportunities that arise from engagement with local communities, key stakeholders and planning authorities. We recognise that managing stakeholders and ensuring their interests and concerns are addressed is an essential part of the planning process and crucial to promoting sustainable development.
- 4.15 At the heart of the NPPF is a presumption in favour of sustainable development, the objective of such *'can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs'*.
- 4.16 The whole or part of this document will be referenced if required in pre-application enquires and planning applications with South Ham District Council's Strategic and Planning office.

From: Lewis Grace <Grace.Lewis@networkrail.co.uk>
Sent: 09 July 2020 15:47
To: SW-Neighbourhood Planning
Subject: Kingswear Neighbourhood Plan

Dear Sir/Madam,

Network Rail were recently consulted on the Kingswear Neighbourhood Plan. The railway within this plan area does not belong to Network Rail, it is the Dartmouth Steam Railway which is privately owned.

They will need to be contacted as the statutory consultee rather than Network Rail.

Kind Regards,
Grace Lewis



Grace Lewis
Town Planning Technician
Property Network Rail (Wales & Western)
1st Floor | Temple Point | Redcliffe Way | Bristol | BS1 6NL
T 07732644491
E grace.lewis@networkrail.co.uk
www.networkrail.co.uk/property

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From: Stuart, David <David.Stuart@HistoricEngland.org.uk>
Sent: 10 July 2020 13:38
To: SW-Neighbourhood Planning
Subject: Kingswear NP

Dear Sarah

Thank you for your Regulation 16 consultation on the submitted version of the Kingswear Neighbourhood Plan.

I can confirm that there are no issues associated with the Plan upon which we wish to comment.

Kind regards

David

David Stuart | Historic Places Adviser South West
Direct Line: 0117 975 0680 | Mobile: 0797 924 0316

Historic England | 29 Queen Square | Bristol | BS1 4ND
<https://historicengland.org.uk/southwest>



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From: SW-Neighbourhood Planning [mailto:NeighbourhoodPlan@swdevon.gov.uk]
Sent: 28 May 2020 13:31
Subject: FW: Kingswear NP

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Dear Consultee,

As a consultee to the Kingswear Neighbourhood Plan, I am writing to you in accordance with Regulation 16 of the Neighbourhood Planning Regulations to inform you that we have now received the Kingswear Neighbourhood Plan proposal.

We will formally consult on this document for a period of 6 weeks from Monday 1st June 2020 to Monday 13th July 2020.

The consultation will take place during a period when Government restrictions relating to COVID 19 will be in place. The Government have issued guidance regarding consultation process during these difficult times which can be accessed on the following link
<https://www.gov.uk/guidance/neighbourhood-planning--2# covid-19>

Having considered this advice South Hams Council, following discussions with Kingswear Parish Council, have decided to proceed with this consultation. In order to take account of the restrictions the Parish Council will make hard copies of the Plan available if requested subject to necessary Covid19 precautions being adhered to. Please contact Kingswear Parish Clerk, by mail or telephone if you wish to obtain a copy (details below):-

Kingswear Parish Clerk

Sue Balsdon

Flat 3

9 St Matthews Road

Torquay

Devon TQ2 6JA

Tel: 07863227031

Please response to this consultation by email to SW-Neighbourhood Planning
<NeighbourhoodPlan@swdevon.gov.uk>

If we do not hear from you before the 13th July 2020 we shall assume you have no comments to make.

You may view a copy of the plan and accompanying documentation via our [website](#) or the Neighbourhood Plan website: kingswearneighbourhoodplan.co.uk

Many thanks

Sarah Packham | Neighbourhood Planning Senior Case Manager
West Devon Borough Council | South Hams District Council

Working days - Tuesday, Wednesday, Thursday



www.southhams.gov.uk



www.westdevon.gov.uk



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From: SPDC <SPDC@environment-agency.gov.uk>
Sent: 13 July 2020 09:15
To: SW-Neighbourhood Planning
Subject: RE: Kingswear NP
Attachments: dps1.pdf

Dear Sarah,

Thank you for consulting us on the Regulation 16 version of the Kingswear Neighbourhood Plan.

We consider that this has adequately addressed the points we raised in response to the Regulation 14 consultation (see attached). In particular, we are pleased to see that paragraph 4.9.1 identifies mudflats as priority habitats and Policy K9 requires a net gain of biodiversity where these habitats are adversely affected by any necessary development.

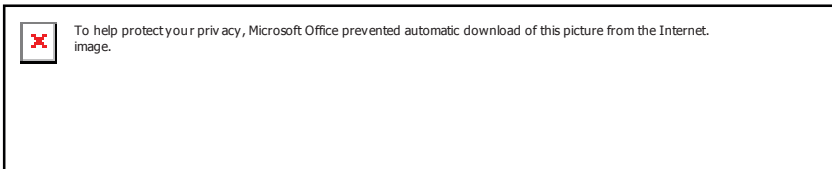
Please contact us if you have any further queries.

Kind regards

Sarah Squire MRTPI
Sustainable Places – Planning Advisor
Environment Agency – Devon, Cornwall and the Isles of Scilly Area

Tel: 0208 474 6316
Email: SPDC@environment-agency.gov.uk

Sir John Moore House, Victoria Square, Bodmin, Cornwall, PL31 1EB
Manley House, Kestrel Way, Exeter, Devon, EX2 7LQ



From: SW-Neighbourhood Planning [mailto:NeighbourhoodPlan@swdevon.gov.uk]
Sent: 28 May 2020 13:31
Subject: FW: Kingswear NP

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Kingswear Parish Clerk

Sue Balsdon

Flat 3

9 St Matthews Road

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Devon TQ2 6JA

Tel: 07863227031

Please response to this consultation by email to SW-Neighbourhood Planning
<NeighbourhoodPlan@swdevon.gov.uk>

If we do not hear from you before the 13th July 2020 we shall assume you have no comments to make.

You may view a copy of the plan and accompanying documentation via our [website](#) or the Neighbourhood Plan website: kingswearneighbourhoodplan.co.uk

Many thanks

Sarah Packham | Neighbourhood Planning Senior Case Manager
West Devon Borough Council | South Hams District Council

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***** Response by email *****

From: Salmon, Marcus
Sent: 04 November 2019 16:48
To: 'Kingswear Plan' <kpneighbourhoodplan@outlook.com>
Cc: SPDC <SPDC@environment-agency.gov.uk>
Subject: RE: Kingswear Neighbourhood Plan reg 14 submission for comment

Thank you for your consultation of 14 September 2019 providing us with the opportunity to comment on the pre-submission version of the Kingswear neighbourhood plan.

We support the neighbourhood plan's overarching vision and objectives. In particular we are supportive of the objectives that seek to protect the integrity of the AONB (including its wildlife), conserve/strengthen local biodiversity, encourage small scale renewable energy, and to ensure development protects and enhances the ecological richness and visual beauty of the river estuary and coastal margins.

In general we welcome the range of environmental policies set out in the plan (e.g. K8 on Trees and Woodland, K9 on Local Wildlife Sites, K10 on Local Green Spaces, and K11 on Public Open Space and Access to Water). Nonetheless, we have the following comments in respect of wildlife sites and access to the water from the perspective of inter-tidal habitats.

With regard to 4.9 Local Wildlife Sites and its accompanying policy K9 we are pleased to see the variety of Priority Habitats within the Parish acknowledged. The Environment Agency is a lead partner for some Priority Habitats and Species including inter-tidal mudflats. These habitats are under pressure from coastal squeeze – the combination of encroaching development and rising sea levels, and we would advocate the protection and enhancement of these habitats. We recommend that policy K9 is strengthened by replacing 'no overall loss' with a commitment to achieve a 'net gain' to reflect national policy.

With regard to 4.11 Open Space (and access to water) and its policy K11 it is important that maintaining access to the water does not result in any further loss of inter-tidal habitat. Any new or extended slipway facilities will need to compensate for any loss of habitat. If the Parish is aware of any sites that might be suitable for compensatory habitat or enhancement of existing habitat it would be useful for those to be highlighted to developers with proposals that involve encroachment into the inter-tidal zone.

Kind regards

Marcus Salmon
Sustainable Places Planning Specialist
Environment Agency – Devon, Cornwall & Isles of Scilly Area

✉ Manley House, Kestrel Way, Exeter, EX2 7LQ
☎ 02084746289 (Internal 46289)

Environment Agency
Manley House Kestrel Way, Sowton Industrial Estate, Exeter, EX2 7LQ.
Customer services line: 03708 506 506
www.gov.uk/environment-agency
End



South Hams District Council

Draft Response to the

Kingswear Neighbourhood Plan Regulation 16 consultation

July 2020

The Kingswear Neighbourhood Plan was submitted to South Hams District Council on 27th April 2020. 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 June 2020 and 13th July 2020. South Hams District Council made a full response to the Regulation 14 consultation carried out by the Qualifying Body in respect of the Kingswear 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 in largest part 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. There remain, however, areas of strong concern that are detailed below.

Comments on the General Text

Para 4.1.2 For accuracy, the JLP Inspectors decided not to include the settlement boundaries since it was considered necessary that further consultation was required before formal adoption.

Policy/Text	Comments
<p>Policy K1: Settlement Boundaries. Settlement Boundaries have been defined as shown on Figure 1 for Hillhead and Kingswear. Within the settlement boundaries, infill development that complies with the KNP development plan and design guidance in the Kingswear Character Assessment 2019 (KCA) and policy K5, will be supported. Brownfield sites will be preferred for development. Outside the settlement boundary development will need to comply with Policy TTV1 in the JLP and Policy K2 of this plan and conserve and enhance the landscape and biodiversity of the South Devon AONB. The change of use of historic and attractive disused buildings, where the proposed development complies with other policy in the development plan, will be encouraged.</p>	<p>The Council question whether the inclusion of a settlement boundary for Hillhead is appropriate. This settlement was not identified in the JLP, prior to its adoption, as a sustainable settlement whilst Kingswear was. The omission of the Hillhead boundary would require development proposals to be considered against JLP countryside policies. This, it is considered, would afford Hillhead greater protection from inappropriate development. Suggest the second paragraph of this policy is reworded as illustrated in red.</p> <p><i>“Outside the settlement boundary development will need to comply with Policy TTV1 and other appropriate policies in the JLP and Policy K2 of this plan and conserve and enhance the landscape and biodiversity of the South Devon AONB. The change of use of historic and attractive disused buildings, where the proposed development complies with other policy in the development plan, will be encouraged.”</i></p>
<p>Policy K2: Exception Sites for Local Needs. Where evidence of exceptional local need in Kingswear Parish for affordable homes is provided, sites adjacent to the settlement boundary will be considered for the provision of housing built to suit these needs provided they are of suitable tenure, management and accessibility standards. Any such site will need to comply with the following criteria:</p> <ul style="list-style-type: none"> • An environmental and visual assessment of the impact on the AONB and local wildlife and historic assets will need to be undertaken for any development proposal for an exception site. • The current local need for affordable homes will need to have been demonstrated to the satisfaction of the LPA and should be supported by independent evidence from Devon Home Choice or a successor organisation indicating a significant need for affordable housing in Kingswear from 	<p>Strong concerns remain regarding the following issues (stated in the Regulation 14 consultation) which are out of accord with TTV 27:-</p> <ol style="list-style-type: none"> 1) The requirement that at least 80% of the dwellings should be affordable. No local justification for this departure from TTV27 is given. TTV27 requires 60% affordable dwellings. 2) The requirement that sites should not exceed 0.4 hectares. This appears arbitrary and its inclusion is not fully justified in the text of the Plan. <p>Full evidence should be included to support these proposals or they should be removed.</p> <p>Furthermore the opening sentence of this Policy refers to “exceptional local need”. This is not justified in the accompanying text. It is considered the descriptive in the JLP “proven need for affordable housing” is sufficiently clear.</p> <p>NB The justification of this Policy will require redrafting if the Council’s comments are accepted.</p>

<p>people having a local connection to Kingswear as defined in Policy K3 of this Plan.</p> <ul style="list-style-type: none"> • Unless viability restraints require some market housing, all dwellings are to be affordable and retained as such in perpetuity. In any case, subject to viability, at least 80% of dwellings on the site are to be affordable, and any market housing proposed must be justified in terms of viability in a report with open access to the Local Planning Authority and the local community in an unredacted form. • Access to the site and traffic generated by it is not to cause significant adverse impact on local roads and residential amenity of neighbouring property. • Any right of way of the site is to be retained and if appropriate new paths and traffic calming measures are to be incorporated. • Off street parking is to be provided within the development in line with policy K7. • Sites will normally not be larger than 0.4ha and have no more than 10 dwellings in order that they are in keeping with the scale of Kingswear. • Development Proposals will need to be designed to fit well into the landscape and comply with guidance in the KCA. 	
<p>Policy K3: Local Connection for Affordable Housing. New affordable housing provision in the Neighbourhood Area shall be occupied on a preferential basis by persons (and their dependants) whose housing needs are not met by the market and:</p> <p>a) who have a minimum period of 4 years permanent and continuous residence in the Parish; OR</p>	<p>As indicated in the Regulation 14 response the Council have, during the preparation of the Kingswear NP, reviewed its local connections Policy, the relevant section is set out in <i>italic</i> below. If the Examiner is minded to include Policy K3 then it suggested the adopted Council policy terms are substituted for those currently accompanying Policy K3.</p> <p><i>A household has a connection with the Parish/Town in any of the following circumstances:-</i></p>

<p>b) who are not now resident in the Parish but have a local connection with the Parish including a period of permanent and continuous residence of 4 years or more within the last 10 years; OR</p> <p>c) who have an essential need to live close to a close relative who has a minimum of 4 years permanent and continuous residence in the Parish, the essential need arising from proven age or medical reasons; OR</p> <p>d) who need to live close to their place of work in the Parish and have a permanent contract for that employment.</p> <p>Where such a person cannot be found for any of criteria a-d above, affordable housing may be occupied by people and their dependents whose housing needs are not met by the market. These occupancy requirements shall apply in perpetuity and be the subject of a legal agreement negotiated during the planning process on any development of affordable housing.</p>	<p><i>(i) The person has lived in the parish/town for 3 out of the 5 years preceding the allocation.</i></p> <p><i>(ii) The person has immediately prior to the allocation lived in the parish/town for 6 out of 12 months preceding the allocation</i></p> <p><i>(iii) Immediate family have lived in the parish/town themselves for 5 years preceding the allocation. For avoidance of doubt The Local Government Association guidelines define immediate family as parents, siblings and non-dependent children.</i></p> <p><i>(iv) The person has permanent employment in the parish/town with a minimum contract of 16 hours per week which has continued for the 6 months preceding the allocation without a break in employment of more than 3 months such employment to include self-employment. This should not include employment of a casual nature</i></p>
<p>Policy K4: Design of Development in Kingswear Parish.</p> <p>The unique character of the built form in Kingswear village and the wider Parish should be reflected in new development proposals, which should have regard to the guidelines in the Kingswear Character Assessment 2020. Examples of typical and traditional construction in the Kingswear Conservation Appraisal are relevant and should inform design for the built form of Kingswear village as a whole.</p>	<p>No comment</p>
<p>Policy K5: New homes to be primary residences.</p> <p>Due to the impact upon the local housing market of the continued uncontrolled growth of dwellings used for holiday accommodation (as second or holiday homes) new open</p>	<p>Suggest the wording marked in red in the K5 Policy box is reworded as follows:- <i>“New unrestricted open market homes will not be supported at any time.”</i></p>

<p>market housing will only be supported where there is a restriction to ensure its occupancy as a Principal Residence. Enough guarantee must be provided of such occupancy restriction through the imposition of a planning condition or legal agreement. New unrestricted second homes will not be supported at any time.</p> <p>Principal Residences are defined as those occupied as the residents' sole or main residence, where the residents spend most of their time when not working away from home.</p> <p>The condition or obligation on new open market homes will require that they are occupied only as the primary (principal) residence of those persons entitled to occupy them. Occupiers of homes with a Principal Residence condition will be required to keep proof that they are meeting the obligation or condition and be obliged to provide this proof if/when South Hams District Council requests this information. Proof of Principal Residence is via verifiable evidence which could include, for example (but not limited to) residents being registered on the local electoral register and being registered for and attending local services (such as healthcare, schools etc).</p>	
<p>Policy K6: Protection of local heritage assets Buildings and structures of significant local architectural and historic interest have been identified and are listed in Appendix 1 of this Plan. These buildings are an important contribution to the distinctiveness of Kingswear and development proposals will be expected to retain and enhance the local distinctiveness of the identified buildings and structures and their setting wherever they are potentially impacted.</p>	<p>It is suggested that the following sentence is added to the beginning of Policy K6:-</p> <p><i>“Development proposals will need to sustain the local character and distinctiveness of the area by conserving and where appropriate enhancing its historic environment, both designated and non-designated heritage assets and their settings, according to their national and local significance.”</i></p>
<p>Policy K7: Traffic Calming and Parking Standards Measures to improve pedestrian and cycle safety on the highway will be promoted and supported. Where appropriate, development that generates extra journeys will be expected to contribute to measures that implement this policy and</p>	<p>Comment upon the sentence marked red in the Policy K7 box:- The Council normally requires 3 bed dwellings are accompanied by 2 car parking spaces. 3 spaces being required if the number of bed spaces exceeds 3.</p>

<p>encourage sustainable transport by assisting vulnerable road users.</p> <p>New residential development will be required to provide at least two off-street parking places on site unless the property has only one bedroom and is less than 60metres square total floor area. Dwellings with 3 bedrooms or more will be required to provide a minimum of three off-street parking places on site.</p>	
<p>Policy K8: Protection of Trees and Woodland Development requiring planning permission that damages or results in the loss of ancient trees or mature trees or hedgerows of arboriculturally and amenity value will not be permitted.</p> <p>Development proposals must be designed to retain trees or hedgerows of good arboriculturally and amenity value. Trees and areas of woodlands which are important to the setting of the urban area and views of the Parish from the sea are identified in the Kingswear Character Assessment.</p> <p>Development proposals should, where appropriate, be accompanied by a survey that establishes the health and longevity of any affected trees or hedgerows and a management plan to demonstrate how they will be so maintained.</p> <p>Any TPO tree that is authorised to be removed shall be replaced by a native species as near as possible to the existing location of the removed tree.</p>	<p>Comment upon the sentence marked red in the Policy K8 box:- This is unduly restrictive.</p> <p>Suggest this Policy is reworded using wording such as "...Development where possible should...." And replacing "must" with "should where appropriate".</p>
<p>Policy K9: Local Wildlife Sites and habitats</p> <p>Development is required to protect and maintain Priority Habitats as defined by Natural England and the County Wildlife Sites listed in appendix 3 and shown in Figure 2 above. Where adverse impact on the ecological or landscape value of these habitats and sites is considered justified by the benefits of development, then mitigation and compensation will be required to ensure there is a nett gain of biodiversity and no loss of long-term landscape beauty.</p>	<p>No comment</p>
<p>Policy K10: Local Green Spaces</p>	<p>No comment</p>

<p>The following areas of open space detailed in Figs 1-4 Appendix 2 are designated as Local Green Space: Head of Waterhead Creek including Jubilee Park, the allotments, and Community Orchard. Redoubt Hill Playing Fields US Garden. Kingswear Wood.</p> <p>Development on Local Green Space will not be permitted unless it preserves and enhances the attributes for which it was designated.</p>	
<p>Policy K11: Public Open Space and Access to Water The areas and facilities shown on figure 3b are designated as Public Open Space allowing access to water and should continue to remain as such. Any development will be required to promote and improve the existing community use or provide an alternative public space and facility with equal accessibility to water, size, and use.</p>	<p>As indicated in the Council's Regulation 14 comments I haven't encountered a policy along these lines before. My suggestion that each of the sites is identified on the Proposals Map has been taken up on Fig 3v. I remain uncertain whether a Policy such as this is more appropriately covered by use of Rights of Way legislation.</p>
<p>Policy K12: Protection of Important Public Views and Vistas Views and vistas identified on figure 4a) and 4b) are important to the character and local distinctiveness of Kingswear Parish and development is required to maintain the visual beauty of the panorama and viewing points for the future enjoyment of all.</p>	<p>No comment</p>
<p>Policy K13: Footpaths and Rights of Way Network. Development will be expected to protect and, where appropriate, extend and enhance the network of existing and public Rights of Way in the Parish. Specific opportunities to enhance and improve the network have been identified in the South Devon AONB Brixham Kingswear Peninsular Plan supported by the Parish Council and are shown on Figure 5 Development proposals adjacent and impacting on these identified gaps and deficiencies in the network should seek opportunities to implement the improvements as appropriate.</p>	<p>No comment</p>

<p>Enhancement of the network should include, wherever possible, making the paths accessible to those with special access needs.</p>	
<p>Policy K14: Allotments and Community Orchard. The Allotment and Community Orchard site shown on map below is to be maintained as allotments and orchard for community use.</p>	<p>The Council's Regulation 14 comment that these site are better protected by allocating as Local Green Space has been taken up in Policy K10. In the light of this is there a need for this Policy.</p>
<p>Policy K15: Renewable Energy Policy All new housing developments and extensions are encouraged to consider renewable energy infrastructure that can be incorporated as part of the development and contribute to reducing carbon emissions. Development of renewable energy schemes at the scale suited to households will be encouraged where they are compatible with other policies in the development plan and the AONB designation. Wind turbines will generally not be suitable in the sensitive landscape of Kingswear, but an exception may be made where a small individual turbine (no more than max 15kW power output) for use on a property or by the local community meets visual and environmental standards set out in the development plan.</p>	<p>No comment</p>
<p>Policy K16: Minor Employment Development and live/work units Proposals for start-up businesses from home, live-work units and other small business developments within residential areas will be supported where the development complies with other policies in the development plan and the following can be demonstrated:</p> <ul style="list-style-type: none"> • Existing buildings are reused where possible. • Employment opportunities are provided, including self-employment, and the development maintains or increases the sustainability of the Parish. 	<p>No comment</p>

<ul style="list-style-type: none"> • The proposed design including any signage is in keeping with the scale and character of the surroundings. • The proposed use will not give rise to harmful impacts on local residential amenities or other neighbouring uses. • The proposed development ensures that the expected nature and volume of traffic generated by the development and need for parking would not have a detrimental impact on the residential amenity of surrounding neighbours and the area generally. 	
<p>Policy K17: Protecting Community Assets</p> <p>In order to promote a thriving community for all ages, there will be a strong presumption against the redevelopment of community facilities for non-community uses. Identified Community Facilities are:</p> <ol style="list-style-type: none"> 1: The Post Office 2: Village Hall 3. The Steam Packet Public House 4: St Thomas of Canterbury Church 5: The Ship Inn 6: Kingswear Village Store 7: The Lower Ferry Slip, 8: Slipway by The Royal Dart Yacht Club. 9: The slipway by the Dart Harbour Engineering workshop at the head of Waterhead Creek 10: The public toilets situated at The Square 11: The Kingswear Primary school and Nursery <p>Development proposals to sustain or extend the viable use of existing community facilities and the development of new facilities especially at Hillhead will normally be supported if they comply with other policies in the development plan.</p> <p>Development proposals that will result in the loss, or significant reduction in the scale and value, of a community facility will be resisted, unless alternative facilities of equal or better accessibility, size and suitability are provided or it can</p>	<p>No comment</p>

<p>be clearly demonstrated that the operation of the asset, or the ongoing delivery of the community value of the asset, is no longer economically viable typically because the site has been marketed at a reasonable price for at least a year for that and any other suitable employment or service trade uses and no interest in acquisition has been expressed</p>	
<p>Policy K18: Provision of Play Facilities Any future residential development at Hillhead will be expected to include proposals for a small play space at Hillhead in association with the development, subject to meeting other policies in the development plan</p>	<p>It was suggested by the Council in its Regulation 14 comments that a site be identified in the NP for the provision of play facilities at Hillhead. It is considered that the expectation that residential proposals should include this provision is disproportionate given the limited development opportunities in the Hillhead settlement.</p>
<p>Policy K19: Priorities identified for developer contributions to be spent within the Neighbourhood area Financial contributions received by Kingswear Parish Council from the LPA on developments within the NP area will be allocated to community priorities agreed at the time, and may include but not exclusively the projects listed below: Improved leisure and exercise facilities. Transport and road safety improvements Other developer contributions to be spent in the neighbourhood area are encouraged to consider these priorities. Where the monies available have been ring fenced for a particular purpose then they may be spent on projects within the Parish provided that such projects conform with the policies within this plan and all the provisions contained herein are met.</p>	

July 2020

Duncan Smith

Neighbourhood Planning Officer

South Hams District and West Devon Borough Councils

Email: Duncan.smith@swdevon.gov.uk

Telephone: 01803 861178